

petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a 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 the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to John Flynn, Esq., Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(I)-(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment, dated April 3, 1998, as supplemented on September 28, October 19, and December 10, 1998, and January 8, January 26, February 24, March 30, April 8, April 30, May 7, June 2, June 24, June 30, July 7, July 13, and July 26, 1999, which is 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 Monroe County Library System, Ellis Reference and Information Center, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 4th day of August, 1999.

For the Nuclear Regulatory Commission,
Andrew J. Kugler,
Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards

Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on August 31, 1999, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel

rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows: *Tuesday, August 31, 1999—1:00 p.m. until the conclusion of business.*

The Subcommittee will discuss proposed ACRS activities and related matters. It may also discuss the status of appointment of a new member to the ACRS. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. 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 Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff person named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, 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 therefor can be obtained by contacting the cognizant ACRS staff person, Dr. John T. Larkins (telephone: 301/415-7360) between 7:30 a.m. and 4:15 p.m. (EDT). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: August 4, 1999.

Richard P. Savio,

Associate Director for Technical Support, ACRS/ACNW.

[FR Doc. 99-20541 Filed 8-9-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor

Safeguards will hold a meeting on September 1–3, 1999, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Wednesday, November 18, 1998 (63 FR 64105).

Wednesday, September 1, 1999

8:30 A.M.–8:45 A.M.: *Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:45 A.M.–10:45 A.M.: *Safety Evaluation Report Related to the Oconee Nuclear Power Plant License Renewal Application* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Duke Energy Corporation regarding the staff's Safety Evaluation Report associated with the license renewal application for the Oconee Nuclear Power Plant Units 1, 2, and 3, and other license renewal issues.

11:00 A.M.–12:00 Noon: *Proposed Resolution of Generic Safety Issue-145, "Actions to Reduce Common Cause Failures"* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding proposed resolution of Generic Safety Issue-145.

1:00 P.M.—3:00 P.M.: *Proposed Final Source Term Rule and Associated Draft Regulatory Guide and Standard Review Plan Section* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed final rule on the application of alternative source term at operating plants and associated draft regulatory guide and Standard Review Plan Section, and related matters.

3:15 P.M.–4:15 P.M.: *Proposed Revision to Regulatory Guide 1.78 (DG-1087), "Evaluating the Habitability of a Nuclear Power Plant Control Room During a Postulated Hazardous Chemical Release"* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed revision to Regulatory Guide 1.78.

4:15 P.M.–4:45 P.M.: *ACRS Plans for Reviewing the RETRAN-3D Thermal-Hydraulic Transient Analysis Code* (Open)—The Committee members will discuss the ACRS plans for reviewing the Electric Power Research Institute RETRAN-3D thermal-hydraulic transient analysis code.

4:45 P.M.–5:45 P.M.: *Break and Preparation of Draft ACRS Reports* (Open)—Cognizant ACRS members will

prepare draft reports for consideration by the full Committee.

5:45 P.M.–7:15 P.M.: *Discussion of Proposed ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting. In addition, the Committee will discuss a follow-up letter to the NRC Executive Director for Operations' (EDO's) response to the May 19, 1999 ACRS letter on the Modifications Proposed by the Westinghouse Owners Group to the Core Damage Assessment Guidelines and the Post Accident Sampling System Requirements, and a Joint ACRS/ACNW report on the Proposed Framework for Risk-Informed Regulation in the NRC Office of Nuclear Material Safety and Safeguards.

Thursday, September 2, 1999

8:30 A.M.–8:35 A.M.: *Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.–10:00 A.M.: *Application of the Electric Power Research Institute (EPRI) Risk-Informed Methods to Inservice Inspection of Piping* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and EPRI regarding the staff's proposed final Safety Evaluation Report on the application of the EPRI risk-informed methods to inservice inspection of piping at nuclear power plants.

10:15 A.M.–11:45 A.M.: *Proposed Guidance for Using Risk Information in the Review of Licensing Actions* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the proposed guidance for using risk information in the review of licensing actions, and related matters.

12:45 P.M.–2:00 P.M.: *Proposed Final Revision 3 to Regulatory Guide 1.105, Instrument Setpoints for Safety Systems* (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding proposed final revision 3 to Regulatory Guide 1.105.

2:15 P.M.–3:45 P.M.: *Office of Nuclear Regulatory Research (RES) Self-Assessment Program* (Open)—The Committee will hear presentations by and hold discussions with representatives of RES regarding the status of activities associated with the RES self-assessment program, including the proposed process for prioritizing RES activities.

4:00 P.M.–5:00 P.M.: *Break and Preparation of Draft ACRS Reports* (Open)—Cognizant ACRS members will

prepare draft reports for consideration by the full Committee.

5:00 P.M.–7:15 P.M.: *Discussion of Proposed ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports on matters considered during this meeting.

Friday, September 3, 1999

8:30 A.M.–8:35 A.M.: *Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 A.M.–9:15 A.M.: *Report of the Planning and Procedures Subcommittee* (Open/Closed)—The Committee will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.

Note: A portion of this session may be closed to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of this Advisory Committee, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

9:15 A.M.–9:30 A.M.: *Future ACRS Activities* (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings.

9:30 A.M.–9:45 A.M.: *Reconciliation of ACRS Comments and Recommendations* (Open)—The Committee will discuss the responses from the EDO to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

10:00 A.M.–5:00 P.M.: *Discussion of Proposed ACRS Reports* (Open)—The Committee will continue its discussion of proposed ACRS reports on matters considered during this meeting.

5:00 P.M.–5:30 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 ACRS meetings were published in the **Federal Register** on September 29, 1998 (63 FR 51968). In accordance with these procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked

only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Sam Duraiswamy, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting may be limited to selected portions of the meeting as determined by the Chairman.

Information regarding the time to be set aside for this purpose may be obtained by contacting Mr. Sam Duraiswamy prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Mr. Sam Duraiswamy if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) P.L. 92-463, I have determined that it is necessary to close a portion of this meeting noted above to discuss matters that relate solely to the internal personnel rules and practices of this Advisory Committee per 5 U.S.C. 552b(c)(2) and to discuss information the release of which would constitute a clearly unwarranted invasion of personal privacy per 5 U.S.C. 552b(c)(6).

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 therefor, can be obtained by contacting Mr. Sam Duraiswamy (telephone 301/415-7364), between 7:30 a.m. and 4:15 p.m. EDT.

ACRS meeting agenda, meeting transcripts, and letter reports are available for downloading or viewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual 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 facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: August 3, 1999.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 99-20542 Filed 8-9-99; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 23933; 812-11606]

Amway Mutual Fund Trust et al.; Notice of Application

August 3, 1999.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice of application for an order under section 6(c) of the Investment Company Act of 1940 (the "Act") for an exemption from section 15(a) of the Act and rule 18f-2 under the Act.

SUMMARY OF APPLICATION: The requested order would permit applicants, Amway Mutual Fund Trust (the "Trust"), Amway Management Company ("Amway"), and Activa Asset Management LLC ("Activa" and together with Amway, the "Managers"), to enter into and materially amend subadvisory agreements without obtaining shareholder approval.

FILING DATES: The application was filed on February 24, 1999, and was amended on July 13, 1999. Applicants have agreed to file an amendment during the notice period, the substance of which is reflected in this notice.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 30, 1999, and should be accompanied by proof of service on applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Hearing requests should state the nature of writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: Secretary, Commission, 450 Fifth Street, NW, Washington, DC 20549-0609; Applicants, 2905 Lucerne SE, Grand Rapids, MI 45546.

FOR FURTHER INFORMATION CONTACT: Deepak T. Pai, Senior Counsel, at (202) 942-0574 or George J. Zornada, Branch

Chief, at (202) 942-0564, (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the Commission's Public Reference Branch, 450 Fifth Street, NW, Washington, DC 20549-0102 (telephone (202) 942-8090).

Applicants' Representations

1. The Trust, a Delaware business trust, is registered under the Act as an open-end management investment company and operates as a series company. The only series of the Trust presently offered to the public is Amway Mutual Fund ("Fund"). The Trust has recently authorized four additional series ("New Funds") (together with the Fund, the "Funds").¹

2. Anyway is an investment adviser registered under the Investment Advisers Act of 1940 ("Advisers Act"). Amway serves as investment adviser to the Fund under an investment management agreement between Amway and the Fund that was approved by the Trust's board of trustees ("Board"), including a majority of trustees who are not "interested persons," as defined in section 2(a)(19) of the Act ("Independent Trustees"), and the shareholders of the Fund (the "Management Agreement"). Activa, an investment adviser which will be registered under the Advisers Act, will serve as investment adviser to the Fund and the New Funds under an investment management agreement between Activa and the Funds that was approved by the Board, including a majority of the Independent Trustees, and will be approved by the initial shareholders of the New Funds before they are offered to the public and by shareholders of the Fund at a meeting scheduled to be held on August 30, 1999 (the "New Management Agreement").² The Managers are under

¹ Applicants also request that the relief apply to all registered open-end management investment companies or series thereof that are now, or in the future will be, advised by the Managers or any entity controlling, controlled by, or under common control with the Managers and which operate in substantially the same manner as the Trust ("Future Funds"). Applicants state that all existing investment companies that currently intend to rely on the requested order have been named as applicants, and any Future Funds that subsequently rely on the requested order will comply with the terms and conditions in the application.

² The New Management Agreement will not be effective until the effective date of Activa's registration under the Advisers Act. If the New Management Agreement is not approved by shareholders of the Fund, Amway will continue to serve as investment adviser to the Fund.