

Petitioners request that the NRC immediately issue Orders to the owners of all operating nuclear power plants to take measures that will reduce the risk from sabotage of irradiated fuel. Specifically, those measures are:

(1) The NRC should “impose a 72-hour limit for operation when the number of operable onsite alternating current power sources (*i.e.*, emergency diesel generators) is one less than the number in the Technical Specification limiting condition for operation. This 72-hour limit would be applicable when the nuclear plant is in any mode of operation other than hot shutdown, cold shutdown, refueling, or defueled.” Oconee Nuclear Station does not rely on emergency diesel generators, but “equivalent protection for its emergency power supply” should be provided. The NRC should also “cease and desist issuing NOEDs [Notices of Enforcement Discretion] that allow nuclear reactors to operate for longer periods of time with broken emergency diesel generators.” This requested action would apply to the facilities listed in Attachment 1 to the Petition.

(2) The NRC should “impose a minimum 24-hour time-to-boil for the spent fuel pool water. This limit would be applicable at all times.” This requested action would apply to the facilities listed in Attachment 1 to the Petition.

The Petition also requested that the NRC hold a public meeting to precede “the Petition Review Board (PRB) non-public meeting regarding this petition” and assign “someone other than the Director of NRR [Office of Nuclear Reactor Regulation] to be responsible for our petition. The Deputy Executive Director for Reactor Programs or the Deputy Director of NRR would be acceptable to UCS.”

As the basis for the Petition, the Petitioners cite the need to reduce the risk from sabotage of irradiated fuel.

On March 26, 2002, in lieu of a public meeting, the Petitioners accepted and participated in a telephone conference (teleconference) with the NRC’s PRB to discuss the Petition. The transcript of the teleconference was considered as a supplement to the Petition. After the teleconference, the PRB discussed the Petition. The PRB considered the contributions of the Petitioners to the teleconference in deciding on the requests for immediate action and in setting the schedule for the review of the Petition. The PRB concluded that the Petition satisfied the criteria for review under title 10 of the Code of Federal Regulations (10 CFR) Subsection 2.206.

By letter dated May 8, 2002, the NRC staff acknowledged receiving the Petition, informed the Petitioners that the Petition met the requirements for review under 10 CFR 2.206, and the Petition had been referred to the Director of NRR for action and would be acted upon within a reasonable time. The petitioners were also informed in that letter that the NRC staff declined to grant the Petitioners’ request for immediate action.

The NRC sent a copy of the proposed Director’s Decision to the Petitioners for comment by letter dated September 4, 2002. The Petitioners responded with comments by letter dated September 23, 2002. The Petitioners’ comments and the NRC staff responses to the comments are addressed in Enclosure No. 2 and No. 3 to the November 15, 2002, letter to Mr. David A. Lochbaum, Union of Concerned Scientists.

The Director, NRR, concluded that the information contained in the Petition does not warrant NRC staff action to: “Impose a 72-hour limit for operation when the number of operable onsite alternating current power sources (*i.e.*, emergency diesel generators) is one less than the number in the Technical Specification limiting condition for operation” during plant operation. In addition, the Director, NRR, concluded that the information contained in the Petition does not warrant NRC staff action to “cease and desist issuing NOEDs that allow nuclear reactors to operate for longer periods of time with broken emergency diesel generators.” These requests are denied.

With regard to the Petitioners’ second request, that the NRC “impose a minimum 24-hour time-to-boil for the spent fuel pool water. This limit would be applicable at all times,” the Director, NRR, has concluded that this request is partially granted by staff actions already taken. However, for the reasons discussed in the Director’s Decision, the NRC staff concludes that the actions specifically requested by the Petitioners are not necessary. The reasons for these decisions are explained in the Director’s Decision pursuant to 10 CFR 2.206 (DD-02-07), the complete text of which is available in the Agencywide Documents Access and Management System (ADAMS) for inspection in the Commission’s Public Document Room (PDR) located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and electronically accessible in ADAMS through the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html> (ADAMS Accession No. ML022800647). Persons who do not have access to ADAMS or who encounter problems in

accessing documents located in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the Director’s Decision will be filed with the Secretary of the Commission for the Commission’s review in accordance with 10 CFR 2.206 of the Commission’s regulations. As provided for by this regulation, the Director’s Decision will constitute the final action of the Commission 25 days after the date of the decision, unless the Commission, on its own motion, institutes a review of the Director’s Decision in that time.

Dated at Rockville, Maryland, this 15th day of November, 2002.

For the U.S. Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 02-29873 Filed 11-21-02; 8:45 am]

BILLING CODE 7590-01-P

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## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of OPM decisions, granting authority to make appointments under Schedule C in the excepted service as required by 5 CFR 6.1 and 213.103.

**FOR FURTHER INFORMATION CONTACT:** Pam Shivery, Director, Washington Service Center, Employment Service (202) 606-1015.

**SUPPLEMENTARY INFORMATION:** Appearing in the listing below are the individual authorities established under Schedule C between between October 01, 2002 and October 31, 2002. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 is published each year.

### Schedule C

#### *Broadcasting Board of Governors*

Special Assistant to the Director, International Broadcasting Bureau. Effective October 11, 2002.

Special Assistant to the Director, International Broadcasting Bureau of America. Effective October 23, 2002.

*Consumer Product Safety Commission*

Director, Office of Congressional Relations to the Chairman. Effective October 4, 2002.

Executive Assistant to the Chairman. Effective October 31, 2002.

*Department of Agriculture*

Special Assistant to the Administrator, Risk Management Agency. Effective October 18, 2002.

Confidential Assistant to the Administrator, Agricultural Marketing Service. Effective October 24, 2002.

*Department of Commerce*

Confidential Assistant to the Under Secretary for Intellectual Property and Director of the U.S. Patent and Trademark Office. Effective October 2, 2002.

Senior Advisor to the Under Secretary for Export Administration. Effective October 4, 2002.

Special Assistant to the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration. Effective October 9, 2002.

Senior Policy Advisor to the Assistant to the Secretary and Director, Office of Policy and Planning. Effective October 9, 2002.

Special Assistant to the Director, Advocacy Center. Effective October 17, 2002.

Director of Intergovernmental Affairs to the Assistant Secretary for Legislative and Intergovernmental Affairs. Effective October 22, 2002.

*Department of Defense*

Special Assistant to the Principal Deputy Under Secretary of Defense (Comptroller), Deputy Under Secretary of Defense (Management Reform). Effective October 10, 2002.

Defense Fellow to the Special Assistant Secretary of Defense (White House Liaison). Effective October 30, 2002.

*Department of Education*

Special Assistant to the Senior Advisor to the Secretary. Effective October 2, 2002.

Special Assistant to the Director, Faith-Based and Community Initiative Center. Effective October 3, 2002.

Special Assistant to the Director, White House Initiative on Tribal Colleges and Universities. Effective October 15, 2002.

Deputy Assistant Secretary for Policy to the Assistant Secretary for Elementary and Secondary Education. Effective October 22, 2002.

Special Assistant to the Chief Financial Officer. Effective October 23, 2002.

Special Assistant to the Assistant Secretary for Special Education and Rehabilitative Services. Effective October 28, 2002.

Confidential Assistant to the Special Assistant. Effective October 28, 2002.

*Department of Energy*

Special Assistant to the Director, Office of Economic Impact Diversity. Effective October 1, 2002.

*Department of Health and Human Services*

Special Assistant to the Commissioner, Food and Drug Administration. Effective October 31, 2002.

Congressional Liaison Specialist to the Deputy Assistant Secretary for Legislation (Congressional Liaison). Effective October 31, 2002.

*Department of Housing and Urban Development*

Deputy Assistant Secretary for Congressional Relations to the Assistant Secretary for Congressional and Intergovernmental Relations. Effective October 3, 2002.

Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Relations. Effective October 3, 2002.

Deputy Assistant Secretary for Legislation Affairs to the Assistant Secretary for Congressional and Intergovernmental Relations. Effective October 4, 2002.

Special Counsel to the General Counsel. Effective October 31, 2002.

*Department of Justice*

Special Assistant to the Assistant Attorney General, Civil Rights Division. Effective October 11, 2002.

*Department of Labor*

Special Assistant to the Assistant Secretary for Disability Employment. Effective October 2, 2002.

Special Assistant to the Director, 21st Century Workforce. Effective October 16, 2002.

Special Assistant to the Administrator for Employment Standards. Effective October 16, 2002.

*Department of the Navy (DOD)*

Confidential Assistant to the Assistant Secretary of the Navy (Installations and Environment). Effective October 4, 2002.

*Department of State*

Public Affairs Specialist to the Assistant Secretary for Western

Hemisphere Affairs. Effective October 11, 2002.

Public Affairs Specialist to the Assistant Secretary for Public Affairs. Effective October 11, 2002.

Senior Advisor to the Assistant Secretary, Western Hemisphere Affairs. Effective October 11, 2002.

Public Affairs Specialist to the Assistant Secretary for Public Affairs. Effective October 21, 2002.

Staff Assistant to the Deputy Assistant Secretary, Bureau of European and Eurasian Affairs. Effective October 21, 2002.

*Department of Transportation*

Chief of Staff to the Federal Aviation Administrator. Effective October 18, 2002.

Associate Director to the Assistant Secretary for Governmental Affairs. Effective October 21, 2002.

Deputy Assistant Secretary to the Assistant Secretary for Aviation and International Affairs. Effective October 21, 2002.

Special Assistant to the Director of Scheduling and Advance. Effective October 30, 2002.

*Department of the Treasury*

Special Assistant to the Chief of Staff. Effective October 8, 2002.

Director of Legislative and Intergovernmental Affairs to the Director of the U.S. Mint. Effective October 17, 2002.

Special Assistant to the Deputy Assistant Secretary for Management and Budget. Effective October 28, 2002.

Deputy Assistant Secretary (Policy Coordination) to the Assistant Secretary for Economic Policy. Effective October 31, 2002.

*Department of Veterans Affairs*

Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs. Effective October 28, 2002.

*Environmental Protection Agency*

Senior Advisor to the Assistant Administrator, Office of Solid Waste and Emergency Response. Effective October 25, 2002.

Congressional Liaison Specialist to the Associate Administrator for Congressional and Intergovernmental Relations. Effective October 28, 2002.

*Federal Maritime Commission*

Counsel to the Commissioner to the Commissioner. Effective October 28, 2002.

*General Services Administration*

Senior Advisor to the Regional Administrator, National Capital Regional. Effective October 4, 2002.

*National Mediation Board*

Confidential Assistant to the Chairman/Board Member. Effective October 25, 2002.

*Occupational Safety and Health Review Commission*

Confidential Assistant to the Member (Commissioner), Occupational Safety and Health Review Commission. Effective October 28, 2002.

Counsel to the Member (Commissioner). Effective October 28, 2002.

*Office of Management and Budget*

Confidential Assistant to the Associate Director for Administration. Effective October 31, 2002.

*Office of Science and Technology Policy*

Confidential Assistant to the Associate Director for Science. Effective October 3, 2002.

*Office of the United States Trade Representative*

Confidential Assistant to the Deputy, United States Trade Representative. Effective October 7, 2002.

Confidential Assistant to the Chief of Staff. Effective October 17, 2002.

*Overseas Private Investment Corporation*

Investment Development Associate to the Vice President for Investment Development and Economic Growth. Effective October 24, 2002.

*President's Commission on White House Fellowships*

Public Relations Coordinator to the Associate Director, President's Commission on White House Fellowships. Effective October 11, 2002.

*Securities and Exchange Commission*

Confidential Assistant to the General Counsel. Effective October 1, 2002.  
Senior Advisor to the Chairman. Effective October 11, 2002.

*Small Business Administration*

Senior Advisor to the Assistant Administrator for Congressional Affairs. Effective October 11, 2002.

*Social Security Administration*

Special Assistant to the Deputy Commissioner for Disability and Income Security Programs. Effective October 11, 2002.

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954-1958 Comp., P.218.

Office of Personnel Management.

**Kay Coles James,**

*Director.*

[FR Doc. 02-29849 Filed 11-22-02; 8:45 am]

**BILLING CODE 6325-38-P**

**SECURITIES AND EXCHANGE COMMISSION****Sunshine Act Meeting**

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** [67 FR 69577, November 18, 2002].

**STATUS:** Closed Meeting.

**PLACE:** 450 Fifth Street, NW., Washington, DC.

**DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING:** Wednesday, November 20, 2002, at 10 a.m.

**CHANGE IN THE MEETING:** Time Change/ Additional Item.

The Closed Meeting scheduled for Wednesday, November 20, 2002 at 10 a.m. was changed to Wednesday, November 20, 2002 at 10:45 a.m.

The following item was added to the Closed Meeting scheduled for Wednesday, November 20, 2002: amicus consideration.

Commissioner Campos, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

At times, changes in Commission priorities require alterations 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: November 20, 2002.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 02-30033 Filed 11-21-02; 8:45 am]

**BILLING CODE 8010-01-M**

**SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-46844; File No. SR-Phlx-2002-74]**

**Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to the Date for Deployment of the ROT Access System**

November 18, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934

(“Act”),<sup>1</sup> and rule 19b-4<sup>2</sup> thereunder, notice is hereby given that on November 8, 2002, the Philadelphia Stock Exchange, Inc. (“Exchange” or “Phlx”) submitted to the Securities and Exchange Commission (“Commission”) the proposed rule change as described in items I, II, and III below, which items have been prepared by the Phlx. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Phlx proposes to set forth the date of deployment of its system<sup>3</sup> designed to enable Registered Options Traders (“ROTs”) to place limit orders directly onto the limit order book through electronic interface with AUTOM.<sup>4</sup>

**II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the Phlx included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

**A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

**1. Purpose**

The purpose of the proposed rule change is to state that the Exchange will deploy its system to enable Registered Options Traders (“ROTs”) and specialists on the Exchange's options floor to place limit orders directly onto the limit order book through electronic

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See Securities Exchange Act Release No. 46763 (November 1, 2002), 67 FR 68898 (November 13, 2002) (Order approving SR-Phlx-2002-04).

<sup>4</sup> AUTOM is the Exchange's electronic order delivery, routing, execution and reporting system, which provides for the automatic entry and routing of equity option and index option orders to the Exchange trading floor. Orders delivered through AUTOM may be executed manually, or certain orders are eligible for AUTOM's automatic execution feature, AUTO-X. Equity option and index option specialists are required by the Exchange to participate in AUTOM and its features and enhancements. Option orders entered by Exchange members into AUTOM are routed to the appropriate specialist unit on the Exchange trading floor.