

proposed exemption as published in the **Federal Register** as well as a supplemental statement, as required pursuant to 20 CFR 2570.43(b)(2), which shall inform interested persons of their right to comment on the proposed exemption. Comments with respect to the notice of proposed exemption are due within 44 days of the publication of this pendency notice in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Ms. Jan D. Broady of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest of disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(b) of the act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under section 408(a) of the Act and/or section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan;

(3) The proposed exemptions, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(4) The proposed exemptions, if granted, will be subject to the express condition that the material facts and representations contained in each application are true and complete and accurately describe all material terms of the transaction which is the subject of

the exemption. In the case of continuing exemption transactions, if any of the material facts or representations described in the application change after the exemption is granted, the exemption will cease to apply as of the date of such change. In the event of any such change, application for a new exemption may be made to the Department.

Signed at Washington, DC, this 16th day of July, 1999.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
U.S. Department of Labor.*

[FR Doc. 99-18616 Filed 7-21-99; 8:45 am]

BILLING CODE 4510-29-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 99-98]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a meeting of the NASA Advisory Council.

DATES: Tuesday, August 3, 1999, 8 a.m. to 3:45 p.m.; and Wednesday, August 4, 1999, 8 a.m. to 2 p.m.

ADDRESSES: Ohio Aerospace Institute, 22800 Cedar Point Road, Room, Library, Glenn Research Center at Lewis Field, Cleveland, OH 44142.

FOR FURTHER INFORMATION CONTACT: Ms. Kathy Dakon, Code Z, National Aeronautics and Space Administration, Washington, DC 20546, 202/358-0732.

SUPPLEMENTARY INFORMATION: The meeting will be closed to the public on Tuesday, August 3, 1999, from 2:15 p.m. to 3:45 p.m. in accordance with 5 U.S.C. 552b(c)(4), to hear a proprietary briefing on the Space Transportation Architecture Studies analysis by the Independent Evaluation Team. Wednesday, August 4, 1999, will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Aeronautics Technology Update
- High Speed Research Lessons
- Commercialization Update
- ISS PRA
- Independent Assessment Team Report
- NASA Advisory Council and Performance Plan Evaluation
- Committee/TaskForce/Working Group Reports

—Discussion of Findings and Recommendations

A detailed agenda and further information about the NASA Advisory Council is available on the world wide web at: <http://www.hq.nasa.gov/office/codez/nac.htm>.

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Matthew M. Crouch,

*Advisory Committee Management Officer,
National Aeronautics and Space Administration.*

[FR Doc. 99-18749 Filed 7-21-99; 8:45 am]

BILLING CODE 7510-01-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 99-099]

Performance Review Board, Senior Executive Service (SES)

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Notice of membership of SES performance review board.

SUMMARY: The Civil Service Reform Act of 1978, Pub. L. 95-454 (Section 405) requires that appointments of individual members to a Performance Review Board be published in the **Federal Register**.

The performance review function for the SES in the National Aeronautics and Space Administration is being performed by the NASA Performance Review Board (PRB) and the NASA Senior Executive Committee. The latter performs this function for senior executives who report directly to the Administrator or the Deputy Administrator and members of the PRB. The following individuals are serving on the Board and the Committee:

Performance Review Board

Spence M. Armstrong, Chairperson,
Associate Administrator for Aero-Space Technology, NASA Headquarters
John T. Pennington, Executive Secretary,
Chief, Agency Executive Personnel Branch,
NASA Headquarters
Joan S. Peterson, Director, Personnel Division, NASA Headquarters
Robert M. Stephens, Deputy General Counsel,
NASA Headquarters
Oceola S. Hall, Deputy Associate Administrator for Equal Opportunity Programs, NASA Headquarters
Michael A. Greenfield, Deputy Associate Administrator for Safety and Mission Assurance, NASA Headquarters
Susan H. Garman, Associate Director, NASA Johnson Space Center

William F. Townsend, Deputy Director,
NASA Goddard Space Flight Center
Kathie L. Olsen, Chief Scientist, Office of the
Administrator, NASA Headquarters
Paula M. Cleggett, Deputy Associate
Administrator for Public Affairs, NASA
Headquarters
Vacant, Deputy Director, NASA Glenn
Research Center
James L. Jennings, Deputy Director for
Business Operations, NASA Kennedy
Space Center
Wallace C. Sawyer, Deputy Director, NASA
Langley Research Center
Mark Craig, Deputy Director, NASA Stennis
Space Center

Senior Executive Committee

J. R. Dailey, Chairperson, Associate Deputy
Administrator, NASA Headquarters
Joan S. Peterson, Executive Secretary,
Director, Personnel Division, NASA
Headquarters
Ghassem Asrar, Associate Administrator for
Earth Science, NASA Headquarters
Spence M. Armstrong, Associate
Administrator for Aero-Space Technology,
NASA Headquarters
Vicki A. Novak, Associate Administrator for
Human Resources and Education, NASA
Headquarters

Daniel S. Goldin,

Administrator.

[FR Doc. 99-18750 Filed 7-21-99; 8:45 am]

BILLING CODE 7510-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-317 and 50-318]

Baltimore Gas and Electric Company; Notice of Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied a request by Baltimore Gas and Electric Company (licensee) for an amendment to Facility Operating License Nos. DPR No. 53 and DPR No. 69 issued to the licensee for operation of the Calvert Cliffs Nuclear Power Plants, Unit Nos. 1 and 2, located in Calvert County, Maryland. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on December 16, 1998 (63 FR 69334).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to delete requirements for tendon surveillance and reporting because the TS requirements were a duplication of the requirements of 10 CFR 50.55a.

The NRC staff has concluded that the licensee's request cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated July 15, 1999.

By August 23, 1999, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Jay E. Silberg, Esquire, 2300 N Street, NW, Washington, DC 20037, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated November 20, 1998, and (2) the Commission's letter to the licensee dated July 15, 1999.

These 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 Calvert County Library, Prince Frederick, MD 20678.

Dated at Rockville, Maryland, this 15th day of July 1999.

For the Nuclear Regulatory Commission.

S. Singh Bajwa,

Acting Director, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-18723 Filed 7-21-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-400-LA; ASLBP No. 99-762-02-LA]

Atomic Safety and Licensing Board; Before Administrative Judges: G. Paul Bollwerk, III, Chairman, Frederick J. Shon and Dr. Peter S. Lam; In the Matter of Carolina Power & Light Company (Shearon Harris Nuclear Power Plant); Notice of Hearing (License Amendment Application to Expand Spent Fuel Pool Capacity)

July 16, 1999.

In this proceeding, Carolina Power & Light Company (CP&L) has applied under 10 CFR 50.90 for a license amendment to increase the spent fuel storage capacity at its Shearon Harris

Nuclear Power Plant (Harris), located in Wake and Chatham Counties, North Carolina. In its December 23, 1998 amendment request, CP&L seeks authorization to add rack modules to spent fuel pools "C" and "D" and place the pools in service. On January 7, 1999, the NRC staff issued a notice that the agency is (1) considering this license amendment application; (2) considering making a no significant hazards determination under 10 CFR 50.92 that would permit issuance of the amendment; and (3) affording the opportunity for a formal adjudicatory hearing on the CP&L application. The notice was published in the **Federal Register** on January 13, 1999. (64 FR 2237 (1999).)

By filing dated February 12, 1999, petitioner Board of Commissioners of Orange County, North Carolina (BCOC), made a timely request for a hearing relative to the CP&L license amendment application. On February 18, 1999, the Secretary of the Commission referred the CP&L application to the Atomic Safety and Licensing Board Panel to conduct any subsequent adjudication. On February 24, 1999, this Licensing Board was appointed to preside over this proceeding. (64 FR 10165 (1999).) The Board consists of Frederick J. Shon, Dr. Peter S. Lam, and G. Paul Bollwerk, III, who serves as Chairman of the Board.

On May 13, 1999, the Board conducted a one-day prehearing conference in Chapel Hill, North Carolina, to hear oral argument on the issues of BCOC's standing and the admissibility of its eight proffered contentions. The Board ruled on those matters in a July 12, 1999 issuance in which it concluded (1) BCOC did have standing to intervene as of right; and (2) two of its eight contentions were admissible. Accordingly, BCOC's hearing request was granted and it was admitted as a party to this proceeding. (*Carolina Power & Light Co.* (Sharon Harris Nuclear Power Plant), LBP-99-25, 50 NRC _____ (July 12, 1999).)¹

In light of the foregoing, please take notice that a hearing will be conducted in this proceeding. This hearing will be governed by the formal hearing procedures set forth in 10 CFR Part 2, Subpart G (10 CFR 2.700-.790), subject to any election by the parties to utilize the hybrid hearing procedures in 10 CFR Part 2, Subpart K (10 CFR 2.1101-.1117).

During the course of the proceeding, the Board may conduct an oral

¹ A copy of the Board's July 12, 1999 decision can be found on the Internet at www.nrc.gov/OPA/reports/lbp9925.htm.