• Disposal at a commercial disposal site with treatment;

• On-site temporary storage followed by off-site permanent disposal at a future, commercial disposal site;

• On-site permanent disposal under 10 CFR Part 20.2002 (BPC's preferred option).

The advantages and disadvantages of these alternatives, are described in the Environmental Assessment available in the Public Document Room.

Conclusions

The onsite permanent disposal under 10 CFR Part 20.2002 (the licensee's preferred option) consists of removing the contaminated material, and disposing of the materials in Closure Cell No. 2 designed and constructed according to the RCRA criteria. This disposal option complies with the provisions of 10 CFR Part 20.2002.

The environmental and public health impacts will be insignificant. No additional lands are required. There will be no adverse impacts caused by off-site waste transportation because no off-site waste transport is involved. Also, occupational exposures will be minimized. The estimated cost for the decommissioning and on-site disposal project is $18.26 million.

The NRC staff concludes that there are no reasonably available alternatives to the licensee's preferred action that are obviously superior.

Agencies and Persons Consulted, and Sources Used

This environmental assessment was prepared entirely by NRC's Office of Nuclear Material Safety and Safeguards staff in Rockville, Maryland, and Region III staff in Lisle, Illinois. Review comments were solicited on the draft EA from the Ohio Department of Health, the Ohio Environmental Protection Agency, and the Allen County Combined Health District, Lima, Ohio.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant impact on the quality of the human environment. Accordingly the Commission has determined not to prepare an environmental impact statement for the proposed action.

Additional Information

For further details with respect to the proposed action, see: (1) BPC's license amendment application dated August 2, 1996, and BPC's responses dated September 17, 1996, February 2, 1998, and June 19, 1998, to the NRC comments; and (2) the complete Environmental Assessment. The documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555.

Dated at Rockville, Maryland, this 29th day of January 1999.

For the Nuclear Regulatory Commission.

John W.N. Hickey,

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

[FR Doc. 99–2750 Filed 2–4–99; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549

Extension:

Rule 101, SEC File No. 270–408, OMB Control No. 3235–0464

Rule 102, SEC File No. 270–409, OMB Control No. 3235–0467

Rule 103, SEC File No. 270–410, OMB Control No. 3235–0466

Rule 104, SEC File No. 270–411, OMB Control No. 3235–0465

Rule 17a–2, SEC File No. 270–189, OMB Control No. 3235–0201

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget for extension and approval.

Rules 101 and 102 prohibit distribution participants, issuers, and selling security holders from purchasing activities at specified times during a distribution of securities. Persons otherwise covered by these rules may seek to use several applicable exceptions such as a calculation of the average daily trading volume of the securities in distribution, the maintenance of policies regarding information barriers between their affiliates, and the maintenance of a written policy regarding general compliance with Regulation M for de minimis transactions. The Commission estimates that 1,761 respondents collect information under rule 101 and that approximately 40,641 hours in the aggregate are required annually for these collections. In addition, the Commission estimates that 791 respondents collect information under rule 102 and that approximately 1,691 hours in the aggregate are required annually for these collections.

Rule 103 permits passive market making in Nasdaq securities during a distribution. A distribution participant that seeks use of this exception would be required to disclose to third parties its intention to engage in passive market making. The Commission estimates that 227 respondents collect information under Rule 103 and that approximately 227 hours in the aggregate are required annually for these collections.

Rule 104 permits stabilizing by a distribution participant during a distribution so long as the distribution participant discloses information to the market and investors. This rule requires disclosure in offering materials of the potential stabilizing transactions and that the distribution participant inform the market when a stabilizing bid is made. It also requires the distribution participants (i.e. the syndicate manager) to maintain information regarding syndicate covering transactions and penalty bids and disclose such information to the SRO. The Commission estimates that 641 respondents collect information under Rule 104 and that approximately 64.1 hours in the aggregate are required annually for these collections.

Rule 17a–2 requires underwriters to maintain information regarding stabilizing activities, syndicate covering transactions, and penalty bids. The Commission estimates that 641 respondents collect information under Rule 17a–2 and that approximately 3,205 hours in the aggregate are required annually for these collections.

Written comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of

Information Technology, Securities and Exchange Commission, 450 5th Street, N.W., Washington, DC 20549.

Dated: January 27, 1999.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 99–2737 Filed 2–4–99; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–40998; File No. SR–CHX–98–27]

Self-Regulatory Organizations; Chicago Stock Exchange, Inc.; Order Granting Approval to Proposed Rule Change Relating to Crossing Orders of 25,000 Shares or More

January 29, 1999.

I. Introduction

On November 5, 1998, the Chicago Stock Exchange, Inc. (''CHX'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act'' or ''Act'') [1] and Rule 19b–4 thereunder,[2] a proposed rule change relating to crossing orders of 25,000 shares or more.

The proposed rule change was published for comment in the **Federal Register** on December 15, 1998.[3] No comments were received on the proposal. This order approves the proposal.

II. Description of the Proposal

The Exchange's general auction market procedures are codified in CHX Article XX, Rule 16, which provides for the manner in which bids and offers at the same price will be sequenced for execution. A member who makes the first bid or offer at a particular price has ''priority'' at that price, which means that the member is the first one in the market to be entitled to receive an execution at that price. If no member can claim priority, all members who are bidding or offering at a particular price are deemed to be on ''parity'' with each other, or equivalent in status.[4] Unlike the rules of certain other exchanges,[5] however, the CHX does not currently permit bids and offers that have parity to obtain precedence based on size (a so-called ''size-out'' rule).[6] In addition, unlike some other exchanges,[7] the CHX does not currently have a ''clean cross'' rule (as an exception to the normal priority rules) that would permit a member to cross a large block of stock, without the cross being broken up, by permitting the cross to obtain priority over all other existing bids and offers at the same price, regardless of the size of such bids or offers.[8]

The purpose of the proposed rule filing is to add new interpretation and policy .02 to Article XX, Rule 23, to allow a member or member organization that has an order to buy and an order to sell 25,000 shares or more of the same security to cross those orders at a price that is at or within the prevailing quotation, without the transaction being broken up at the cross price so long as (i) the size of the proposed cross transaction is of a size that is greater than the aggregate size of all interest communicated on the Exchange floor at that price at the time of the proposed cross, and (ii) neither side of the cross is for the account of the executing member or member organization.

As is the case for cross transactions that are permitted under existing CHX rules, prior to effecting the cross under the new proposal, the member will be required to make a public bid and offer on behalf of both sides of the cross.[9] The offer must be made at a price which is higher than the bid by the minimum trading variation permitted for the security. Under the Proposal, another member may trade with either the bid or offer side of the cross transaction only to provide a price which is better than the cross price as to all or part of the bid or offer. A member who is providing a better price to one side of the cross transaction must trade with all other market interest having priority at that price before trading with any part of the cross transaction.

Because the proposal provides that the bid or offer of the member desiring to execute the cross would be entitled to priority at such price (over pre-existing bids and offers at that price) only if the size of the cross is greater than the aggregate size of all interest communicated on the Exchange floor (which includes the specialist's bid or offer—including any limit order reflected in such quote—and any communicated interest of floor brokers or market makers standing in the crowd), the proposed rule is more akin to a size-out rule than a special priority rule.

The difference between the CHX proposal and the size-out rules contained on other exchanges is that the priority of earlier bids and offers will not have to be removed, by means of a sale, before effecting the cross. In addition, a cross transaction effected in accord with the CHX proposal does not affect the priority of existing orders in a specialist's book, and once the cross is executed, the priority (based on time rather than size) shall remain as it was before the execution of the cross transaction. In this sense, the proposal does have some attributes of a special priority rule. However, unlike the special priority afforded certain crosses on other exchanges, which are reported to the tape as ''stopped stock,'' cross transactions effected under the proposed rule will be reported to the tape without a ''tape designator.''

The CHX proposal limits the types of orders eligible to be crossed. Specifically, as stated above, no part of the cross can include an order for the account of the executing member or member organization. Under the proposal, only customer orders of a floor broker (*i.e.*, orders in which the floor broker acts as agent) can be included in the cross. For purposes of this proposal, the term customer order includes professional orders not for the account of the executing member (*i.e.*, orders for the accounts of broker-dealers and other members or member organizations communicated from off the floor).

The proposal is intended to facilitate the execution of certain cross

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

[2] 17 CFR 240.19b–4.

[3] *See* Exchange Act Release No. 40758 (December 8, 1998), 63 FR 69125

[4] Members are on parity with each other when two or more bids or offers are announced simultaneously, or after a trade takes place leaving several bids or offers unfilled at the same price as the executed trade. *See* CHX Art. XX, Rule 16 (b) and (c).

[5] *See* New York Stock Exchange (''NYSE'') Rule 72 and similar Philadelphia Stock Exchange and Boston Stock Exchange rules. The American Stock Exchange (''Amex'') has a modified version of a ''size out'' rule for crosses of 25,000 shares or more. *See* Amex Rule 126(g), commentary .01 and .02.

[6] Under a typical size-out rule, the priority of existing bids and offers are first removed by means of a sale so that all bids and offers are on parity. Then, a person desiring to execute a cross can usually do so by claiming precedence based on size, so long as the size of the cross is greater than any other single bid or offer at that price.

[7] *See, e.g.*, NYSE Rule 72(g) which gives priority to an agency cross transaction of 25,000 shares or more that is executed at or within the prevailing quotation, without regard to the size or price of existing bids or offers on the floor. Other members can typically interact with the cross only by bettering one side of the cross, and even then, can only do so after satisfying all other existing bids or offers at that price. The Pacific Exchange, Inc. (''PCX'') and Amex have similar crossing rules.

[8] While the CHX does have a crossing rule, Article XX, Rule 23, this rule only permits crosses *between* (and not at) the CHX disseminated market. Thus, under current rules, assuming a specialist has properly reflected all limit orders from his book in his quote, the crossing rule does not have any effect on the Exchange's general priority, parity and precedence rules because all crosses must be at a better price than the disseminated market. Therefore, they are entitled to priority because of price (and not because of a special priority rule giving certain crosses priority over other bids and offers).

[9] *See* CHX Art. XX, Rule 23.