

Comments received after that date will be considered to the extent practicable. To ensure efficient and complete comment resolution, comments should include references to the section, page, and line numbers of the document to which the comment applies, if possible.

**ADDRESSES:** Members of the public are invited and encouraged to submit written comments to Michael Lesar, Chief, Rules and Directives Branch, Office of Administration, Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hand-deliver comments to Michael Lesar, 11545 Rockville Pike, Rockville, MD, between 7:30 a.m. and 4:15 p.m. on Federal workdays. Comments may also be sent electronically to [NRCREP@nrc.gov](mailto:NRCREP@nrc.gov).

This document is available at the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> under Accession No. ML060060541; on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/docs4comment.html>; and at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. The PDR's mailing address is USNRC PDR, Washington, DC 20555; telephone (301) 415-4737 or (800) 397-4205; fax (301) 415-3548; e-mail [PDR@NRC.GOV](mailto:PDR@NRC.GOV).

**FOR FURTHER INFORMATION CONTACT:** Mark H. Salley, Fire Research Team, Probabilistic Risk Assessment Branch, Office of Nuclear Regulatory Research, telephone (301) 415-2840, e-mail [mxs3@nrc.gov](mailto:mxs3@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Verification & Validation of Selected Fire Models for Nuclear Power Plant Applications.

#### **Draft NUREG-1824, "Verification & Validation of Selected Fire Models for Nuclear Power Plant Applications"**

The purpose of this document entitled "Verification & Validation of Selected Fire Models for Nuclear Power Plant Applications" Draft Report for Comment (NUREG-1824), is to document the verification and validation of five (5) fire modeling tools commonly used in nuclear power plant (NPP) applications. This project was performed in accordance with the guidelines described in the American Society for Testing and Materials (ASTM) Standard E 1355-04, "Evaluating the Predictive Capability of Deterministic Fire Models." Under a joint Memorandum of Understanding (MOU), the NRC Office of Nuclear Regulatory Research (RES) and the Electric Power Research

Institute (EPRI) have agreed to collaboratively develop this technical document to support the application of these fire modeling tools in nuclear power plants. A library of typical NPP fire scenarios, and information on the ability of specific fire models to predict the consequences of typical NPP fire scenarios are provided. Technical review of fire models is necessary to ensure that analysts can judge the adequacy of the scientific and technical basis for the models, select models appropriate for a desired use, and understand the levels of confidence that can be placed in the results predicted by the models. This work was performed using state of the art fire dynamics calculation methods/models and the most applicable fire test data. Future improvements in the fire dynamics calculation methods/models and additional fire test data may impact the results of these reports.

The NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to developing this document is available to the NRC staff. This document is issued for comment only and is not intended for interim use. The NRC will review public comments received on the document, incorporate suggested changes as necessary, and issue the final NUREG-1824 for use.

Dated at Rockville, MD, this 18th day of January 2006.

For the Nuclear Regulatory Commission.

**Charles E. Ader,**

*Director, Division of Risk Analysis and Applications, Office of Nuclear Regulatory Research.*

[FR Doc. E6-1201 Filed 1-30-06; 8:45 am]

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#### **NUCLEAR REGULATORY COMMISSION**

#### **Draft Report for Comment: Office of Nuclear Reactor Regulation Standard Review Plan, Section 12.5, "Operational Radiation Protection Program"**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** The U.S. Nuclear Regulatory Commission's (NRC) Office of Nuclear Reactor Regulation (NRR) has issued Section 12.5, Draft Revision 3, "Operational Radiation Protection Program," of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power

Plants, LWR Edition" for public comment.

**DATES:** Comments on this draft document should be submitted by April 3, 2006. Comments received after that date will be considered to the extent practicable. To ensure efficient and complete comment resolution, comments should include references to the section, page, and line numbers of the document to which the comment applies.

**ADDRESSES:** NUREG-0800, including Section 12.5, draft Revision 3, is available for inspection and copying for a fee at the Commission's Public Document Room, NRC's Headquarters Building, 11555 Rockville Pike (First Floor), Rockville, Maryland. The Public Document Room is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays. NUREG-0800, including Section 12.5, draft Revision 3 is also available electronically on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/>, and from the ADAMS Electronic Reading Room on the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>.

Members of the public are invited and encouraged to submit written comments. Comments may be accompanied by additional relevant information or supporting data. A number of methods may be used to submit comments. Written comments should be mailed to Chief, Rules Review and Directives Branch, U.S. Nuclear Regulatory Commission, Mail Stop T6-D59, Washington, DC 20555-0001. Hand-deliver comments to: 11555 Rockville Pike, Rockville, MD, between 7:30 a.m. and 4:15 p.m., Federal workdays. Comments may be submitted electronically to: [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov). Comments also may be submitted electronically through the comment form available on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/>.

Please specify the report number NUREG-0800, Section 12.5, draft Revision 3, in your comments, and send your comments by April 3, 2006.

**FOR FURTHER INFORMATION, CONTACT:** Roger L. Pedersen, Mail Stop O-6F12, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-3162; Internet: [rlp1@nrc.gov](mailto:rlp1@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The Standard Review Plan (SRP) is prepared for the guidance of staff reviewers in the Office of Nuclear Reactor Regulation in performing safety reviews of applications to construct or operate

nuclear power plants and the review of applications to approve standard designs and sites for nuclear power plants. The principal purpose of the SRP is to assure the quality and uniformity of staff safety reviews. It is also the intent of this plan to make information about regulatory matters widely available and to improve communication between the NRC, interested members of the public, and the nuclear power industry, thereby increasing understanding of the review process.

SRP Section 12.5 provides staff guidance for the review of operational aspects of the radiation protection program. The proposed revision updates the July 1981 version (Revision 2) of the SRP section, and includes most of the changes introduced in the draft revision, dated April 1996. The changes consist mostly of revising the references to 10 CFR part 20; assigning different responsibilities to the primary and secondary branches because of office reorganizations; editorial and formatting changes as part of the SRP update effort; and updating several references. The revision also adds standard paragraphs to extend application of the updated SRP section to the design certification reviews as well as to extend implementation of this section to submittals by applicants pursuant to 10 CFR part 50 or 10 CFR part 52.

The Section 12.5 *Acceptance Criteria* has been revised to reflect several changes made to 10 CFR Part 20 since the 1981 version of the SRP. Most significant of these was the 1991 major revision (56 FR 23391, May 21, 1991, as revised at 60 FR 20185, April 25, 1995), which changed the basis of the radiation dose limits (e.g., Effective Dose), added several new limits (i.e., dose limits for embryo/fetus, Planned Special Exposures, a lower dose limit for members of the public, etc.) and completely renumbered the paragraphs. Also, new requirements in 10 CFR 20.1406, "Minimization of Contamination" (63 FR 39088, July 21, 1997), and 10 CFR 20 Subpart H, "Respiratory Protection" (64 FR 54556, October 7, 1999, as revised at 67 FR 77652, December 19, 2002) have been added. In addition, two new sections were added to the Acceptance Criteria. These are: "D. Program Implementation," which addresses the phased-in program implementation by a Combined Operating License applicant; and "E. Technical Rationale," which gives the technical basis for each of the acceptance criteria.

Section VI, *REFERENCES* has been updated by removing outdated or withdrawn Regulatory Guides, NUREGs,

and industry standards; revising references to the current titles of several guides and standards; adding references to new industry standards that supercede withdrawn standards; and adding the Regulatory Guides issued in support of the 1991 revision to 10 CFR 20.

Dated at Rockville, MD, this 22nd day of December, 2005.

For the Nuclear Regulatory Commission.  
**Stephen P. Klementowicz,**  
*Acting Chief, Health Physics Branch, Division of Inspection and Regional Support, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-1202 Filed 1-30-06; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53171; File No. SR-CBOE-2005-117]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Its Dividend and Merger Spread Fee Cap Program

January 24, 2006.

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 December 23, 2005, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with 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 CBOE. CBOE has designated the proposed rule change as one establishing or changing a due, fee, or other charge, pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the proposal effective upon filing with the Commission. 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

CBOE proposes to amend its Fees Schedule relating to its dividend and merger spread transaction fee cap program.

The text of the proposed rule change is available on CBOE's Web site at

<http://www.cboe.com>, at the Office of the Secretary at CBOE, and at the Commission's Public Reference Room.

#### 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 proposal. 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 Exchange currently caps market-maker, firm, and broker-dealer transaction fees associated with "dividend spread" transactions at \$2,000 for all dividend spread transactions executed on the same trading day in the same options class.<sup>5</sup> A similar fee cap is currently in place for market-maker, firm, and broker-dealer transaction fees associated with "merger spread" transactions.<sup>6</sup> These fee caps are in effect as a pilot program ("Strategy Fee Cap") that is due to expire on March 1, 2006.<sup>7</sup>

The Exchange proposes to amend its Strategy Fee Cap program in the following respects: (i) To reduce the \$2,000 per day per class fee cap to \$1,000 per day per class; (ii) to add "short stock interest" spreads; (iii) to add a monthly fee cap of \$50,000 per initiating firm; (iv) to provide that the Exchange may pass on the full amount of any royalty or license fees to trade participants on dividend, merger and short stock interest spreads; (v) to rebate floor brokerage fees associated with dividend, merger and short stock

<sup>5</sup> A "dividend spread" is defined as any trade done to achieve a dividend arbitrage between any two deep-in-the-money options.

<sup>6</sup> A "merger spread" transaction is defined as a transaction executed pursuant to a strategy involving the simultaneous purchase and sale of options of the same class and expiration date, but with different strike prices, followed by the exercise of the resulting long options position, each executed prior to the date on which shareholders of record are required to elect their respective form of consideration, i.e., cash or stock.

<sup>7</sup> See Securities Exchange Act Release Nos. 51468 (April 1, 2005), 70 FR 17742 (April 7, 2005); 51828 (June 13, 2005), 70 FR 35475 (June 20, 2005); and 52374 (September 1, 2005), 70 FR 53402 (September 8, 2005).

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

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

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

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