CFR 1152.29[3] must be filed by September 28, 1995. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by October 10, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any pleading filed with the Commission should be sent to applicant's representative: James R. Paschall, Three Commercial Place, Norfolk, VA 23510.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

NS has filed an environmental report which addresses the abandonment's effects, if any, on the environmental and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by September 22, 1995. Interested persons may obtain a copy of the EA by writing to SEA (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEA, at (202) 927–6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: September 11, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 95–23105 Filed 9–15–95; 8:45 am]

BILLING CODE 7035–01–P

[3] The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

MERIT SYSTEMS PROTECTION BOARD

Opportunity to File Amicus Briefs in Cases Involving Possible Furlough of Administrative Law Judges

AGENCY: Merit Systems Protection Board.

ACTION: The Merit Systems Protection Board is providing an opportunity for interested parties to submit amicus briefs in a number of pending cases filed pursuant to 5 U.S.C. § 7521 and 5 CFR 1201.131.

SUMMARY: The Merit Systems Protection Board currently has seven pending complaints filed by separate agencies pursuant to 5 U.S.C. § 7521 and 5 CFR 1201.131. The basic premise of each complaint is that there is a possibility that Congress may not enact an appropriation or continuing resolution for fiscal year 1996 on or before October 1, 1995, and that the resulting lapse in funding would necessitate the furlough of all agency employees, including administrative law judges. Therefore, the agencies are requesting that the Board make a finding that there is good cause for the imposition of a furlough action against each agency's administrative law judges.

The Board also has a complaint filed by the National Labor Relations Board seeking permission to furlough its administrative law judges. The NLRB states in its filing that it anticipates its fiscal year 1996 budget will be insufficient to cover its present rate of spending, and that the furlough of its administrative law judges will thus be necessary to avoid deficit spending.

The Board has issued orders in each of the eight cases noting that there is a question whether the procedure provided for by 5 U.S.C. § 7521 is intended to cover the situations described in the agencies' complaints. Specifically, the Board has determined that there is a question whether a furlough which seven agencies allege would be necessitated by a lapse in funding caused by the failure of Congress to enact an appropriation or continuing resolution is the type of personnel action to which the protections of 5 U.S.C. § 7521 need by applied. In the case of the NLRB, the Board has determined that there is a question whether a furlough allegedly necessitated by a cut by Congress in the agency's appropriation is an action to which the protections of 5 U.S.C. § 7521 may be applied. In *Horner* v. *Andrzjewski*, 811 F.2d 571 (Fed. Cir. 1987), which involved furloughs under a similar statute, 5 U.S.C. § 7513, the court recognized that not all furloughs are within the Board's jurisdiction. The court stated that where a furlough action is taken ''because an agency has no choice * * * it can reasonably be said that an agency did not 'take an action' covered by Chapter 75.'' *Id*. at 576.

In considering these questions, the Board is concerned with the possibility that the provisions of the Antideficiency Act (31 U.S.C. §§ 1341, 1350) may be violated by any action the Board might take in declining to authorize an agency the right to furlough administrative law judges due to a lapse in funding caused by the failure to enact appropriation bills or a continuing resolution, or by Congress' failure to fund an agency at current budget levels. The Board is inviting any interested party to submit amicus briefs addressing these jurisdictional issues.

DATES: All briefs submitted in response to this notice shall be filed with the Clerk of the Board on or before September 22, 1995.

ADDRESSES: All briefs shall be captioned ''Administrative Law Judge Furlough Appeals'' and entitled ''Amicus Brief.'' Only one copy of the brief need be submitted. Briefs should be filed with the Office of the Clerk, Merit Systems Protection Board, 1120 Vermont Avenue NW., Washington, DC 20419.

FOR FURTHER INFORMATION CONTACT: Shannon McCarthy, Deputy Clerk of the Board, or Matthew Shannon, Counsel to the Clerk, (202) 653–7200.

Dated: September 13, 1995.

Robert E. Taylor,

Clerk of the Board.

[FR Doc. 95–23067 Filed 9–15–95; 8:45 am]

BILLING CODE 7400–1–M

NATIONAL SCIENCE FOUNDATION

Notice of Conference

The National Science Foundation's (NSF) Directorate for Education and Human Resources (EHR) will host its Fourth National Conference, September 21–September 23, 1995 at the Washington Hilton and Towers Hotel, 1919 Connecticut Avenue, NW., Washington, DC 20009. The hours of the Conference are: September 21, from 6:00 p.m. until 7:30 p.m.; September 22 from 8:00 a.m. until 5:30 p.m. and September 23, from 8:30 a.m. until 6:00 p.m.

This event represents a continuation of last year's conference which focused on major issues related to minority education, along with an update on efforts implemented in the last year and results to date. Planned activities include workshops to exhibit EHR's accomplishments in broadening diversity in science and technology fields through its human resource development programs, as well as discussions by national leaders of strategies to disseminate successful efforts nationwide. There also will be presentations of research by NSF-supported students, and presentations by the NSF research directorates.

The conference will not operate as an advisory committee. It will be open to the public. Participants will include persons representing the heads of national associations, education, science, mathematics and engineering practitioners, and Federal and state government officials.

For additional information, contact Dr. Elmima C. Johnson, Staff Associate,

Office of the Assistant Director for Education & Human Resources, Room 805, 4201 Wilson Boulevard, Arlington, VA 22230, (703) 306–1605; 6841.

Dated: September 5, 1995.

Luther S. Williams,

Assistant Director, Education and Human Resources.

[FR Doc. 95–23079 Filed 9–15–95; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

Tennessee Valley Authority

[Docket No. 50–328]

Sequoyah Nuclear Plant Unit 2; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Tennessee Valley Authority (the licensee) to withdraw its July 19, 1995, application for proposed amendment to Facility Operating License No. 79 for the Sequoyah Nuclear Plant Unit 2, located in Soddy Daisy, Tennessee.

The proposed amendment would have revised the technical specification surveillance requirements and bases to incorporate alternate steam generator tube plugging criteria at tube support plate intersections. The approach was similar to guidance given in Generic Letter 95–05, ''Voltage-Based Repair Criteria for Westinghouse Steam Generator Tubes Affected by Outside Diameter Stress Corrosion Cracking.''

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on August 1, 1995 (60 FR 39189). However, by letter dated September 7, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated July 19, 1995, and the licensee's letter dated September 7, 1995, which withdrew the application for license amendment.

The above documents 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 Chattanooga-Hamilton County Library, 1001 Broad Street, Chattanooga, Tennessee.

Dated at Rockville, Maryland, this 11th day of September 1995.

For the Nuclear Regulatory Commission.

David E. LaBarge, Sr.

Project Manager, Project Directorate II–3, Division of Reactor Projects— I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–23057 Filed 9–15–95; 8:45 am]

BILLING CODE 7490–01–P

OFFICE OF PERSONNEL MANAGEMENT

Notice of Request for Expedited Review of a Revised Information Collection; RI 30–2 and RI 30–44

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1980 (title 44, U.S. Code, chapter 35), this notice announces that the Office of Personnel Management has submitted to the Office of Management and Budget a request for expedited approval of an information collection. The form RI 30–2, Annuitant's Report of Income, is used by disability annuitants under age 60 to report their earnings annually to the Office of Personnel Management. Form RI 30–44, Report of Income is Not Usable, is used to follow-up with the annuitant when the information from the RI 30–2 is not usable.

It is estimated that there will be 21,000 respondents to the RI 30–2, and 260 respondents to the RI 30–44. It takes approximately 35 minutes to complete the RI 30–2, and approximately 5 minutes to complete the RI 30–44. The combined annual burden is 12,272 hours.

Copies of these two forms are appended to this notice.

DATES: Comments on this proposal should be received within 7 calendar days from the date of this publication. OMB has been requested to act within 10 calendar days.

ADDRESSES: Send or deliver comments to—

Lorraine E. Dettman, Chief, Retirement and Insurance Service, Operations Support Division, U.S. Office of Personnel Management, 1900 E Street NW., Room 3349, Washington, DC 20415

and

Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building NW., Room 10235, Washington, DC 20503.

FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION—CONTACT: Mary Beth Smith-Toomey, Management Services Division, (202) 606–0623.

U.S. Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

BILLING CODE 6325–01–M