

For the U.S. Nuclear Regulatory Commission.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-247 and 50-286]

Entergy Nuclear Indian Point 2, Llc, Entergy Nuclear Indian Point 3, Llc, Entergy Nuclear Operations, Inc.; Notice of Withdrawal of Application for Amendment to Facility Operating License Nos. DPR-26 and DPR-64, Indian Point Nuclear Generating Unit Nos. 2 and 3

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Entergy Nuclear Operations, Inc. (the licensee) to withdraw its March 13, 2007, application for proposed amendments to Facility Operating License No. DPR-26 for Indian Point Nuclear Generating Unit No. 2 and Facility Operating License No. DPR-64 for Indian Point Nuclear Generating Unit No. 3, located in Westchester County, New York.

The proposed amendments would have revised the fire protection license conditions by removing the listing of dated Fire Protection Safety Evaluation Reports (SERs) contained within the licenses.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on April 10, 2007 (72 FR 17947). However, by letter dated May 6, 2008, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated March 13, 2007, and the licensee's letter dated May 6, 2008, which withdrew the application for a license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to pdr.resource@nrc.gov.

Dated at Rockville, Maryland, this 10th day of June 2008.

For the Nuclear Regulatory Commission.

John P. Boska,

Senior Project Manager, Plant Licensing Branch I-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

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OFFICE OF MANAGEMENT AND BUDGET

Public Availability of Fiscal Year 2007 Agency Inventories Under the Federal Activities Inventory Reform Act

AGENCY: Office of Management and Budget, Executive Office of the President.

ACTION: Notice of Public Availability of Agency Inventory of Activities That Are Not Inherently Governmental and of Activities That Are Inherently Governmental.

SUMMARY: The Federal Activities Inventory Reform (FAIR) Act, Public Law 105-270, requires agencies to develop inventories each year of activities performed by their employees that are not inherently governmental—i.e., inventories of commercial activities. The FAIR Act further requires OMB to review the inventories in consultation with the agencies and publish a notice of public availability in the **Federal Register** after the consultation process is completed. In accordance with the FAIR Act, OMB is publishing this notice to announce the availability of inventories from the agencies listed below. These inventories identify both commercial activities and activities that are inherently governmental.

This is the first release of the FAIR Act inventories for FY 2007. Interested parties who disagree with the agency's initial judgment may present a challenge to the agency regarding the inclusion or the omission of an activity on the list of activities that are not inherently governmental within 30 working days and, if not satisfied with this review, may appeal to a higher level within the agency.

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 2007 FAIR Act inventories.

Paul A. Denett,
Administrator.

ATTACHMENT—FIRST FAIR ACT RELEASE FY 2007

Commodity Futures Trading Commission	Ms. Sonda R. Owens, (202) 418-5182, http://www.cftc.gov/files/cftc/fairact2007inventory.pdf .
Department of Agriculture	Ms. Ava Lee, (202) 720-1179, http://www.usda.gov/ocfo .
Department of Agriculture (IG)	Mr. Rod DeSmet, (202) 720-6979, http://www.usda.gov/oig/rptsbulletins.htm .
Department of Commerce	Ms. Delia Davis, (202) 482-4560, http://oamweb.osec.doc.gov/CS_doc_inventories.html .
Department of Education	Mr. Gary Weaver, (202) 245-6138, http://www.ed.gov/about/offices/list/ocfo/2007fair.html .
Department of Health and Human Services	Mr. Michael Tulenko, (202) 690-5803, http://www.hhs.gov/ogam/oam/fair .
Department of Homeland Security	Mr. David Childs, (202) 447-5266, http://www.dhs.gov/dhspublicinterapp/editorial/editorial_0504.xml .
Department of Housing and Urban Development	Mr. Kenneth A. Holland, (202) 402-3828, http://www.hud.gov/offices/CFO/FAIRAct/cover.cfm .
Department of Housing and Urban Development (IG)	Ms. Kisha Allen, (202) 402-8186, http://www.hudoig.gov .
Department of Justice	Mr. Larry Silvis, (202) 616-3754, http://www.usdoj.gov/jmd/pe/preface.htm .
Department of Labor	Mr. Larry Clark, (202) 693-4020, http://www.dol.gov/oasam/programs/boc/ .
Department of State	Ms. Valerie Dumas, (703) 516-1506, http://www.state.gov .
Department of the Interior	Mr. Robert Gordon, (202) 219-0727, http://www.doi.gov/perfmgt/competitivesourcing .
Department of the Treasury	Mr. Jim Sullivan, (202) 622-9395, http://www.treas.gov/fair .
Department of Transportation	Mr. Thomas F. Kaplan, (202) 366-7784, http://www.dot.gov/ost/m60/fairact/ .

ATTACHMENT—FIRST FAIR ACT RELEASE FY 2007—Continued

Environmental Protection Agency	Mr. Ed Murphy, (202) 566-4456, http://www.epa.gov/oarm/inventory/2007/2007inventory.htm .
Equal Employment Opportunity Commission	Ms. Doreen Starkes, (202) 663-4240, http://www.eeoc.gov .
Farm Credit Administration	Mr. Philip Shebest, (703) 883-4146, http://www.fca.gov/FCAWeb/fairact.htm .
Federal Communications Commission	Ms. Bonita Tingley, (202) 418-0293, http://www.fcc.gov/omd/reports.html .
Federal Energy Regulatory Commission	Ms. Kimberly Fernandez, (202) 502-8302, http://www.ferc.gov .
Federal Maritime Commission	Mr. Peter King, (202) 523-5800, http://www.fmc.gov .
Federal Trade Commission	Ms. Darlene Cossette, (202) 326-3255, http://www.ftc.gov/fairact .
General Services Administration	Mr. Paul Boyle, (202) 501-0324, http://www.gsa.gov .
National Aeronautics and Space Administration	Ms. Ann Sharpe, (202) 358-0484, http://www.competitivesourcing.nasa.gov .
National Archives and Records Administration	Ms. Susan Ashtianie, (301) 837-1490, http://www.archives.gov/about/plansreports/fairact/ .
National Endowment for the Arts	Mr. Laurence M. Baden, (202) 682-5534, http://www.arts.gov .
Office of Federal Housing Enterprise Oversight	Mr. Mark Laponsky, (202) 414-3832, http://www.ofheo.gov .
Office of Personnel Management	Mr. Ronald C. Flom, (202) 606-3207, http://www.opm.gov/procure/fairactinventory/ .
Office of Special Counsel	Ms. Sharyn Danch, (202) 254-3600, http://www.osc.gov .
Small Business Administration	Mr. Richard Brechbiel, (202) 205-6784, http://www.sba.gov/A76 .
Smithsonian Institution	Mr. Ken Johnson, (202) 633-5211, http://www.si.edu .
Social Security Administration	Mr. Dennis Wilhite, (410) 966-6988, http://www.socialsecurity.gov/fair/FAIRact.htm .
United States Holocaust Memorial Museum	Mr. Lawrence Swiader, (202) 488-6579, http://www.ushmm.org/notices/fair_act/2007.ls .

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS375]

WTO Dispute Settlement Proceeding Regarding European Communities— Tariff Treatment of Certain Information Technology Products

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (“USTR”) is providing notice that on May 28, 2008, in accordance with the World Trade Organization (“WTO”) *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”), the United States requested consultations with the European Communities (“EC”) and its member States regarding the tariff treatment accorded to set-top boxes with a communication function, flat panel displays, “input or output units,” and facsimile machines. That request may be found at <http://www.wto.org> contained in a document designated as WT/DS375/1. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute, comments should be submitted on or before July 11, 2008 to be assured of timely consideration by USTR.

ADDRESSES: Comments should be submitted (i) electronically, to

FR0809@ustr.eop.gov, with “EC Information Technology Products (DS375)” in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above, in accordance with the requirements for submission set out below.

FOR FURTHER INFORMATION CONTACT:

Elissa Alben, Assistant General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC, (202) 395-3150.

SUPPLEMENTARY INFORMATION: USTR is providing notice that the United States has requested consultations with the EC and its member States pursuant to the DSU. If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within nine months after it is established.

Major Issues Raised by the United States

On May 28, 2008, the United States requested consultations with the EC and its member States regarding the tariff treatment the EC and its member States accord to set-top boxes with a communication function, flat panel displays, “input or output units,” and facsimile machines.

• *Set-top boxes with a communication function.* On May 7, 2008, the EC published an amendment to the Explanatory Notes to the EC’s Combined Nomenclature (CN), which provides that the duty-free heading CN 8528 71 13 (“set-top boxes with a

communication function”) no longer includes set-top boxes with modems of certain types (e.g., Ethernet modems) or set-top boxes which “incorporate a device performing a recording or reproducing function (for example, a hard disk or DVD drive).” As a result of this exclusion, the EC and its member States impose a duty on these set-top boxes. In addition, the EC added an explanatory note to CN 8521 90 00 indicating that the subheading includes set-top boxes “which incorporate a device performing a recording or reproducing function (for example, a hard disk or DVD drive).” Products classified in CN 8521 90 00 are subject to an MFN duty of 13.9%.

• *Flat panel displays (including LCD, electro luminescence, plasma and other technologies).* On March 31, 2005, the EC published Council Regulation (EC) No. 493/2005, stating that certain flat panel displays using LCD technology that are “capable of reproducing video images from a source other than an automatic data-processing machine” are not covered by the Information Technology Agreement (ITA) or by the Communication on its implementation (Council Decision 97/359/EC of 24 March 1997). On April 26, 2005, the EC issued Commission Regulation (EC) No. 634/2005, stating that flat panel displays with certain attributes, including DVI, would be classified in a dutiable tariff line. On December 29, 2005, the EC published Commission Regulation (EC) No. 2171/2005, which also provided that certain flat panel displays would be classified in a dutiable tariff line if they had certain attributes, including DVI. On December 30, 2006, the EC published amendments to the Explanatory Notes to accompany CN