

For the Nuclear Regulatory Commission.
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[Docket No. 40-8838]

Jefferson Proving Ground, Madison, IN; Consideration of an Amendment Request

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Consideration of an Amendment Request for Release of the Remediated Portion of Jefferson Proving Ground (JPG), Madison, IN, for Unrestricted Use and Amendment of the U.S. Army Source Material License Number SUB-1435, and Opportunity for Hearing.

The U.S. Nuclear Regulatory Commission is considering two license amendment requests for Source Material License SUB-1435, issued to the U.S. Army, Jefferson Proving Ground (JPG), Madison, IN. The first amendment would release, for unrestricted use, a portion of JPG. The second amendment would transfer the license from the U.S. Army at JPG to the U.S. Army Test and Evaluation Command (TECOM), Aberdeen, MD.

The first amendment request involves that portion of JPG which has been remediated to levels in compliance with the current NRC decommissioning criteria for unrestricted release (i.e., "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses by Byproduct, Source, or Special Nuclear Material," August 1987). This portion of the JPG site is located south of the firing line. In a letter dated September 14, 1995, the licensee requested amendment of its license to release the area south of the firing line for unrestricted use. In support of this request, the licensee remediated the area south of the firing line and submitted a final survey report. In addition, the Army has submitted a certificate of disposition which indicated that the depleted uranium (DU) material, that resulted from the remediation activities, was disposed of at a licensed burial site. Subsequently, the NRC conducted a confirmatory radiological survey of that area and submitted the results of that survey to the Army on September 27, 1995 (Report No. 040-08838/95001/R-III). The radiological survey data in these two reports (final and confirmatory

survey reports) did not identify any radioactive material in excess of the current NRC decommissioning criteria for unrestricted use. Therefore, in accordance with NRC regulations in 10 CFR 40.41, and NRC's Action Plan to Ensure Timely Cleanup of Site Decommissioning Management Plan Sites (57 FR 13389, April 16, 1992), that portion of JPG site would be released for unrestricted use.

The second amendment request involves the transfer of the license. The U.S. Army has ceased its function as a test center for DU projectiles and has closed JPG effective September 30, 1995. The Army has transferred certain DU material to other Army locations under different licenses. Therefore, the Army currently possesses only the DU material remaining onsite (estimated 80,000 kilograms), in the DU impact area north of the firing line, and will not conduct any further DU test activities at JPG. As a result of these changes, the Army has requested (in a letter dated September 14, 1995) an amendment to transfer the license to the U.S. Army TECOM Headquarters in Aberdeen, MD. Consequently, NRC is considering the Army's request to amend the license to conform with the current conditions and status at JPG. In addition, NRC is proceeding with the development of an environmental impact statement (EIS) which will examine alternatives for the decommissioning of the remaining radiologically contaminated portion of JPG (i.e., the DU impact area north of the firing line). A notice of intent to develop an EIS was published in the Federal Register on April 10, 1995 (60 FR 18155).

The NRC hereby provides notice that this is a proceeding on an application for a license amendment falling within the scope of Subpart L, Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings, of NRC's rules and practices for domestic licensing proceedings in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(c). A request for hearing must be filed within (30) days of the date of publication of this Federal Register notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or
2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory

Commission, Washington, DC 20555.
Attention: Docketing and Service Branch.

In accordance with 10 CFR § 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, U.S. Army Test and Evaluation Command, Aberdeen Proving Ground, Maryland 21005-5055, ATTN: Ms. Tanya Palmateer Oxenberg, and

2. The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail, addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requestor in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);
3. The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and
4. The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

For further details with respect to this action, the application for the license amendment is available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555. If you have any questions or comments about the requests, please contact NRC's project manager for the site, Dr. Boby Eid, at telephone number (301) 415-5811 or at Mail Stop T7F27, U.S. NRC, Washington, DC 20555.

Dated at Rockville, Maryland this 31st day of October 1995.

For the U.S. Nuclear Regulatory Commission.

Michael F. Weber,

Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-36450; International Release No. 878; File No. SR-OPRA-95-4]

Options Price Reporting Authority; Notice of Filing and Immediate Effectiveness of Amendment to OPRA Fee Schedule Establishing Certain Fees With Respect to OPRA's Foreign Currency Options Service That Are Counterparts to Existing OPRA Fees, and Reducing Certain "Basic Service" Fees

November 1, 1995.

Pursuant to Rule 11Aa3-2 under the Securities Exchange Act of 1934 ("Exchange Act") notice is hereby given that on October 19, 1995,¹ the Options Price Reporting Authority ("OPRA")² submitted to the Securities and Exchange Commission ("SEC" or "Commission") an amendment to the Plan for Reporting of Consolidated Options Last Sale Reports and Quotation Information ("Plan"), establishing certain fees with respect to OPRA's foreign currency options ("FCO") service that are counterparts to existing OPRA fees, and reducing certain fees applicable to OPRA's basic service. OPRA has designated this proposal as establishing or changing a fee or other charge collected on behalf of all of the OPRA participants in connection with access to or use of OPRA facilities, permitting the proposal to become effective upon filing pursuant to Rule 11Aa3-2(c)(3)(i) under the Exchange Act. The Commission is publishing this notice to solicit comments from interested persons on the amendment.

I. Description and Purpose of the Amendment

The purpose of the amendment is to establish a Direct Access Charge and a Redistribution Fee (and, under

¹ The proposed amendment was originally filed on October 5, 1995, but was subsequently amended to incorporate the usage-based fee alternatives proposed in a separate filing (SR-OPRA-95-3). The amendment is available for inspection and copying in the Commission's Public Reference Room.

² OPRA is a National Market System Plan approved by the Commission pursuant to Section 11A of the Exchange Act and Rule 11Aa3-2 thereunder. Securities Exchange Act Release No. 17638 (Mar. 18, 1981).

The Plan provides for the collection and dissemination of last sale and quotation information on options that are traded on the five member exchanges. The five exchanges which agreed to the OPRA Plan are the American Stock Exchange ("AMEX"); the Chicago Board Options Exchange ("CBOE"); the New York Stock Exchange ("NYSE"); the Pacific Stock Exchange ("PSE"); and the Philadelphia Stock Exchange ("PHLX").

circumstances described below, a Pass-Through Fee) with respect to OPRA's FCO service, and to make offsetting reductions in these same fees as they apply to OPRA's basic service at the time the new FCO fees go into effect. The amendment also will establish a new FCO Subscriber Indirect Access Fee, FCO Voice-Synthesized Market Data Service Fee and FCO Dial-up Market Data Service Utilization Fee applicable to the FCO service; these fees will be established on the same basis as, but at lower rates than, the corresponding fees currently applicable to OPRA's basic service. In addition, the amendment will establish zero-based (no charge) fees for providers of FCO Radio Paging Services and FCO Back-up Facilities. All of the fees will go into effect on January 1, 1996, in accordance with the OPRA Plan as amended effective March 14, 1995.

Currently, all persons who receive options last sale and quotation information directly from OPRA's processor must pay a Direct Access Charge to OPRA, and all vendors and news services that receive such information indirectly from a vendor must pay a Pass-Through Fee to OPRA equal in amount to the Direct Access Charge. In a filing still pending before the Commission ("Pending Filing"), OPRA is proposing a reduction in the amount of the Direct Access Charge, the elimination of the Pass-Through Fee, and the establishment of a new Redistribution Fee. In the present filing, these three fees have been proposed to apply to OPRA's FCO service in both the situation where the Pending Filing has been approved by January 1, 1996, as well as the situation where the Pending Filing has not been approved by that date. In either event, concurrently with the introduction of these new fees, OPRA's counterpart basic service fees will be reduced by an amount equal to the new FCO fees. OPRA's proposal will not result in an increase in these fees, but instead will result in a reallocation of these fees between OPRA's basic service and its FCO service. Therefore, on and after January 1, 1996, OPRA's Direct Access Charges, Redistribution Fees and Pass-Through Fees for its basic service and FCO service, in the aggregate, will be the same as the "bundled" fees in effect prior to that date.

The amendment also will establish three new fees applicable to the FCO service that will be comparable to fees currently applicable to OPRA's basic service, but at reduced rates. These fees will be in addition to the comparable basic service fees. The FCO Subscriber Indirect Access Charge is payable by

every subscriber to the FCO service that receives an uncontrolled data feed transmission of FCO market data from a vendor. This fee does not apply to a subscriber that receives a data feed to a single, stand-alone computer for the sole purpose of providing a single screen display of FCO data for the subscriber's internal use. The FCO Voice-Synthesized Market Data Service Fee is a port-based fee applicable to every vendor or subscriber that offers a voice synthesized FCO market data service to persons that are not required to be approved FCO subscribers. The FCO Dial-Up Market Data Service Utilization Fee is a port-based fee applicable to every vendor that provides a dial-up FCO market data service to a customer's personal computer without requiring the customer to be an approved FCO subscriber. As alternatives to these two port-based fees, usage-based fees may be elected during a pilot period ending December 31, 1996, and thereafter if the pilot is extended or made permanent.³

Two other fees that currently apply to OPRA's basic service are proposed to be established at a zero rate (no charge) for the FCO service; these fees are the Radio Paging Service Fee and the Back-up Facility Access Fee. The Radio Paging Service Fee is a device-based fee payable by every vendor that offers a radio paging service to persons not required to be approved subscribers. The Back-up Facility Access Fee is a monthly fee payable by persons who maintain terminals for us as back-up facilities during times when the terminals are not being used, and is in lieu of regular subscriber device charges for such terminals.

Persons subject to the foregoing fees (including the zero-based fees) will be required to sign agreements with OPRA. Such agreements will be substantially similar to those currently required to be signed with regard to OPRA's basic service.

II. Solicitation of Comments

Pursuant to Rule 11Aa3-2(c)(3), the amendment is effective upon filing with the Commission. The Commission may summarily abrogate the amendment within 60 days of its filing and require refiling and approval of the amendment by Commission order pursuant to Rule 11Aa3-2(c)(2), if it appears to the

³ In a separate proposal, OPRA is proposing the introduction of a usage-based alternative to its basic Voice-Synthesized Market Data Service Fee for a pilot period ending December 31, 1996, and the extension of its pilot for a usage-based basic Dial-Up Market Data Service Utilization Fee until this same date. See Securities Exchange Act Release No. 36402 (October 20, 1995), 60 FR 54905 (October 26, 1995).

Commission that such action is necessary or appropriate in the public interest; for the protection of investors and the maintenance of fair and orderly markets; to remove impediments to, and perfect the mechanisms of, a National Market System; or otherwise in furtherance of the purposes of the Exchange Act.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, and all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available at the principal offices of OPRA. All submissions should refer to file number SR-OPRA-95-4 and should be submitted by November 28, 1995.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁴

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 95-27588 Filed 11-7-95; 8:45 am]

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[Release No. 34-36449; File No. SR-Phlx-95-66]

**Self-Regulatory Organizations;
Philadelphia Stock Exchange, Inc.;
Notice of Extension of Public
Comment Period for Proposed Rule
Change**

November 1, 1995.

On September 15, 1995, the Philadelphia Stock Exchange, Inc. ("Phlx") filed with the Securities and Exchange Commission ("Commission") the proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1). The proposed rule change would amend: (i) Phlx Rule 1066¹ by adding new paragraph (h), P/A Orders (Principal Acting as Agent); and (ii)

Phlx Rule 1015² by adding new paragraph (c). The proposed rule change would create a new equity options order designator, the P/A order, to ensure that when a floor trader (i.e., Specialist, market maker, Registered Options Trader, Lead Market Maker or Designated Primary Market Maker) from another options exchange in possession of a public customer order sends a mirror-image order³ to the Phlx to obtain price improvement for that customer, the customer would receive the benefit of that better execution price, notwithstanding that the mirror-image order has been sent in the name of the floor trader. Similarly, the P/A order would ensure that when a Phlx floor trader sends such an order to another options exchange, the customer for whom the Phlx order is sent receives the benefit of the better price available on that exchange.

Notice of the proposed rule change was provided by the issuance of a Commission release (Securities Exchange Act Release No. 36271, September 22, 1995) and by publication in the Federal Register (60 FR 50225, September 28, 1995).

The Commission has been requested to extend the time period for public comment on the proposed rule change.⁴ The Commission hereby extends the period for public comment on the proposed rule change until December 31, 1995.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁵

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 95-27589 Filed 11-7-95; 8:45 am]

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[Rel. No. IC-21469; File No. 812-9664]

**Glenbrook Life and Annuity Company,
et al.**

November 2, 1995.

AGENCY: Securities and Exchange Commission ("Commission" or "SEC").

ACTION: Notice of application for an order under the Investment Company Act of 1940 (the "1940 Act").

² *Philadelphia Stock Exchange Guide*, Options Rules, Rule 1015 (CCH) ¶3015.

³ A mirror-image order is an order sent by the floor trader for the exact number of contracts specified in the customer order.

⁴ By letter dated October 30, 1995, the Phlx has consented to an extension of the comment period. See letter from Gerald D. O'Connell, First Vice President, Market Regulation and Trading Operations, Phlx to Ethan D. Corey, Senior Counsel, Division of Market Regulation, Commission.

⁵ 17 CFR 200.30-3(a)(12).

APPLICANTS: Glenbrook Life and Annuity Company ("Glenbrook" or the "Company"), Glenbrook Life and Annuity Company Separate Account A (the "Variable Account"), and Allstate Life Financial Services, Inc. ("Allstate").

RELEVANT 1940 ACT SECTIONS: Order requested under Section 6(c) of the 1940 Act granting exemptions from the provisions of Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act.

SUMMARY OF APPLICATION: Applicants seek an order permitting the deduction of a mortality and expensive risk charge from the assets of the Variable Account and other separate accounts established by Glenbrook in the future ("Other Separate Accounts") in connection with the issuance and sale of certain deferred variable annuity contracts ("Contracts") and/or any contracts that are similar in all material respects to the Contracts ("Other Contracts"). Applicants also respect that the exemptive relief extend to certain other broker-dealers which may serve in the future as a principal underwriter of the Contracts or Other Contracts ("Future Underwriters").

FILING DATE: The application was filed on July 13, 1995, and amended on October 16, 1995.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on November 27, 1995, and should be accompanied by proof of service on Applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the requester's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

ADDRESSES: Secretary, SEC, 450 5th Street, N.W., Washington, D.C. 20549. Applicants, David E. Stone, Esq., Glenbrook Life and Annuity Company, 3100 Sanders Road, Northbrook, Illinois 20062.

FOR FURTHER INFORMATION CONTACT: Mark C. Amorosi, Attorney, or Patrice M. Pitts, Special Counsel, Office of Insurance Products (Division of Investment Management), or (202) 942-0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from the Public Reference Branch of the Commission.

⁴ 17 CFR 200.30-3(a)(29).

¹ *Philadelphia Stock Exchange Guide*, Options Rules, Rule 1066 (CCH) ¶3066.