

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:

**Criterion 1**—The Proposed Change Does Not Involve a Significant Increase in the Probability or Consequences of an Accident Previously Evaluated

The proposed change is described in Technical Specification Task Force (TSTF) Standard TS Change Traveler TSTF-477 adds an action statement for two inoperable control room subsystems.

The proposed change does not involve a physical alteration of the plant (no new or different type of equipment will be installed). The proposed changes add an action statement for two inoperable control room subsystems. The equipment qualification temperature of the control room equipment is not affected. Future changes to the Bases or licensee-controlled document will be evaluated pursuant to the requirements of 10 CFR 50.59, "Changes, test and experiments", to ensure that such changes do not result in more than a minimal increase in the probability or consequences of an accident previously evaluated.

The proposed changes do not adversely affect accident initiators or precursors nor alter the design assumptions, conditions, and configuration of the facility or the manner in which the plant is operated and maintained. The proposed changes do not adversely affect the ability of structures, systems and components (SSCs) to perform their intended safety function to mitigate the consequences of an initiating event within the assumed acceptance limits. The proposed changes do not affect the source term, containment isolation, or radiological consequences of any accident previously evaluated. Further, the proposed changes do not increase the types and the amounts of radioactive effluent that may be released, nor significantly increase individual or cumulative occupation/public radiation exposures.

Therefore, the changes do not involve a significant increase in the probability or consequences of any accident previously evaluated.

**Criterion 2**—The Proposed Change Does Not Create the Possibility of a New or Different Kind of Accident from any Previously Evaluated

The proposed changes add an action statement for two inoperable control room subsystems. The changes do not involve a physical altering of the plant (i.e., no new or different type of

equipment will be installed) or a change in methods governing normal plant operation. The requirements in the TS continue to require maintaining the control room temperature within the design limits.

Therefore, the changes do not create the possibility of a new or different kind of accident from any previously evaluated.

**Criterion 3**—The Proposed Change Does Not Involve a Significant Reduction in the Margin of Safety

The proposed changes add an action statement for two inoperable control room subsystems. Instituting the proposed changes will continue to maintain the control room temperature within design limits. Changes to the Bases or licensee controlled document are performed in accordance with 10 CFR 50.59. This approach provides an effective level of regulatory control and ensures that the control room temperature will be maintained within design limits.

The proposed changes maintain sufficient controls to preserve the current margins of safety.

Based upon the reasoning above, the NRC staff concludes that the amendment request involves no significant hazards consideration.

For the Nuclear Regulatory Commission,  
*Project Manager, Plant Licensing Branch [ ],*  
*Division of Operating Reactor Licensing,*  
*Office of Nuclear Reactor Regulation.*

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## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This gives notice of OPM decisions granting authority to make appointments under Schedules A, B, and C in the excepted service as required by 5 CFR 6.6 and 213.103.

**FOR FURTHER INFORMATION CONTACT:** C. Penn, Executive Resources Services Group, Center for Human Resources, Division for Human Capital Leadership and Merit System Accountability, 202-606-2246.

**SUPPLEMENTARY INFORMATION:** Appearing in the listing below are the individual authorities established under Schedules A, B, and C between October 1, 2006, and October 31, 2006. Future notices will be published on the fourth Tuesday of each month, or as soon as possible

thereafter. A consolidated listing of all authorities as of June 30 is published each year.

### Schedule A

No Schedule A appointments were approved for October 2006.

### Schedule B

No Schedule B appointments were approved for October 2006.

The following Schedule C appointments were approved during October 2006:

#### *Section 213.3303 Executive Office of the President*

Office of Management and Budget

BOGS70004 Special Assistant and Counselor to the Controller for the Controller, Office of Federal Financial Management. Effective October 11, 2006.

BOGS60157 Confidential Assistant to the Administrator, E-Government and Information Technology. Effective October 23, 2006.

BOGS70005 Confidential Assistant to the Associate Director for Legislative Affairs. Effective October 23, 2006.

BOGS70006 Press Assistant to the Associate Director for Communications. Effective October 31, 2006.

Office of the United States Trade Representative

TNGS70001 Confidential Assistant to the Chief of Staff. Effective October 23, 2006.

#### *Section 213.333 Office of Science and Technology Policy*

TSGS60042 Deputy to the Associate Director to the Associate Director, Technology. Effective October 23, 2006.

TSGS60043 Program Management Specialist to the Chief of Staff and General Counsel. Effective October 23, 2006.

#### *Section 213.334 Department of State*

DSGS61115 Foreign Affairs Officer to the Assistant Secretary for International Organizational Affairs. Effective October 06, 2006.

DSGS61126 Staff Assistant to the Director, Policy Planning Staff. Effective October 11, 2006.

DSGS61128 Special Assistant to the Under Secretary for Global Affairs. Effective October 11, 2006.

DSGS61104 Special Assistant to the Director, Policy Planning Staff. Effective October 23, 2006.

DSGS61127 Special Assistant to the Assistant Secretary for International Organizational Affairs. Effective October 23, 2006.

*Section 213.335 Department of the Treasury*

DYGS60277 Speechwriter to the Assistant Secretary (Public Affairs). Effective October 31, 2006.

*Section 213.336 Department of Defense*

DDGS16985 Speechwriter to the Principal Deputy Assistant Secretary of Defense for Public Affairs. Effective October 06, 2006.

DDGS16986 Special Assistant to the Deputy General Counsel Legal Counsel. Effective October 06, 2006.

DDGS16999 Personal and Confidential Assistant to the Assistant Secretary of Defense (International Security Affairs). Effective October 16, 2006.

DDGS16984 Defense Fellow to the Special Assistant to the Secretary of Defense for White House Liaison. Effective October 23, 2006.

DDGS16995 Special Assistant to the Under Secretary of Defense (Acquisition, Technology, and Logistics). Effective October 23, 2006.

DDGS16996 Special Assistant to the Principal Deputy Assistant Secretary of Defense (Legal Affairs). Effective October 27, 2006.

DDGS16998 Staff Assistant to the Special Assistant to the Secretary of Defense for White House Liaison. Effective October 27, 2006.

DDGS16993 Deputy, White House Liaison Office to the Special Assistant to the Secretary of Defense for White House Liaison. Effective October 30, 2006.

*Section 213.337 Department of the Army*

DWGS60027 Special Assistant to the Deputy Under Secretary of the Army to the Deputy Under Secretary of the Army. Effective October 05, 2006.

DWGS60024 Personal and Confidential Assistant to the Under Secretary of the Army. Effective October 06, 2006.

*Section 213.339 Department of the Air Force*

DFGS08001 Special Assistant to the Deputy Assistant Secretary (Force Management Integration). Effective October 30, 2006.

*Section 213.3310 Department of Justice*

DJGS00406 Public Affairs Specialist to the Director, Office of Public Affairs. Effective October 27, 2006.

*Section 213.3311 Department of Homeland Security*

DMGS00577 Deputy Director of the Center for Faith Based and

Community Initiatives to the Director of Faith-Based and Community Initiatives. Effective October 03, 2006.

DMGS00580 Associate Director of Strategic Communications for Policy to the Director of Strategic Communications. Effective October 03, 2006.

DMGS00578 Business Liaison Director to the Assistant Secretary for Private Sector. Effective October 05, 2006.

DMGS00579 Associate Director for Latin American Affairs to the Assistant Secretary for International Affairs. Effective October 05, 2006.

*Section 213.3311 Department of Homeland Security*

DMGS00583 Policy Advisor to the Chief of Staff. Effective October 11, 2006.

DMGS00581 Associate Director of Legislative Affairs to the Assistant Secretary for Legislative Intergovernmental Affairs. Effective October 24, 2006.

DMGS00582 Associate Director of Legislative Affairs to the Assistant Secretary for Legislative Intergovernmental Affairs. Effective October 24, 2006.

DMGS00586 Counselor to the Director and Deputy Director to the Under Secretary for Federal Emergency Management. Effective October 24, 2006.

*Section 213.3312 Department of the Interior*

DIGS01079 Science Advisor to the Assistant Secretary for Water and Science. Effective October 25, 2006.

*Section 213.3313 Department of Agriculture*

DAGS00864 Confidential Assistant to the Administrator, Rural Housing Service. Effective October 30, 2006.

*Section 213.3314 Department of Commerce*

DCGS00442 Director of Public Affairs to the Assistant Secretary for Telecommunications and Information. Effective October 06, 2006.

DCGS00431 Special Assistant to the Assistant Secretary for Export Administration. Effective October 11, 2006.

DCGS00531 Confidential Assistant to the Deputy Assistant Secretary for Services. Effective October 11, 2006.

DCGS00544 Chief of Staff to the Assistant Secretary and Director General of United States/For Commercial Services. Effective October 11, 2006.

DCGS60262 Deputy Director of Advisory Committees to the Director

of Advisory Committees. Effective October 11, 2006.

DCGS60263 Special Assistant to the Executive Director for Trade Promotion and Outreach. Effective October 11, 2006.

DCGS60533 Special Assistant to the Deputy Under Secretary and Deputy Director of U.S. Patent and Trademark Office. Effective October 11, 2006.

*Section 213.3315 Department of Labor*

DLGS60190 Legislative Officer to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective October 03, 2006.

DLGS60078 Staff Assistant to the Assistant Secretary for Policy. Effective October 05, 2006.

DLGS60111 Regional Representative to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective October 05, 2006.

DLGS60178 Staff Assistant to the Counselor in the Office of the Secretary. Effective October 05, 2006.

DLGS60182 Staff Assistant to the White House Liaison. Effective October 05, 2006.

DLGS60278 Staff Assistant to the Chief Financial Officer. Effective October 05, 2006.

DLGS60228 Chief of Staff to the Assistant Secretary for Occupational Safety and Health. Effective October 24, 2006.

*Section 213.3316 Department of Health and Human Services*

DHGS60040 Special Assistant to the Chief of Staff. Effective October 03, 2006.

DHGS60056 Special Assistant to the Director Office of Refugee Resettlement. Effective October 24, 2006.

DHGS60042 Special Assistant to the Assistant Secretary for Public Affairs to the Assistant Secretary for Public Affairs. Effective October 27, 2006.

DHGS60238 Regional Director, Boston, Massachusetts, Region I to the Director of Intergovernmental Affairs. Effective October 27, 2006.

DHGS60698 Special Assistant to the Director, Office of External Affairs. Effective October 31, 2006.

*Section 213.3318 Environmental Protection Agency*

EPGS06028 Deputy Associate Administrator to the Associate Administrator for Congressional and Intergovernmental Relations. Effective October 27, 2006.

EPGS06029 Director, Office of Web Communications to the Associate Administrator for Public Affairs. Effective October 27, 2006.

*Section 213.3325 United States Tax Court*

JCGS60077 Trial Clerk to the Chief Judge. Effective October 26, 2006.

*Section 213.3330 Securities and Exchange Commission*

SEOT90007 Confidential Assistant to the Chairman. Effective October 25, 2006.

SEOT90008 Confidential Assistant to a Commissioner. Effective October 31, 2006.

*Section 213.3331 Department of Energy*

DEGS00545 Senior Policy Advisor to the Assistant Secretary for Fossil Energy. Effective October 23, 2006.

DEGS00544 Senior Communications Advisor to the Assistant Secretary of Energy (Environmental Management). Effective October 25, 2006.

DEGS00546 Senior Advisor to the Assistant Secretary for Policy and International Affairs. Effective October 26, 2006.

*Section 213.3332 Small Business Administration*

SBGS00606 Speech Writer to the Associate Administrator for Communications and Public Liaison. Effective October 06, 2006.

*Section 213.3333 Federal Deposit Insurance Corporation*

FDOT00010 Chief of Staff to the Chairman of the Board of Directors (Director). Effective October 20, 2006.

FDOT00011 Special Advisor to the Chairman to the Chairman of the Board of Directors (Director). Effective October 20, 2006.

*Section 213.3337 General Services Administration*

GSGS00166 Deputy Associate Administrator for Small Business Utilization to the Associate Administrator for Small Business Utilization. Effective October 05, 2006.

*Section 213.3384 Department of Housing and Urban Development*

DUGS60187 Staff Assistant to the Assistant Secretary for Public Affairs. Effective October 06, 2006.

*Section 213.3391 Office of Personnel Management*

PMGS60019 Special Assistant to the Director, Office of Communications and Public Liaison. Effective October 25, 2006.

*Section 213.3396 National Transportation Safety Board*

TBGS11123 Confidential Assistant to the Chairman. Effective October 23, 2006.

*Section 213.3397 Federal Housing Finance Board*

FBOT00010 Special Assistant to the Board Director. Effective October 23, 2006.

*Section 213.33 National Endowment for the Humanities*

NHGS00078 Associate Director of Communications and Chief Speechwriter to the Director of Communications. Effective October 25, 2006.

Office of Personnel Management.

**Dan G. Blair,**

*Deputy Director.*

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## **SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-54920]**

### **Extension of Order Regarding Broker-Dealer Financial Statement Requirements Under Section 17 of the Exchange Act**

December 12, 2006.

The Securities and Exchange Commission ("Commission") is extending its Order, originally issued on August 4, 2003,<sup>1</sup> and extended on July 14, 2004<sup>2</sup> and on December 7, 2005 (the "2005 Order")<sup>3</sup> under Section 17(e) of the Securities Exchange Act of 1934 ("Exchange Act"), regarding audits of financial statements of broker-dealers that are not issuers ("non-public broker-dealers"). The 2005 Order provided that non-public broker-dealers may file with the Commission and may send to their customers documents and information required by Section 17(e) certified by an independent public accountant, instead of by a registered public accounting firm, for fiscal years ending before January 1, 2007.

Section 17(e)(1)(A) of the Exchange Act requires that every registered broker-dealer annually file with the Commission a certified balance sheet and income statement, and Section 17(e)(1)(B) requires that the broker-

dealer annually send to its customers its "certified balance sheet."<sup>4</sup> The Sarbanes-Oxley Act of 2002 ("Act")<sup>5</sup> established the Public Company Accounting Oversight Board ("Board")<sup>6</sup> and amended Section 17(e) to replace the words "an independent public accountant" with "a registered public accounting firm."<sup>7</sup>

The Act establishes a deadline for registration with the Board of auditors of financial statements of "issuers," as that term is defined in the Act.<sup>8</sup> The Act does not provide a deadline for registration of auditors of non-public broker-dealers.

The 2005 Order expires January 1, 2007. Application of registration requirements and procedures to auditors of non-public broker-dealers is still being considered. The Commission has therefore determined that extending the Order for two years is consistent with the public interest and the protection of investors.

Accordingly,

*It is ordered,* pursuant to Section 17(e) of the Exchange Act, that non-public broker-dealers may file with the Commission a balance sheet and income statement and may send to their customers a balance sheet certified by an independent public accountant, instead of by a registered public accounting firm, for fiscal years ending before January 1, 2009.

By the Commission.

**Nancy M. Morris,**

*Secretary.*

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<sup>4</sup> Exchange Act Rule 17a-5 requires registered broker-dealers to provide to the Commission and to customers of the broker-dealer other specified financial information.

<sup>5</sup> Public Law 107-204.

<sup>6</sup> Section 101 of the Act.

<sup>7</sup> Section 205(c)(2) of the Act.

<sup>8</sup> Section 2 of the Act defines "issuer." Section 102 of the Act establishes a specific deadline by which auditors of issuers must register with the Board. Based on the statutory deadline of 180 days after the Commission determined the Board was ready to carry out the requirements of the Act, that date was October 22, 2003. See Exchange Act Release No. 48180 (July 16, 2003).

<sup>1</sup> Exchange Act Release No. 48281, 68 FR 47375 (August 8, 2003).

<sup>2</sup> Exchange Act Release No. 50020, 69 FR 43482 (July 20, 2004).

<sup>3</sup> Exchange Act Release No. 52909, 70 FR 73809 (December 13, 2005).