their Bases Control Program and as a condition of this license amendment.\(^3\)

The NRC staff considers the extended surveillance interval to be justified by the demonstrated reliability of the control rod insertion system, based on historical control rod scram time test data, and by the more restrictive acceptance criterion for the number of slow rods allowed during at-power surveillance testing. The NRC staff finds the proposed TS change acceptable.

4.0 State Consultation

In accordance with the Commission’s regulations, the [State] State official was notified of the proposed issuance of the amendments. The State official had [choose one: (1) no comments, or (2) the following comments—with subsequent disposition by the staff].

5.0 Environmental Consideration

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendments involve no significant increase in the amounts and no significant change in the types of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendments involve no significant hazards consideration, and there has been no public comment on such finding (XX FR XXXXX). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 Conclusion

The Commission has concluded, based on the considerations discussed above, that: (1) There is reasonable assurance that the health and safety of the public will not be endangered by the operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission’s regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Proposed No Significant Hazards Consideration Determination

**Description of Amendment Request:**
The proposed amendment changes the Technical Specification (TS) testing frequency for the surveillance requirement (SR) in TS 3.1.4, “Control Rod Scram Times”. The proposed change revises the test frequency of SR 3.1.4.2, control rod scram time testing, from “120 days cumulative operation in MODE 1” to “200 days cumulative operation in Mode 1”.

**Basis for proposed no significant hazards consideration determination:**
As required by 10 CFR 50.91(a), an analysis of the issue of no significant hazards consideration is presented below:

1. Does the change involve a significant increase in the probability or consequences of an accident previously evaluated?

**Response:** No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The frequency of surveillance testing is not an initiator of any accident previously evaluated. The frequency of surveillance testing does not affect the ability to mitigate any accident previously evaluated, as the tested component is still required to be operable. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the change create the possibility of a new or different kind of accident from any accident previously evaluated?

**Response:** No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The proposed change does not result in any new or different modes of plant operation. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

**Response:** No.

The proposed change extends the frequency for testing control rod scram time testing from every 120 days of cumulative Mode 1 operation to 200 days of cumulative Mode 1 operation. The proposed change continues to test the control rod scram time to ensure the assumptions in the safety analysis are protected. Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, the proposed change presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of “no significant hazards consideration” is justified.

Dated in Rockville, Maryland, this 20th day of May, 2004.

For the Nuclear Regulatory Commission.

Robert A. Gramm,
Chief, Section 1, Project Directorate IV,
Division of Licensing Project Management,
Office of Nuclear Reactor Regulation.

\(^3\) Conditioning of the license amendment is accomplished by including wording similar to the following in the implementation language (typically included as item 3) in the Amendment of Facility Operating License:

This license amendment is effective as of its date of issuance and shall be implemented within [XX] days from the date of issuance. The licensee shall incorporate during the next periodic update into the TS Bases Section the changes described in its application dated [Date].
The Office of Federal Procurement Policy has made available a FAIR Act User’s Guide through its Internet site: http://www.whitehouse.gov/OMB/procurement/fair-index.html. This User’s Guide will help interested parties review FY 2003 FAIR Act inventories and gain access to agency inventories through agency web-site addresses.

Joshua B. Bolten,
Director.

THIRD FAIR ACT RELEASE 2003

Appalachian Regional Commission ........................................................................... Mr. Guy Land, (202) 884–7674 www.arc.gov.
Barry Goldwater Scholarship Education Foundation ............................................... Mr. Gerald Smith, (703) 756–6012 www.act.org/goldwater.
Department of Commerce .......................................................................................... Mr. Mike Sade, (202) 482–4248 www.doc.gov.
Department of Justice ................................................................................................ Mr. Larry Silvas, (202) 616–3754 www.usdoj.gov.
Department of the Treasury (excluding IRS) .............................................................. Mr. James Sullivan, (202) 622–9395 www.treas.gov.
Department of Veterans Affairs .................................................................................. Mr. Gary Steinberg, (202) 273–5068 www.va.gov.
Federal Communications Commission .......................................................................... Mr. Mark Reger, (202) 418–1924 or Mr. Kent Baum (202) 418–0137 www.fcc.gov.
Inter-American Foundation ........................................................................................ Mr. David Valenzuela, (703) 306–4359 www.iief.org.

[FR Doc. 04–11962 Filed 5–26–04; 8:45 am]
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SECURITIES AND EXCHANGE COMMISSION

Sunshine Act; Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of May 31, 2004:

An Open Meeting will be held on Wednesday, June 2, 2004 at 10 a.m. in Room 1C30, the William O. Douglas Room.

The subject matter of the Open Meeting scheduled for Wednesday, June 2, 2004 will be:

1. The Commission will consider whether to propose new Regulation B, which, among other things, would redesignate and amend definitions and exemptions relating to the exceptions for banks from the definition of “broker” in the Securities Exchange Act of 1934 adopted by the Commission on an interim final basis in 2001 and provide additional exemptions for banks from this definition.

For further information, please contact Joseph Corcoran (202) 942–0756 or Brice Prince at (202) 942–0759.

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.


Jill M. Peterson,
Assistant Secretary.

[FR Doc. 04–12191 Filed 5–25–04; 3:41 pm]
BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Filings Under the Public Utility Holding Company Act of 1935, as Amended (“Act”)


Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed