effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1–(800) 248–5100 (in Missouri 1–(800) 342–6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to (*Project Director*): petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this Federal Register notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

Duke Power Company, Docket Nos. 50–269, 50–270, and 50–287, Oconee Nuclear Station, Units 1, 2, and 3, Oconee County, South Carolina

Date of application of amendments: February 6, 1996.

Brief description of amendments: The amendments revised Technical Specification Section 3.16, ''Containment Hydrogen Control Systems.'' The change adds a footnote to TS 3.16.3.b. to allow a one-time outage duration extension in regard to the Containment Hydrogen Control System flow path. This extension is necessary to install and test plant modifications, which will allow the Containment Hydrogen Control System to perform as designed, without the potential for inoperability due to water accumulation in the flow path.

Date of Issuance: February 7, 1996.

Effective date: As of the date of issuance to be implemented within 30 days.

Amendment Nos.: Unit 1–214–Unit 2–214–Unit 3–211.

Facility Operating License Nos. DPR–38, DPR–47, and DPR–55: The amendments revised the Technical Specifications.

Public comments requested as to proposed no significant hazards consideration: No.

The Commission's related evaluation of the amendments, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated February 7, 1996.

Local Public Document Room location: Oconee County Library, 501 West South Broad Street, Walhalla, South Carolina 29691.

Attorney for licensee: J. Michael McGarry, III, Winston and Strawn, 1200 17th Street NW., Washington, DC 20036.

NRC Project Director: Herbert N. Berkow.

South Carolina Electric & Gas Company, South Carolina Public Service Authority, Docket No. 50–395, Virgil C. Summer Nuclear Station, Unit No. 1, Fairfield County, South Carolina

Date of application for amendment: February 10, 1996.

Brief description of amendment: The amendment revises Technical Specifications (TS) Surveillance Requirements 4.7.6.c.2, 4.7.6.d, 4.9.11.b.2 and 4.9.11.c regarding the testing methodology utilized by Virgil C. Summer Nuclear Station, which determines the operability of the charcoal filters in the engineering safety features air handling units.

Date of issuance: February 10, 1996.

Effective date: February 10, 1996.

Amendment No.: 131.

Facility Operating License No. NPF–12: Amendment revises the TS.

The Commission's related evaluation of the amendments, finding of emergency circumstances, and final determination of no significant hazards consideration, are contained in a Safety Evaluation dated February 10, 1996.

Public comments requested as to proposed no significant hazards consideration: No.

No significant hazards consideration comments received: None.

Local Public Document Room location: Fairfield County Library, 300 Washington Street, Winnsboro, SC 29180.

Dated at Rockville, Maryland, this 21st day of February 1996.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 96–4342 Filed 2–27–96; 8:45 am]

BILLING CODE 7590–01–P

Availability of Draft Branch Technical Position on the Use of Expert Elicitation in the High-Level Waste Program

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of Availability.

SUMMARY: The Nuclear Regulatory Commission is announcing the availability of the ''Draft Branch Technical Position (BTP) on the Use of Expert Elicitation in the High-Level Waste (HLW) Program.''

DATES: The comment period expires May 14, 1996.

ADDRESSES: Send comments to Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555–0001. ATTENTION: Docketing and Services Branch. Hand deliver comments to 11545 Rockville Pike, Rockville, Maryland 20852–2738, between 7:45 a.m. and 4:15 p.m., on Federal workdays.

A copy of the draft BTP is available for public inspection and/or copying at the NRC Public Document Room, 2120 L Street (Lower Level), NW., Washington, DC 20555–0001. Copies of the draft BTP may also be obtained by contacting Karen S. Vandervort, Mail Stop T–7F3, U.S. Nuclear Regulatory Commission. Telephone: (301) 415–7252.

FOR FURTHER INFORMATION CONTACT: Michael P. Lee, Performance Assessment and High-Level Waste Integration Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, Nuclear Regulatory Commission, 11545 Rockville Pike, MD 20852–2738. Telephone: (301) 415–6677.

SUPPLEMENTARY INFORMATION: The U.S. Department of Energy (DOE) is conducting a program of site characterization to gather enough information, about the Yucca Mountain (Nevada) site, to be able to evaluate the waste isolation capabilities of a potential geologic repository. Should the site be found suitable, DOE will apply to the NRC for permission to construct and then operate a proposed geologic repository for the disposal of spent nuclear fuel and other high-level radioactive waste at Yucca Mountain. As with other licensing decisions,

NRC's decision to grant or deny a license for a proposed repository will be based on a combination of fact and judgment, as set forth by DOE in any potential license application. The subjective judgments of individual experts and, in some cases, groups of experts, will be used by DOE to interpret data obtained during site characterization and to address the many technical issues and inherent uncertainties associated with predicting the performance of a geologic repository system for thousands of years. NRC has traditionally accepted, for review, expert judgment to evaluate and interpret the factual bases of license applications. Judgment has been used to complement and supplement other sources of scientific and technical information, such as data collection, analyses, and experimentation.

The NRC staff has developed specific technical positions that: (1) Provide general guidelines on those circumstances that may warrant the use of a formal process for obtaining the judgments of more than one expert (*i.e.*, expert elicitation); and (2) describe acceptable procedures for conducting expert elicitation when formally elicited judgments are used to support a demonstration of compliance with NRC's geologic disposal regulation, currently set forth in 10 CFR Part 60.

Current NRC policy is to encourage the use of probabilistic risk assessment (PRA) state-of-the-art technology and methods as a complement to the deterministic approach in nuclear regulatory activities (60 FR 42622). Although routinely used in deterministic analyses that do not involve PRA (or performance assessments, in the case of waste management systems), expert judgment can, and frequently does, provide information essential to the conduct of probabilistic assessments. Consistent with the Commission's policy, the NRC staff has developed this BTP to identify acceptable procedures for the use and formal elicitation of such judgments in the area of HLW.

Although there are several examples of the use of expert elicitation in a nuclear regulatory context, no formal Agency guidance on this subject exists. Thus, in developing this BTP, the Division of Waste Management staff has drawn upon the prior experience of other NRC program offices with the use of expert judgment and has relied on various Agency resource documents to help formulate its position statements. Consequently, the reader will find that this BTP is largely consistent with these other resource documents in substance.

Subsequent to the finalization of this BTP, the staff may elect to develop guidance on the use of expert judgment in other areas of nuclear industry regulation.

Dated at Rockville, Maryland, this 20th day of February 1996.

For the Nuclear Regulatory Commission.

John H. Austin, Chief,

Performance Assessment and High-Level Waste Integration Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 96–4484 Filed 2–27–96; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 36871; File No. SR–CSE–96–03]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Cincinnati Stock Exchange Relating to Exchange Rule 11.10, National Securities Trading System Fees

February 22, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on February 21, 1996 The Cincinnati Stock Exchange (''CSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange hereby amends Rule 11.10 regarding fees imposed by the Exchange. The text of the proposed rule change is as follows [new text is italicized; deleted text is bracketed]:

Rule 11.10 National Securities Trading System Fees

A. Agency Transactions

As is the case [Except] for Preferenced transactions, members acting as an agent will be charged [$0.0025 per share ($0.25/100 shares)] *the per share incremental rates as noted below* for public agency transactions. [except that there will be no transaction fee charge for public agency limit orders executed from the CSE limit order book.]

Avg. daily share* volume	Charge Per share
1 to 250,000	$0.0020
250,001 to 500,000	0.0015
500,001 to 1,000,000	0.0013
1,000,001 to 1,500,000	0.0009
1,500,001 and higher	0.0007

*Odd-lot shares excluded.

B. through M. No Change

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange has determined to amend the fee charged agency limit and market orders executed through the facilities of the Exchange's limit order and automated execution book such that the fee imposed upon agency market and limit orders executed through that facility will be the same as the fee charged members that preference agency orders.

2. Statutory Basis

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act[2] in general and furthers the objectives of Section 6(b)(4)[3] particular in that it provides for the equitable allocation of reasonable dues, fees, and other charges among the Exchange's members and other persons using its facilities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78f(b).

[2] 15 U.S.C. 78f(b)(4).