establish standards to ensure that the plant was maintained and operated as designed, and to ensure that nonconforming conditions were promptly identified and corrected, constituted careless disregard of requirements. As such, the violations that resulted from that deficient safety culture, which fostered such disregard, were considered willful in accordance with the ''General Statement of Policy and Procedures for NRC Enforcement Actions NUREG–1600'' (Enforcement Policy).

In its May 25, 1999, letter, the NRC further stated that in consideration of (1) the undesirable consequences of performance of unanalyzed core offloads and the licensee's failure to ensure that SFP heat removal was conducted in accordance with approved procedures; (2) the significance of the licensee's providing incomplete and inaccurate information to the NRC; and (3) the significance that the NRC places on careless disregard of its requirements, the four violations had been classified, in the aggregate, as a Severity Level III violation in accordance with the NRC Enforcement Policy. For the reasons outlined in its letter of May 25, 1999, the staff exercised enforcement discretion and did not issue a civil penalty for the violations. In its letter, the NRC staff stated that discretion is appropriate because the licensee already implemented corrective actions to address the underlying performance problems at Millstone and further enforcement action is not necessary to achieve additional remedial actions.

In their Petition, the Petitioners requested that the NRC take enforcement action against the licensee pursuant to 10 CFR 50.5 and 50.9. Although not specifically for the reasons cited by the Petitioners (the Petitioners based their requests on their assertion that the licensee has knowingly, willingly, and flagrantly operated Millstone Unit 1 in violation of License Amendment Nos. 39 and 40 and that License Amendment Nos. 39 and 40 for Millstone Unit 1 are based on material false statements), the NRC did find that in two instances the licensee submitted incomplete and inaccurate information to the NRC related to the performance of fuel offloads that were actually being commenced before the delay times assumed in the analysis submitted to the NRC. Therefore, for the reasons previously given, the NRC's actions constitute a partial granting of the Petitioners' request regarding enforcement action pursuant to 10 CFR 50.5 and 50.9.

III. Conclusion

The staff has completed the investigations concerning the performance of fuel offloads at Millstone and has taken enforcement action as outlined in its letter and Notice of Violation to the licensee dated May 25, 1999. Therefore, to this extent, Petitioners' request for enforcement action against NNECO pursuant to 10 CFR 50.5 and 50.9 is partially granted.

As provided in 10 CFR 2.206(c), a copy of this Final Director's Decision will be filed with the Secretary of the Commission for the Commission's review. This Final Director's Decision will constitute the final action of the Commission (for Petitioners' Request 4) 25 days after its issuance, unless the Commission, on its own motion, institutes review of the Decision within that time.

Dated at Rockville, Maryland, this 27th day of July 1999.

For the Nuclear Regulatory Commission.

Samuel J. Collins,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 99–19699 Filed 7–30–99; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF MANAGEMENT AND BUDGET

Updated Statistical Definitions of Metropolitan Areas

AGENCY: Executive Office of the President, Office of Management and Budget, Office of Information and Regulatory Affairs.

ACTION: Notice.

SUMMARY: Pursuant to 44 U.S.C. 3504(e)(3) and 31 U.S.C. 1104(d) and Executive Order No. 10253 (June 11, 1951), the Office of Management and Budget (OMB) defines metropolitan areas (MAs) for use in Federal statistical activities in accordance with a set of standards published in the **Federal Register** on March 30, 1990 (55 FR 12154–12160).

On June 30, 1999, OMB updated the MA definitions in OMB Bulletin No. 99–04. Two new Metropolitan Statistical Areas (MSA) were defined based on the standards and the 1998 Bureau of the Census official population estimates:

(1) Auburn-Opelika, Alabama MSA (FIPS Code 0580) was defined effective June 30, 1999. The Auburn-Opelika, Alabama MSA comprises Lee County, Alabama. The MSA's central cities are Auburn, Alabama and Opelika, Alabama.

(2) Corvallis, Oregon MSA (FIPS Code 1890) was defined effective June 30, 1999. The Corvallis, Oregon MSA comprises Benton County, Oregon. The MSA's central city is Corvallis, Oregon.

OMB Bulletin No. 99–04 with the list of all MAs as of June 30, 1999, is available from the National Technical Information Service (NTIS), Document Sales, 5285 Port Royal Road, Springfield, VA 22161, telephone 703–605–6000 or 1–800–553–6847 (Accession Number PB99–132698). This list is also available through NTIS in electronic form (Accession Number PB99–501538). OMB Bulletin No. 99–04 and the current list of MAs are available electronically from the OMB home page at http://www.whitehouse.gov/OMB/bulletins/index.html.

For further information on MA standards and the statistical uses of MA definitions please call Suzann Evinger (202–395–7315). For information concerning the use of MA definitions in a particular Federal agency program, please contact the sponsoring agency directly.

John T. Spotila,

Administrator, Office of Information and Regulatory Affairs.

[FR Doc. 99–19701 Filed 7–30–99; 7:30 am]

BILLING CODE 3110–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 23920; 812–11696]

Alliance Capital Management, L.P.; Notice of Application

July 27, 1999.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for an order under sections 6(c) and 6(e) of the Investment Company Act of 1940 (the ''Act'') granting relief from all provisions of the Act, except sections 37 through 53 of the Act and the rules and regulations under those sections.

SUMMARY OF APPLICATION: Applicant, alliance Capital Management L.P. (''Alliance Holding''), requests an order under sections 6(c) and 6(e) of the Act exempting it from all provisions of the Act, except sections 37 through 53 of the Act and the rules and regulations under those sections.

FILING DATES: The application was filed on July 20, 1999.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a