

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-255]

**Consumers Energy Company; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Consumers Energy Company (the licensee) to withdraw its August 28, 2000, application for proposed amendment to Facility Operating License No. DPR-20 for the Palisades Plant, located in Covert, Michigan.

The proposed amendment would have revised the date for implementing the Palisades Plant Improved Technical Specifications as established by Amendment No. 189, dated November 30, 1999. The implementation date would have been changed from "on or before October 31, 2000," to "on or before December 31, 2000." In its letter dated October 24, 2000, the licensee stated that Amendment No. 189 was implemented on October 24, 2000, and that the requested delay of implementing Amendment No. 189 was no longer needed. Therefore, the licensee requested that the amendment application be withdrawn.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on September 20, 2000 (65 FR 56949). However, by letter dated October 24, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated August 28, 2000, and the licensee's letter dated October 24, 2000, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 6th day of November 2000.

For the Nuclear Regulatory Commission.

**Darl S. Hood,**

*Senior Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 00-29030 Filed 11-13-00; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-440-CivP; ASLBP No. 01-784-01-CivP; EA 99-012]

**Atomic Safety and Licensing Board; Notice of Hearing**

November 7, 2000.

Before Administrative Judges: Charles Bechhoefer, Chairman, Dr. Richard F. Cole, Ann Marshall Young.

In the Matter of First Energy Operating Company (FENOC) (Perry Nuclear Power Plant, Unit 1; Operating License No. NPF-58).

This proceeding involves a proposed civil penalty of \$110,000, sought to be imposed by the NRC Staff on First Energy Operating Company (FENOC or Licensee) for an alleged violation of NRC's employee protection regulations, based upon the asserted discrimination by a FENOC management official against an employee for engaging in protected activities (*i.e.*, testifying in a whistleblowing case before the Department of Labor). In response to an Order Imposing Civil Monetary Penalty, published at 65 FR 49,610 (August 14, 2000), FENOC on October 18, 2000 filed a timely request for an enforcement hearing. On October 27, 2000, an Atomic Safety and Licensing Board, consisting of Dr. Richard F. Cole, Ann Marshall Young, and Charles Bechhoefer, who serves as Chairman, was established to preside over this proceeding. 65 FR 65,336 (November 1, 2000).

Notice is hereby given that, by Memorandum and Order dated November 7, 2000, the Atomic Safety and Licensing Board has granted the request for a hearing submitted by FENOC. This proceeding will be conducted under the Commission's hearing procedures set forth in 10 CFR Part 2, Subparts B and G. Parties to this proceeding are FENOC and the NRC Staff. The issues to be considered, as set forth in the Order Imposing Civil Monetary Penalty, are (a) whether the Licensee was in violation of the Commission's requirements as set forth in the Notice of Violation and Proposed Imposition of Civil Penalty, dated May 20, 1999; and (b) whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

Documents related to this proceeding, issued prior to December 1, 1999, are available in microfiche form (with print form available on one-day recall) for public inspection at the Commission's Public Document Room (PDR), Room—O-1 F21, NRC One White Flint North, 11555 Rockville Pike, Rockville,

Maryland 20852-2738. Documents issued subsequent to November 1, 1999 are available electronically through the Agencywide Documents Access and Management System (ADAMS), with access to the public through NRC's Internet Web site (Public Electronic Reading Room Link, <<http://www.nrc.gov/NRC/ADAMS/index.html>>). The PDR and many public libraries have terminals for public access to the Internet.

At the joint request of FENOC and the NRC Staff, further proceedings in this case have been suspended until December 18, 2000, to afford the parties an opportunity to pursue settlement negotiations. Except to the extent an early settlement or other circumstance renders them unnecessary, the Licensing Board may, during the course of this proceeding, conduct one or more prehearing conferences and evidentiary hearing sessions. The time and place of these sessions will be announced in Licensing Board Orders. Except as limited by the parameters of telephone conferences (which are in any event to be transcribed), members of the public are invited to attend any such sessions.

For the Atomic Safety and Licensing Board.

Dated: November 7, 2000; Rockville, Maryland.

**Charles Bechhoefer,**

*Chairman, Administrative Judge.*

[FR Doc. 00-29031 Filed 11-13-00; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION****Advisory Committee on Nuclear Waste; Notice of Meeting**

The Advisory Committee on Nuclear Waste (ACNW) will hold its 123rd meeting on November 27-29, 2000, at the Center for Nuclear Waste Regulatory Analyses (CNWRA), 6220 Culebra Road, Building 189, San Antonio, Texas.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

**Monday, November 27, 2000**

A. 9:00-11:00 A.M.: *Opening Statement/Planning and Procedures (Open)*—The Chairman will open the meeting with brief opening remarks. The Committee will then review items under consideration at this meeting and consider topics proposed for future consideration by the full Committee.

B. 11:15-12:00 Noon: *Preparation of ACNW Reports (Open)*—The Committee will discuss planned reports on the

following topics: 10 CFR Part 40, entombment, transportation and Alloy C-22.

C. 1:00-1:15 P.M.: *Objectives of ACNW's CNWRA Review* (Open)—The Committee will discuss the objectives of this review of the CNWRA's research and technical assistance program.

D. 1:15-2:15 P.M.: *Program Overview: Developing Review Capability and Risk Information for Pre-and Post-Closure* (Open)—The Committee will discuss and hear presentations from representatives of the NRC staff, the CNWRA and consultants regarding a proposed regulatory framework, regulatory guidance for site 2 recommendation and license application reviews, analytical tools, and field and laboratory experimental facilities.

E. 2:30-4:00 P.M.: *Progress Toward Key Technical Issue Resolution* (Open)—The Committee will discuss and hear a presentation from the NRC staff regarding the issue resolution process and its current status.

F. 4:00-6:00 P.M.: *ACNW's Sufficiency Review Task Action Plan* (Open)—The Committee will discuss its Sufficiency Review Task Action Plan.

G. 6:00-7:00 P.M.: *Discussion of Proposed ACNW Reports* (Open)—The Committee will discuss proposed ACNW Reports on Part 40, entombment, transportation, Alloy C-22 and other matters considered during this meeting.

#### Tuesday, November 28, 2000

H. 8:30-10:00 A.M.: *Yucca Mountain TPA Code and External Review* (Open)—The Committee will discuss the TPA external review and current and planned code capability.

I. 10:15-12:30 P.M.: *Capability of NRC Staff to Evaluate Risk-Significance of Information Submitted by DOE for Post-Closure* (Open)—The Committee will hear presentations on the analytical tools and methods for evaluating the relative importance of issues and subissues, parameter-level sensitivity methods, post-processor techniques, philosophy for addressing uncertainty, and the use of the TPA code to support decision making for SR and LA.

J. 1:30-2:45 P.M.: *Pre-Closure Safety Analysis (PCSA) Tool* (Open)—The Committee will discuss the status of the PCSA and an example application.

K. 3:00-5:00 P.M.: *Alloy C-22 Studies* (Open)—The Committee will review the DOE waste package material selection and degradation studies and applicable CNWRA confirmatory studies.

L. 5:00-6:00 P.M.: *Draft NRC/RES Plan for Waste Research* (Open)—The Committee will discuss and review the

Draft Plan for Research Supporting the Nuclear Waste Safety Arena.

M. 6:00-7:00 P.M.: *Discussion of Proposed ACNW Reports* (Open)—The Committee will continue its discussion of proposed ACNW reports.

#### Wednesday, November 29, 2000

N. 8:30-10:30 A.M.: *Tour of Experimental Facilities*—The Committee will tour selected CNWRA experimental facilities.

O. 10:30-12:00 Noon: *Investigation and Importance of Coupled Processes Related to Repository Design* (Open)—The Committee will discuss ongoing CNWRA coupled processes investigations.

P. 12:00-12:30 P.M.: *Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of Committee activities and 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 11, 2000 (65 FR 60475). 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 Howard J. Larson, ACNW, 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 taking pictures may be obtained by contacting the ACNW office, 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. Larson as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefore can be obtained by contacting Mr. Howard J. Larson, ACNW (Telephone 301/415-6805), between 8:00 A.M. and 5:00 P.M. EDT.

ACNW meeting notices, meeting transcripts, and letter reports are now available for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Videoteleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301/415-8066), between 7:30 a.m. and 3:45 p.m. EDT at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

The ACNW meeting dates for Calendar Year 2001 are provided below:

<i>ACNW Meeting No. and Meeting Date</i>
124th (Rockville, MD): January 16-18, 2001
February 2001—No meeting
125th (Rockville, MD): March 6-8, 2001
April 2001—No meeting
126th (Rockville, MD): May 15-17, 2001
127th (Rockville, MD): June 19-21, 2001
128th (Rockville, MD): July 17-19, 2001
129th (Rockville, MD): August 28-30, 2001
September 2001—No meeting
130th (Las Vegas, NV): October 16-18, 2001
131st (Rockville, MD): November 27-29, 2001
December 2001—No meeting

Dated: November 7, 2000.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 00-29032 Filed 11-13-00; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27268]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

November 6, 2000.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The