

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.

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 20555-0001, 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 Mark Reinhart, Acting Director, Project Directorate II-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 20555-0001, and to William D. Johnson, Vice President and Senior Counsel, Carolina Power & Light Company, Post Office Box 1551, Raleigh, North Carolina 27602, 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 August 27, 1996, which is 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 Hartsville Memorial Library, 147 West College Avenue, Hartsville, South Carolina 29550.

Dated at Rockville, Maryland, this 22nd day of October, 1996.

For the Nuclear Regulatory Commission,
Bartholomew C. Buckley,

*Acting Director, Project Directorate II-1,
Division of Reactor Projects—I/II, Office of
Nuclear Reactor Regulation.*

[FR Doc. 96-27692 Filed 10-28-96; 8:45 am]

BILLING CODE 7590-01-P

Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 88th meeting on November 12 and 13, 1996, Room T-2B3, at 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the Federal Register on Wednesday, December 6, 1995 (60 FR 62485).

The entire meeting will be open to public attendance. The schedule for this meeting is as follows:

Tuesday, November 12, 1996—8:30

A.M. until 6:00 P.M.

Wednesday, November 13, 1996—8:30

A.M. until 4:00 P.M.

During this meeting, the Committee plans to consider the following:

A. *Planning Session*—The ACNW will conduct a planning session during which the Committee will discuss the conduct of Committee activities, procedures and operations, and priorities for ACNW tasks. The Committee will not formulate advice for the Commission during this session.

B. *Preparation of ACNW Reports*—The Committee will discuss proposed reports, including: (1) radionuclide transport at Yucca Mountain, (2) specification of a critical group and reference biosphere to be used in the performance assessment for a nuclear waste disposal facility, (3) consideration of coupled processes (thermal-mechanical-hydrological-chemical) in the design of a high-level waste repository, (4) time of compliance in high- and low-level waste disposal, (5) comments on selected NRC Strategic Assessment and Rebaselining Decision Setting Issue papers, (6) shallow land

burials licensed under the former 10 CFR 20.304 and 20.302 requirements, and (7) ACNW Priority Issues.

C. *Meeting with the Director, NRC's Division of Waste Management, Office of Nuclear Materials Safety and Safeguards*—The Director will discuss items of current interest related to the Division of Waste Management programs including: progress at the Yucca Mountain site, the status of the EPA work on the development of revised Yucca Mountain high-level waste disposal standards, and NRC's high-level waste regulations.

D. *Committee Activities/Future Agenda*—The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members.

E. *Miscellaneous*—The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the Federal Register on October 8, 1996 (61 FR 52814). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the Chief, Nuclear Waste Branch, Mr. Richard K. Major, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Chief, Nuclear Waste Branch prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Major as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements

and the time allotted therefor can be obtained by contacting Mr. Richard K. Major, Chief, Nuclear Waste Branch (telephone 301/415-7366), between 8:00 A.M. and 5:00 P.M. EDT.

ACNW meeting notices, meeting transcripts, and letter reports are now available on FedWorld from the "NRC MAIN MENU." Direct Dial Access number to FedWorld is (800) 303-9672; the local direct dial number is 703-321-3339.

Dated: October 23, 1996.

Andrew L. Bates,

Advisory Committee Management Office.

[FR Doc. 96-27693 Filed 10-28-96; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting Notice

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of October 28, 1996.

A closed meeting will be held on Thursday, October 31, 1996, at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Johnson, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Thursday, October 31, 1996, at 10:00 a.m., will be:

Institution and settlement of injunctive actions.

Institution and settlement of administrative proceedings of an enforcement nature.

Opinions.

At times, changes in Commission priorities require alternations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942-7070.

Dated: October 24, 1996.

Jonathan G. Katz,

Secretary.

[FR Doc. 96-27809 Filed 10-25-96; 11:13 am]

BILLING CODE 8010-01-M

[Release No. 34-37852; File No. SR-CBOE-96-47]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by the Chicago Board Options Exchange, Incorporated Relating to Permitting a Subject of an Exchange Investigation To Submit a Videotaped Response in Lieu of or in Addition to a Written Response

October 22, 1996.

I. Introduction

On July 10, 1996, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder.² The rule change amends CBOE Rules to permit the subject of an Exchange investigation to submit a videotaped presentation to the Exchange's Business Conduct Committee in response to Exchange staff's notice given pursuant to Rule 17.2(d).

Notice of the proposed rule change, together with the substance of the proposal, was provided by issuance of a release (Securities Exchange Act Release No. 37646, September 5, 1996) and by publication in the Federal Register (61 FR 48181, September 12, 1996). No comments were received. This order approves the proposed rule change.

II. Description of the Proposal

The rule change approved today permits the subject of an Exchange investigation to submit a videotaped presentation to the Business Conduct Committee ("BCC") in response to Exchange staff's notice given pursuant to Rule 17.2(d). That notice describes the general nature of allegations against a Subject of the Exchange investigation ("Subject"), and the specific rules that appear to have been violated. This videotaped presentation may be submitted to the BCC in lieu of or in addition to submitting a written statement as permitted by Rule 17.2(d).

Under existing Rule 17.2, if, after conducting an investigation, Exchange staff finds that there are reasonable

grounds to believe that a rule violation has been committed, the Exchange staff submits a written report to the BCC.³ Prior to submitting the report to the BCC, the Exchange staff notifies the Subject of the general nature of the allegations and the specific provisions of the rules or regulations that appear to have been violated.

Pursuant to Rule 17.2(d), except when the BCC determines that expeditious action is required, the Subject then has fifteen (15) days from the date of the Exchange staff's notice to submit a written statement to the BCC explaining why no disciplinary action should be taken. The rule change permits the Subject's statement to be made in a videotaped format instead of or in addition to submitting a written response.

The Exchange stated that it decided to propose this change because a number of members have indicated that they would be more comfortable presenting their positions orally, rather than attempting to draft persuasive response letters. The Exchange also stated that it believes that permitting a Subject of an investigation to respond on videotape, which could then be viewed by BCC members at their convenience, would be beneficial to the BCC and the Subject.

III. Conclusion

The Commission finds that the rule change is consistent with the provisions of Section 6(b)(7) of the Act. The rule change is designed to improve the speed, fairness, and efficiency of disciplinary hearings by providing Subjects added flexibility to determine the format of statements permitted under Rule 17.2(d) that they believe will best serve their interests, thereby promoting a fair procedure for the disciplining of members and persons associated with members.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change SR-CBOE-96-47 be, and hereby is, approved.

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

Margaret H. McFarland,

Deputy Secretary.

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BILLING CODE 8010-01-M

³ Exchange staff may draft and submit a report to the BCC if it finds that there are not reasonable grounds to believe a violation has been committed; however, such a report is not required under Exchange rules.

⁴ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.