

concentration is applicable only to the performance assessment and not to the determination of waste classification.

Because the rate of erosion at the site is relatively high, a second intruder scenario is evaluated in which most of the cover is eroded over the analysis time period. Some cover is expected to remain. The intruder constructs a home in the area over the tank. Because the direct exposure pathway is the only major contributing pathway for this scenario, the actual waste distribution can be used in the performance assessment. Alternatively, the average concentration of waste over the stabilizing materials can be used in the performance assessment because there would be less shielding for this calculation and the doses would likely be conservative.

The doses to a public receptor who is offsite when institutional controls are in place and at the edge of a buffer zone near the closed tanks after institutional controls end is evaluated with an all-pathways performance assessment. The performance assessment represents expected degradation of the system over time. The modeling of the source term represents the waste as two zones, one zone of higher hydraulic conductivity and reducing conditions that persist for 500 years and one zone of lower hydraulic conductivity and reducing conditions that persist for the entire analysis period (10,000 years). The first zone represents waste between the tank surface and the added grout which may be exposed to increased moisture flow/oxidation because of shrinkage effects or degradation of the grout itself over time from various attack mechanisms. The second zone represents waste that was immobilized in the center of the reducing grout by the pour sequence of the tank closure operations. The concentrations of radionuclides in both zones should be represented in the performance assessment by the expected distribution of contamination within the zones, or distributions that can be demonstrated to be conservative with respect to release and exposure modeling. The potential pathways of water to the waste may depend on the discrete features of the system (e.g., cooling coils, shrinkage effects, fractures).

### III. Further Information

Documents related to NRC's reviews of waste determinations are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. Recent documents related to reviews of NRC waste determinations can be found under Dockets Numbers PROJ0734, PROJ0735, PROJ0736, and POOM-32. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff

at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, MD this 5th day of December, 2005.

For the Nuclear Regulatory Commission.

**Scott Flanders,**

*Deputy Director, Environmental and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Materials Safety and Safeguards.*

[FR Doc. E5-7450 Filed 12-15-05; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of December 19, 2005:

A Closed Meeting will be held on Tuesday, December 20, 2005 at 2 p.m. Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c), (3), (5), (7), (8), (9)(B), and (10) and 17 CFR 200.402(a), (3), (5), (7), (8), 9(ii) and (10) permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Campos, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the Closed Meeting scheduled for Tuesday, December, 20, 2005 will be: Formal orders of investigations; Institution and settlement of injunctive actions; Institution and settlement of administrative proceedings of an enforcement nature; and Post-argument discussion.

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) 551-5400.

Dated: December 13, 2005.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 05-24186 Filed 12-14-05; 11:09 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-52940; File No. SR-Amex-2005-059]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing of a Proposed Rule Change and Amendments No. 1 and 2 Thereto Relating to the Listing and Trading of the DB Commodity Index Tracking Fund

December 12, 2005.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act" or "Exchange Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on May 27, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Amex. On September 15, 2005, the Amex filed Amendment No. 1 to the proposed rule change.<sup>3</sup> On November 15, 2005, the Amex filed Amendment No. 2 to the proposed rule change.<sup>4</sup> The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to add new Commentary .07 to Amex Rule 1202 to permit the listing and trading of shares of trust issued receipts ("TIRs") that invest in shares or securities (the "Investment Shares") of a trust, partnership, commodity pool or other similar entity that holds investments comprising, or otherwise based on, any combination of securities, futures contracts, swaps, forward contracts,

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

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

<sup>3</sup> See Partial Amendment dated September 15, 2005 ("Amendment No. 1"). In Amendment No. 1, the Amex made clarifying changes to the purpose section.

<sup>4</sup> See Partial Amendment dated November 15, 2005 ("Amendment No. 2").