

*Environmental Impacts of the Proposed Action:* The TN-32 cask design includes fixed neutron absorbers but does not provide for periodic verification of neutron absorber efficacy. The staff previously evaluated the efficacy of the TN-32 cask fixed neutron absorbers and an exemption to 10 CFR 72.124(b) was granted for the casks currently in use at the North Anna Power Station. In NRC's March 19, 1999, safety evaluation of the TN-32 cask Safety Analysis Report, the staff concluded that fixed neutron poisons in the TN-32 cask will remain effective for the 20-year storage period and that the criticality design for the cask is based on favorable geometry and fixed neutron poisons. In addition, the staff deduced that there is no credible way to lose the fixed neutron poisons; therefore, there is no need to provide a positive means to verify their continued efficacy as required by 10 CFR 72.124(b). The TN-32 CoC application dated September 24, 1997, as amended, is under consideration by the Commission. It is anticipated, if approved, the TN-32 CoC may be issued in early 2000.

The Commission has completed its evaluation on the proposed action and concludes that granting an exemption from the requirements of 10 CFR 72.124(b) will have no environmental impact because the staff has determined that periodic verification of the neutron absorber efficacy is not needed to assure that the fixed neutron poisons casks will remain effective during the storage period. The proposed action will not increase the probability or consequences of accidents. There are no non-radiological environmental impacts associated with the proposed action.

*Alternative to the Proposed Action:* Since there is no environmental impact associated with the proposed action, alternatives are not evaluated other than the no action alternative. The alternative to the proposed action would be to deny approval of the exemption (i.e., the "no-action" alternative). Denial of the proposed action would result in greater exposures to plant workers due to the fact that the only means to verify the continued efficacy of neutron absorbing materials would require workers to periodically reopen the casks and remove at least one fuel assembly. The environmental impacts of the alternative action are greater than the proposed action.

Given that there are greater environmental impacts associated with the alternative action of denying the approval for exemption, the Commission concludes that the preferred alternative is to grant this exemption.

*Agencies and Persons Consulted:* On March 8, 1999, Mr. Johnny James of the North Carolina Division of Radiation Protection and Ms. Sally Jenkins of the Wisconsin Public Utility Commission were consulted about the EA for the proposed action and had no concerns.

#### **Finding of No Significant Impact**

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.124(b) so that TN need not use positive means to verify the continued efficacy of the neutron absorbing material in these casks will not significantly impact the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed exemption.

For further details with respect to this action, see the application for CoC for the TN-32 cask system dated September 24, 1997, as supplemented. These documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555; Local Public Document Room at the J. Murrey Atkins Library, University of North Carolina at Charlotte, UNCC Station, Charlotte, NC 28223; Local Public Document Room at the Joseph Mann Library, 1516 16th Street, Two Rivers, WI 54241; and Local Public Document Room at the State Library of Pennsylvania, Walnut Street and Commonwealth Avenue, Harrisburg, PA 17105.

Dated at Rockville, Maryland, this 19th day of April 1999.

For the Nuclear Regulatory Commission.

#### **E. William Brach,**

*Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

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### **PRESIDIO TRUST**

#### **Letterman Complex, The Presidio of San Francisco, California; Notice of Availability to Review and Comment on the Draft Supplemental Environmental Impact Statement**

**AGENCY:** The Presidio Trust.

**ACTION:** Notice of availability to review and comment on the draft supplemental environmental impact statement (SEIS) for new development and uses within the Letterman Complex, The Presidio of San Francisco. The draft SEIS is a

supplement to the 1994 Final General Management Plan Amendment (GMPA) EIS for The Presidio of San Francisco.

**SUMMARY:** The Presidio Trust has prepared a draft SEIS for the development and occupancy of approximately 900,000 square feet of new, low- to mid-rise mixed-use space within 23 acres of the 60-acre Letterman Complex, located in the northeast corner of The Presidio of San Francisco, California. New development would necessitate the demolition of the functionally obsolete 451,000-square-foot Letterman Army Medical Center (LAMC) and 356,000-square-foot Letterman Army Institute of Research (LAIR), and several other non-historic structures located within the Letterman Complex. For the purposes of the draft SEIS, six alternatives have been formulated for development and occupancy of the site: a "Science and Education Center" (the Updated Presidio GMPA Alternative, or Alternative 1); a "Sustainable Urban Village" (Alternative 2); a "Mixed Use Development" (Alternative 3); a "Live/Work Village" (Alternative 4); a "Digital Arts Center" (Alternative 5) and "Minimum Management" (the No Action Alternative, or Alternative 6). The alternatives were selected on the basis of concerns expressed during public involvement activities and the proposals received and considered by the Presidio Trust in response to its Request for Qualifications to develop the site.

#### **Public Meetings**

The Presidio Trust will receive oral comment on the draft SEIS at the May 18, 1999 and June 15, 1999 meetings of the Citizens' Advisory Commission of the Golden Gate National Recreation Area. The meetings will be held at Park Headquarters, Building 201, Fort Mason, San Francisco, California at 7:30 p.m.

#### **Comments**

Comments on the draft SEIS must be received by June 26, 1999. Written comments on the draft SEIS must be sent to: NEPA Compliance Coordinator—Attn: Letterman Complex, Presidio Trust 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052, Fax: 415-561-5315, E-mail: presidio@presidiotrust.gov.

#### **Materials Available to The Public**

Copies of the draft SEIS are available for the actual cost of reproduction at: Kinko's 3225 Fillmore Street, San Francisco, CA 94123, Phone: 415-441-2995.

The draft SEIS and final GMPA EIS are available for review at:

The Presidio Trust, 34 Graham Street, San Francisco, CA 94129-0052, Phone: 415-561-5300

GGNRA Park Headquarters, Building 201, Fort Mason, San Francisco, CA 94123, Phone: 415-561-4620

San Francisco Main Library, Government Information Center, Civic Center, San Francisco, CA 94102, Phone: 415-557-4500

San Francisco Library, Presidio Branch, 3150 Sacramento Street, San Francisco, CA 94115, Phone: 415-292-2155

A summary of the SEIS is available for viewing on the Internet by clicking on "Letterman SEIS" at the following website: <http://www.presidiotrust.gov/park/index.htm>.

**FOR FURTHER INFORMATION CONTACT:** John Pelka, NEPA Compliance Coordinator, the Presidio Trust, 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052. Telephone: 415-561-5300.

Dated: April 20, 1999.

**Karen A. Cook,**

*General Counsel.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-41310; File No. SR-Amex-99-11]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the American Stock Exchange LLC Relating to an Increase in the Maximum Size of Options Orders Eligible To Be Entered Through the Amex Order File System Into the Amex Options Display Book

April 19, 1999.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on March 29, 1999, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

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

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

The Exchange proposes to increase from 50 to 100 the maximum number of equity and index option contracts in an order that may be entered through the Amex Order File System ("AOF") into the Amex Options Display Book ("AODB"). The text of the proposed rule change is available at the Office of the Secretary, Amex and the Commission.

### 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 Exchange 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 Amex 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 AOF routes orders to specialists' order books and to Auto-Ex, an automatic execution system that executes public customer market and marketable limit orders in options at the best bid or offer displayed at the time the order is entered. Currently, the AOF permits a Member or Member Firm to enter orders for up to 50 option contracts directly into an Exchange specialist's order book (the AODB)<sup>3</sup> from off the Exchange's trading floor and orders of up to 20 contracts into Auto-Ex.<sup>4</sup>

Amex proposes to increase the maximum size of options orders that may be entered through the AOF into

<sup>3</sup> The Exchange represents that currently, orders for more than 50 option contracts are either manually entered by the specialist into the AODB or "worked" in the crowd. Telephone conversation between Scott Van Hatten, Legal Counsel, Amex and Gordon Fuller, Special Counsel, Division of Market Regulation ("Division"), SEC (April 7, 1999).

<sup>4</sup> The Commission notes that Amex received Commission approval to increase the maximum size of orders entered into Auto-Ex from 20 options contracts to 50. Securities Exchange Act Release No. 41098 (February 24, 1999), 64 FR 10511 (March 4, 1999) (File No. SR-Amex-98-44). Amex represents, however, that the Auto-Ex order size limit is currently set at 20 contracts. Telephone conversation between Scott Van Hatten, Amex, and David Sieradzki and Gordon Fuller, Special Counsels, Division, SEC (April 5, 1999).

the AODB from 50 to 100 option contracts.<sup>5</sup> This increase in maximum size of orders eligible for automated entry into the AODB will permit Members and Member Firms to send a larger percentage of orders directly to a specialist's order book for execution, resulting in increased automated order handling. Amex believes this increased automated order handling will benefit customers as well as Members and Member Firms by expanding the number of option orders eligible for automated handling and promoting the orderly and timely delivery, processing and execution of such orders.

The Exchange represents that AOF/AODB has been successful in enhancing execution and operational efficiencies. It anticipates that the proposed increase in the AOF's maximum order size parameters should further increase execution and operational efficiencies realized since the introduction of the AOF.

##### 2. Statutory Basis

The Exchange represents that the proposed rule change is consistent with Section 6(b)<sup>6</sup> of the Act, in general, and furthers the objectives of Section 6(b)(5)<sup>7</sup> in particular, because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.<sup>8</sup>

#### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition.

#### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

<sup>5</sup> Amex represents that its systems capacity is sufficient to accommodate the anticipated increased volume of orders entered into AODB as a result of the increase in maximum order size. Telephone conversation between Scott Van Hatten, Amex, and David Sieradzki and Gordon Fuller, Special Counsels, Division, SEC (April 5, 1999).

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>8</sup> In reviewing this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).