

FOR FURTHER INFORMATION CONTACT:
Ward L. Ginn, Jr. (202) 275-7489.

By the Commission, Reese H. Taylor,
Jr., Chairman.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 82-32527 Filed 11-26-82; 8:45 am]
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LEGAL SERVICES CORPORATION

Recipient Fund Balances; Proposed Instruction

AGENCY: Legal Services Corporation.

ACTION: Proposed instruction on recipient fund balances.

SUMMARY: The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355(a), 88 Stat. 378, 42 U.S.C. 2996 et seq., as amended, Pub. L. 95-222 (December 28, 1977). Section 1008(e) of the Legal Services Corporation Act provides:

(e) The Corporation shall afford notice and reasonable opportunity for comment to interested parties prior to issuing rules, regulations, and guidelines, and it shall publish in the *Federal Register* at least 30 days prior to their effective date all its rules, regulations, guidelines, and instructions.

The Legal Services Corporation hereby publishes for comment its Instruction on Recipient Fund Balances.

DATE: Comments due December 15, 1982.

FOR FURTHER INFORMATION CONTACT:
Hulett H. Askew, Acting Director, Office of Field Services, Legal Services Corporation, 733 15th Street NW., Washington, D.C. 20005, (202) 272-4080.
Clinton Lyons,
Acting President.

Instruction

I. Purpose

The purpose of this Instruction is to provide notice and direction to recipients of Legal Services Corporation funding in meeting the terms of a Special Condition regarding recipient fund balances to be placed upon 1983 grant awards. The objective is to ensure the timely allocation of Corporation funds for the effective and economical provision of high quality legal assistance to eligible clients. To that end recipients will henceforth be permitted to maintain and reprogram from year to year fund balances of no more than 10% of their Legal Services Corporation funding.

A waiver of this provision to a maximum of 25% may be obtained upon satisfactory showing of good cause by the recipient. Funds carried over in excess of 10%, or the level permitted by

a specific waiver, will be set off against the succeeding year's grant award.

II. Special Condition

The Special Condition to be placed upon all 1983 annualized grant awards will provide:

Consistent with the Instruction on Recipient Fund Balances to be published by the Corporation, unexpended funds in excess of 10% of the recipient's 1982 support from the Legal Services Corporation, carried forward as a fund balance at the close of the recipient's 1982 fiscal year, shall be set off against this grant award.

A waiver of this provision to a maximum of 25% may be sought by applicant to the appropriate Regional Office within 90 days of the close of the recipient's fiscal year.

III. Definitions

A. For purposes of this instruction the term "fund balance" shall be as defined on page 2-11 of the Corporation's *Audit and Accounting Guide for Recipients and Auditors*, to wit:

Any excess of support over expenses represents, as a general policy, a fund balance to be carried over to the next period or returned to LSC if grant or contract conditions are not complied with or if funding is terminated.

B. "Support" shall be defined as the sum of: (1) The recipient's LSC fund balance, if any, carried forward from the previous period; (2) its annualized LSC grant award for the period in question; and (3) any investment income attributable to such funds.

C. The "fund balance amount" shall be determined solely by reference to the recipient's annual audit and shall be limited to LSC support (as defined in (B) above) and LSC expenses.

D. The "fund balance percentage" shall be determined by expressing the fund balance amount as a percentage of the recipient's LSC support (as defined in (B) above) for the period in question.

IV. Policy

A. In the absence of a waiver from the Corporation, any fund balance in excess of 10% shall be set off against the recipient's annualized LSC grant award for the next period by pro rata deductions from the remaining monthly allocations to the recipient.

B. After receipt and review of the recipient's annual audit, written notice regarding any such deduction shall be provided to the recipient 30 days prior to such deduction being made.

C. In no way shall any such deduction be construed to affect the annualized funding level of such recipient.

D. A waiver of the 10% ceiling may be sought where the recipient can show good cause that a higher level should be permitted. Such waivers may be granted

by the Regional Officer to a maximum of 25%

V. Process

A. Not later than 90 days after the close of its fiscal year, the recipient shall determine and submit to the appropriate Regional Office of the Corporation a statement of the fund balance amount which it expects to appear in the annual audit required by section 1009(c)(1) of the Legal Services Corporation Act, as amended.

B. Should the recipient expect its audit to show a fund balance amount in excess of 10% of its Corporation support during the previous fiscal year it may, not later than 90 days after the close of its fiscal year, apply to the appropriate Regional Office for a waiver of the 10% ceiling.

Such application must specify:

(1) The fund balance amount which is expected to appear in the recipient's annual audit;

(2) The reason that such level has been maintained;

(3) The recipient's plan for the disposition or reserve of such fund balance; and,

(4) The level of fund balance projected to be carried forward to the close of the recipient's then current period.

C. The decision of the Regional Office regarding the granting of a waiver shall be guided by the statutory mandate requiring the provision of the highest quality services in the most effective and economical manner. In addition, the Regional Office shall consider:

(1) Emergencies, unusual occurrences, or other circumstances giving rise to the existence of a short-term fund balance in excess of 10%;

(2) Management decisions related to the general funding of the recipient, the dictates of professional responsibility in the jurisdiction(s) within which the recipient operates, or other factors giving rise to the need to maintain operating or contingent reserves in excess of 10%; and/or,

(3) The special needs of eligible clients in the recipient's service area giving rise to the need to extend the spend down of a recipient's excess balance into the succeeding period.

D. The decision of the Regional Office shall be communicated to recipient within 30 days of the receipt of the request for a waiver and shall set forth the level of fund balance amount in excess of 10%, which shall not be subject to the set off provision of this policy.

E. The decision of the Regional Office may be appealed to the Director of the Office of Field Services who, upon

independent inquiry and consideration of the criteria set out above, shall make final decision.

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NUCLEAR REGULATORY COMMISSION

[Dockets Nos. 50-269, 50-270 and 50-287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses and Negative Declaration

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 116 and 113 to Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, issued to Duke Power Company, which revised the Technical Specifications (TSs) for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments revise the TS restrictions on burning low-level contaminated oil.

The application for the amendments complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has prepared an environmental impact appraisal for this action and has concluded that an environmental impact statement is not warranted because there will be no significant environmental impact attributable to the action.

For further details with respect to this action, see (1) the application for amendments dated February 3, 1982, as supplemented on July 23, 1982, (2) Amendments Nos. 116 and 113 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's related Safety Evaluation/Environmental Impact Appraisal. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington,

D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 15th day of November 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,
Chief, Operating Reactors Branch No. 4,
Division of Licensing.

[FR Doc. 82-32583 Filed 11-26-82; 8:45 am]
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[Docket No. 50-389A]

Florida Power and Light Company, et al.; Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received the following additional advice, pursuant to Section 105(c) of the amended Atomic Energy Act of 1954, from the Attorney General of the United States, dated October 25, 1982, with respect to the construction permit application for the St. Lucie Nuclear Generating Station, Unit 2.

You have requested our advice pursuant to section 105(c) of the Atomic Energy Act, as amended, regarding a proposed amendment to the construction permit of the above referenced nuclear units to allow the Florida Municipal Power Agency ("FMPA") to become a co-owner of these units. FMPA will acquire an 8.806 percent ownership interest in St. Lucie, Unit 2, which will be operated by Florida Power & Light Company.

Our review of the information submitted for antitrust review purposes, as well as other information available to the Department, provides no basis at this time to conclude that the participation in St. Lucie, Unit 2 by FMPA would create or maintain a situation inconsistent with the antitrust laws. Accordingly, it is the Department's view that no antitrust hearing is necessary with respect to the proposed amendment to the construction permit.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's "rules of practice," 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed on or before December 29, 1982 either (1) by delivery to the NRC Docketing and Service Branch at 1717 H Street, NW, Washington, D.C., or (2) by mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn.: Docketing and Service Branch.

For the Nuclear Regulatory Commission.
Argil L. Toalston,
Chief, Antitrust & Economic Analysis Branch,
Division of Engineering, Office of Nuclear
Reactor Regulation.

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DEPARTMENT OF STATE

Shipping Coordinating Committee; Committee on Ocean Dumping; Meeting

The Committee on Ocean Dumping, a subcommittee of the Shipping Coordinating Committee, will conduct an open meeting on December 14, 1982, at 9:30 A.M., in room 3906 (Mall), Waterside Mall, Environmental Protection Agency, 401 M Street, SW., Washington, D.C.

The purpose of the meeting is to review the outcome of the Sixth Meeting of the Ad Hoc Scientific Group on Dumping, a technical advisory group of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. Preliminary discussions will also be held on the Provisional Agenda and related documents received to date from the Secretariat for the Seventh Consultative Meeting of Contracting Parties to the Convention, to convene February 14-18, 1983, in London, England.

Members of the public may attend up to the seating capacity of the room.

For further information contact Ms. Norma Hughes, Executive Secretary, Committee on Ocean Dumping (WH-585), Environmental Protection Agency, Washington, D.C. 20460. Telephone: (202) 755-2927.

The Chairman will entertain comments from the public as time permits.

Dated: November 16, 1982.

Gordon S. Brown,
Chairman, Shipping Coordinating Committee.

[FR Doc. 82-32587 Filed 11-26-82; 8:45 am]
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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement; Jefferson Parish, Louisiana

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be