

Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By February 14, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Wharton County Junior College, J.M. Hodges Learning Center, 911 Boling Highway, Wharton, Texas 77488. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended

petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

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 William D. Beckner, Director, Project Directorate IV-1: 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 Jack R. Newman, Esq., Newman & Holtzinger, P.C., 1615 L Street, NW., Washington, DC 20036, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding 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).

For further details with respect to this action, see the application for amendment dated November 7, 1994, as supplemented by letters dated December 20, 1994, and January 23, 1995, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room, located at the Wharton County Junior College, J.M. Hodges Learning Center, 911 Boling Highway, Wharton, Texas 77488.

Dated at Rockville, Maryland, this 24th day of January 1995.

For the Nuclear Regulatory Commission.

Thomas W. Alexion,

Project Manager, Project Directorate IV-1, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation.

[FR Doc. 95-2166 Filed 1-27-95; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET**Office of Federal Procurement Policy****Small Disadvantaged and Women-Owned Businesses**

AGENCY: Executive Office of the President, Office of Management and Budget, (OMB) Office of Federal Procurement Policy (OFPP).

ACTION: OFPP is correcting the date by which comments must be received under a previous notice and a date in the notice when its final report is due to Congress.

BACKGROUND: On January 4, 1995, OFPP published in the *Federal Register* at page 456, a notice requesting comments on its plans to comply with the review requirements of small disadvantaged and women-owned businesses in accordance with the Federal Acquisition Streamlining Act of 1994. Although the notice correctly advised that comments would be received for 60 days after its publication, it mistakenly included the date of February 20, 1995, as the date by which comments were due. This notice is to correct that date by providing the correct date of March 6, 1995. In addition, the notice mistakenly stated in the section labeled Background that the report to Congress mandated by the Act was due May 1, 1966. The correct date is May 1, 1996.

ACTION: The date by which comments must be received in response to the notice of January 4, 1995, is changed to March 6, 1995.

ADDRESSES: Comments should be submitted to the OFPP, New Executive Office Building, Room 9001, 725 17th Street NW., Washington, DC 20503, Attention: Ms. Linda Meros.

FOR FURTHER INFORMATION CONTACT:

Ms. Linda Mesaros at 202-395-4821.

Steven Kelman,

Administrator.

[FR Doc. 95-2148 Filed 1-27-95; 8:45 am]

BILLING CODE 3110-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-35263; File No. SR-CBOE-94-51]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval to Proposed Rule Change by Chicago Board Options Exchange, Incorporated Relating to Arbitration Rules

January 23, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on December 2, 1994,¹ the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the CBOE. 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 proposes to amend various rules in Chapter XVIII, "Arbitration," in order to conform Exchange rules to the Uniform Code of Arbitration ("Uniform Code") developed by the Securities Industry Conference on Arbitration ("SICA").

The text of the proposed rule change is available at the Office of the Secretary, CBOE and at the Commission.

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 Exchange 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 Exchange has prepared summaries, set forth in Sections (A), (B) and (C) below, of the most significant aspects of such statements.

¹ The CBOE amended the proposed rule change subsequent to its initial filing. The substance of this amendment is included in this notice. Amendment No. 1, filed January 17, 1995, was a minor technical amendment.

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

The purpose of the proposed rule change is to amend various Exchange arbitration rules in order to conform them to the Uniform Code. In general, the substantive amendments, which mirror the Uniform Code, relate to:

- The ineligibility of class actions for arbitration.
- Discovery procedures in simplified proceedings.
- Classification of persons registered under the Commodities Exchange Act as securities industry arbitrators.
- Time limitations for exercising a peremptory challenge.
- Arbitral authority to proceed with a hearing or any continuation thereof at which a party fails to appear.
- Authority of the Director of Arbitration to waive an adjournment fee.
- Enforcement of rulings by the arbitrators.

Content of and interest on arbitral awards.

The Exchange is also proposing miscellaneous editorial and non-substantive clarifications to its rules governing arbitration. The proposed amendments are discussed in detail below.

Rule 18.3(c), Referral of Claims

The Exchange proposes to adopt new paragraph (c) to Rule 18.3 to allow the Director of Arbitration, with a claimant's consent, to refer a claim arising out of a readily identifiable market to the arbitration forum for that market. SICA adopted this amendment to the Uniform Code in order to provide for a more efficient allocation of claims among the various self-regulatory organizations ("SROs"). CBOE is proposing this amendment to its Rules in order to conform its Rules to the Uniform Code.

Rule 18.3A and 18.35(e), Class Action Claims

Consistent with the Uniform Code, proposed new Rule 18.3A will provide that class action claims are not eligible for submission to arbitration at the Exchange. Thus, claimants will be allowed to pursue such claims in court regardless of the existence of a predispute arbitration agreement. The Rule also will exclude claims filed by participants in a putative or certified class action in another forum, if the claim filed at the Exchange is encompassed by such class action. Disputes over whether a claim is