

| Form         | Total respondents | Frequency | Total responses | Average time per response | Estimated total burden |
|--------------|-------------------|-----------|-----------------|---------------------------|------------------------|
| Totals ..... | 1,100             | .....     | 1,100           | .....                     | 75 hours.              |

**Note:** In some cases, the respondents for the replenishment interview will be the same people who responded to the screener. These respondents could be different people, however. For example, one spouse who was not born in the years 1957 to 1964 and therefore is ineligible for the pretest sample may respond to the screener questions, while the other spouse who is eligible for the pretest sample responds to the replenishment interview.

*Total Burden Cost (capital/startup):*  
\$0.

*Total Burden Cost (operating/maintenance):* \$0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 5th day of January 2007.

**Cathy Kazanowski,**

*Chief, Division of Management Systems,  
Bureau of Labor Statistics.*

[FR Doc. E7-162 Filed 1-10-07; 8:45 am]

**BILLING CODE 4510-24-P**

## **NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

### **Information Security Oversight Office; Public Interest Declassification Board (PIDB); Notice of Meeting**

Pursuant to Section 1102 of the Intelligence Reform and Terrorism Prevention Act of 2004 which extended and modified the Public Interest Declassification Board (PIDB) as established by the Public Interest Declassification Act of 2000 (Pub. L. 106-567, title VII, December 27, 2000, 114 Stat. 2856), announcement is made for the following committee meeting:

*Name of Committee:* Public Interest Declassification Board (PIDB).

*Date of Meeting:* Friday, January 19, 2007.

*Time of Meeting:* 9 a.m. to 12:30 p.m.

*Place of Meeting:* National Archives and Records Administration, 700 Pennsylvania Avenue, NW., Archivist's Reception Room, Room 105, Washington, DC 20408.

*Purpose:* To discuss declassification program issues.

This meeting will be open to the public. However, due to space limitations and access procedures, the name and telephone number of individuals planning to attend must be submitted to the Information Security Oversight Office (ISOO) no later than Monday, January 15, 2007. ISOO will provide additional instructions for gaining access to the location of the meeting.

*For Further Information Contact:* J. William Leonard, Director Information Security Oversight Office, National Archives Building, 700 Pennsylvania Avenue, NW., Washington, DC 20408, telephone number (202) 357-5250.

Dated: January 9, 2007.

**J. William Leonard,**

*Director, Information Security Oversight Office.*

[FR Doc. E7-254 Filed 1-10-07; 8:45 am]

**BILLING CODE 7515-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 52-008-ESP; ASLBP No. 04-822-02-ESP]**

### **Atomic Safety and Licensing Board; In the Matter of Dominion Nuclear North Anna, LLC (Early Site Permit for North Anna ESP Site); Order (Notice of Opportunity To Make Oral or Written Limited Appearance Statements)**

January 5, 2007.

Before Administrative Judges: Alex S. Karlin, Chairman, Dr. Thomas S. Elleman, Dr. Richard F. Cole.

This proceeding concerns the September 25, 2003 application of Dominion Nuclear North Anna LLC for an early site permit (ESP) for the possible construction of two nuclear power reactors on the site of two existing nuclear reactors in Mineral, Virginia.

This Atomic Safety and Licensing Board hereby gives notice that, pursuant to 10 CFR 2.315(a), the Board will entertain oral limited appearance statements from members of the public regarding the North Anna ESP application. The limited appearance statement session will be held on February 8, 2007 from 6 p.m. to 11 p.m. EST at the Louisa County High School auditorium, 757 Davis Highway, Mineral, Virginia 23117.

### **I. Background and Scope of Proceeding**

The Nuclear Regulatory Commission (Commission) has defined an ESP as "Commission approval \* \* \* for a site or sites for one or more nuclear power facilities." 10 CFR 52.3(b). If an ESP application is approved, then, if the

holder applies for a later construction permit, "the Commission shall treat as resolved those matters resolved in the proceeding on the application for issuance or renewal of the early site permit." 10 CFR 52.39(a)(2). The North Anna ESP application also includes a site redress plan, which, if approved, would allow the ESP holder to prepare the site for construction of the plant, as long as the activities will not result in any significant adverse environmental impact which cannot be redressed, and the applicant commits to redress the site if a construction permit is not issued. 10 CFR 52.25. See North Anna ESP Application, Revision 9, 4-1-1 (September 2006). The applicant may not undertake any other construction activities on the site, however, without having applied for and received a construction or combined operating license from the NRC. 10 CFR 52.3. On December 2, 2003, the Commission published a notice of hearing with regard to Dominion's North Anna ESP application, notifying the public of the mandatory hearing on certain uncontested safety and environmental issues, and of the right to petition for leave to intervene to contest the application. 68 FR 67489 (Dec. 2, 2003). On January 2, 2004, Blue Ridge Environmental Defense League, Nuclear Information and Resource Service, and Public Citizen filed a petition to intervene. The predecessor Board admitted two of the Intervenor's contentions. See *Dominion Nuclear North Anna LLC* (North Anna ESP), LBP-04-18, 60 NRC 253, 274 (2004).

On January 13, 2006, Dominion submitted a supplement to its application, proposing to change the cooling system for proposed Unit 3 and to increase the power level of each proposed unit (Units 3 and 4) from 4300 MWt to 4500 MWt. As a consequence, the application process was delayed by a year. The Staff issued a supplemental Final Safety Evaluation Report (FSER) on November 15, 2006, and a supplemental Final Environmental Impact Statement (FEIS) on December 14, 2006, addressing the changed application.

Both of the admitted contentions were resolved, one by a settlement and the

other by summary disposition. Licensing Board Order (Approving Settlement and Dismissal of Contention EC 3.3.4) (Jan. 6, 2005) (unpublished); *Dominion Nuclear North Anna LLC* (North Anna ESP), LBP-06-24, 64 NRC (2006). This is now an uncontested proceeding mandated by Section 189a(1)(A) of the Atomic Energy Act, 42 U.S.C. 2239(a)(1)(A), and 10 CFR 52.21.

In an uncontested proceeding for an ESP, the Board must make findings on six issues. See 68 FR 67489, 67489 (December 2, 2003). They are as follows:

1. *Safety Issue 1*: The Director of the Office of New Reactors (NRR) is obligated to propose a finding as to whether issuance of the ESP will be inimical to the common defense and security or to the health and safety of the public. The Board must decide whether the application and the record of the proceeding contain sufficient information, and the review of application by the NRC Staff has been adequate to support a finding that the issuance of the ESP will NOT be inimical to the common defense and security or to the health and safety of the public.

2. *Safety Issue 2*: The Director of NRR is obligated to propose a finding as to whether, taking into consideration the site criteria contained in 10 CFR Part 100, a reactor, or reactors, having the characteristics that fall within the parameters for the site, can be constructed without undue risk to the health and safety of the public. The Board must decide whether the application and the record of the proceeding contain sufficient information, and the review of application by the NRC Staff has been adequate to support a finding that, taking into consideration the site criteria contained in 10 CFR Part 100, a reactor, or reactors, having the characteristics that fall within the parameters for the site, can be constructed without undue risk to the health and safety of the public.

3. *NEPA Issue*: The Director of NRR is obligated to propose a finding as to whether, in accordance with the requirements of subpart A of 10 CFR Part 51, the ESP should be issued as proposed. The Board must decide whether the review conducted by the Commission pursuant to NEPA has been adequate.

4. *NEPA Baseline Issue 1*: The Board must decide whether the requirements of Section 102(2)(A), (C) and (E) of NEPA and Subpart A of 10 CFR Part 51 have been complied with in the proceeding.

5. *NEPA Baseline Issue 2*: The Board must independently consider the final

balance among the conflicting factors contained in the record of the proceeding and must determine the appropriate action to be taken.

6. *NEPA Baseline Issue 3*: The Board must determine, after considering reasonable alternatives, whether the ESP should be issued, denied, or appropriately conditioned to protect environmental values.

## II. Notice of Limited Appearance Statement Session

### A. Date, Time, and Location of Oral Limited Appearance Statement Session

The oral limited appearance statement session will be from 6:00 PM to 11:00 PM EST on February 8, 2007, at the Louisa County High School auditorium, 757 Davis Highway, Mineral, Virginia 23117.

### B. Participation Guidelines for Oral Limited Appearance Statements

Any person who is not currently a party will be permitted to make an oral statement setting forth his or her position on matters of concern related to this ESP application. The jurisdiction of this Board and the scope of this proceeding is limited to the six issues, listed above, that the Board must decide regarding the ESP application. Limited appearance statements will be transcribed, but are not under oath or affirmation and do not constitute testimony or evidence. The purpose of limited appearance statements is to allow members of the public to alert the Board and the parties to areas of concern relating to the ESP application and to assist the Board in its consideration of the six issues.

Members of the public who plan to attend the limited appearance session are advised that security measures may be employed at the entrance to the hearing facility, including searches of hand-carried items such as briefcases or backpacks. Signs can be no larger than 18 inches by 18 inches and may not be attached to sticks, held up, or moved about in the rooms. Policy Statement on Enhancing Public Participation in NRC Meetings, 67 FR 36920, 36923 (May 28, 2002).

In order to allow the maximum number of interested persons an opportunity to address the Board, the time allotted for each oral limited appearance statement normally will be no more than five minutes, and the allocated time may be further limited, depending on the number of written requests to make an oral statement that are submitted in accordance with section C below and/or the number of persons present at the designated time.

At the outset of each statement, the speaker should identify himself or herself and specify any affiliation (such as employment, consultancy, or membership) with any of the parties.

### C. Submitting a Request To Make an Oral Limited Appearance Statement

Persons who have submitted a timely written request to make an oral limited appearance statement will be given priority over those who have not filed such a request or who sign up to speak on the date of the session. To be considered timely, a written request to make an oral statement must either be mailed, faxed, or sent by e-mail so as to be received by 5 p.m. Eastern Daylight Time on Monday, February 5, 2007.

Written requests to make an oral statement should be submitted to:

*Mail*: Office of the Secretary, Rulemakings and Adjudications Staff U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax*: (301) 415-1101 (verification (301) 415-1966).

*E-mail*: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

In addition, using the same method of service, a copy of the written request to make an oral statement should be sent to the Chairman of this Licensing Board as follows:

*Mail*: Alex S. Karlin, Chairman, c/o: Margaret Parish, Esq., Law Clerk, Atomic Safety and Licensing Board Panel, Mail Stop T-3 E2C, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax*: (301) 415-5599 (verification (301) 415-6094).

*E-mail*: [ksv@nrc.gov](mailto:ksv@nrc.gov) and [map4@nrc.gov](mailto:map4@nrc.gov).

### D. Written Limited Appearance Statements (In Lieu of Oral Statements)

A written limited appearance statement may be submitted to the Board regarding this proceeding. Such statements should be submitted by April 19, 2007, and should be sent to the Office of the Secretary using the methods prescribed above, with a copy to the Licensing Board Chairman.

## III. Availability of Documentary Information Regarding the Proceeding

Documents relating to this proceeding are available for public inspection at the Commission's Public Document Room (One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852) or electronically from the publicly available records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic

Reading Room). Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC public document room reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

#### IV. Scheduling Information Updates

Any updated/revised scheduling information regarding the limited appearance session can be found by calling (800) 368-5642 or (301) 415-8200 or on the NRC Web site at <http://www.nrc.gov/public-involve/public-meetings/index.cfm>.

*It is so ordered.*

The Atomic Safety and Licensing Board.

Dated in Rockville, Maryland, on January 5, 2007.

Alex S. Karlin,

*Chairman, Administrative Judge.*

[FR Doc. E7-258 Filed 1-10-07; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 27655; 812-13279]

### NexBank Securities, Inc. and NexBank Series; Notice of Application

January 4, 2007.

**AGENCY:** Securities and Exchange Commission (SEC).

**ACTION:** Notice of an application under (a) section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from sections 2(a)(32), 2(a)(35), 14(a), 19(b), 22(d) and 26(a)(2)(C) of the Act and rules 19b-1 and rule 22c-1 thereunder and (b) sections 11(a) and 11(c) of the Act for approval of certain exchange and rollover privileges.

**APPLICANTS:** NexBank Securities, Inc. ("NexBank Securities") and NexBank Series ("Nexbank").<sup>1</sup>

**SUMMARY OF APPLICATION:** Applicants request an order to permit certain UITs to: (a) Impose sales charges on a deferred basis and waive the deferred sales charge in certain cases; (b) offer unitholders certain exchange and

<sup>1</sup> Applicants also request relief for existing and future series ("Series") of NexBank and of other unit investment trusts ("UITs") sponsored by a Depositor ("Trusts"). The "Depositors" are NexBank Securities and any entity controlling, controlled by or under common control with NexBank Securities. Any future Series that relies on the requested order will comply with the terms and conditions of the application. All presently existing Trusts that currently intend to rely on the requested order are named as applicants.

rollover options; (c) publicly offer units without requiring the Depositor to take for its own account or place with others \$100,000 worth of units; and (d) distribute capital gains resulting from the sale of portfolio securities within a reasonable time after receipt.

**FILING DATES:** The application was filed on April 17, 2006. Applicants have agreed to file an amendment during the notice period, the substance of which is reflected in this notice.

**HEARING OR NOTIFICATION OF HEARING:**

An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on January 29, 2007, and should be accompanied by proof of service on the applicants, in the form of an affidavit, or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants, c/o Felice R. Foundos, Chapman and Cutler LLP, 111 West Monroe Street, Chicago, IL 60603.

**FOR FURTHER INFORMATION CONTACT:** Barbara T. Heussler, Senior Counsel, at (202) 551-6990, or Stacy L. Fuller, Branch Chief, at (202) 551-6821 (Office of Investment Company Regulation, Division of Investment Management).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee at the Commission's Public Reference Desk, 100 F Street, NE., Washington, DC 20549-0102 (telephone (202) 551-5850).

#### Applicants' Representations

1. Nexbank is a UIT registered under the Act. Each Series will be a series of a Trust, each a UIT which is or will be registered under the Act. NexBank Securities, a Delaware corporation, is registered under the Securities Exchange Act of 1934 as a broker-dealer and is the depositor of NexBank. Each Trust will be sponsored by a Depositor. Each Series will be created by a trust indenture between the Depositor and a banking institution or trust company as trustee ("Trustee").

2. The Depositor acquires a portfolio of securities, which it deposits with the Trustee in exchange for certificates

representing units of fractional undivided interest in the Series' portfolio ("Units"). The Units are offered to the public through the Depositor and dealers at a price which, during the initial offering period, is based upon the aggregate market value of the underlying securities plus a front-end sales charge. The Depositor may reduce the sales charge in compliance with rule 22d-1 under the Act in certain circumstances, which are disclosed in the Series' prospectus.

3. The Depositor does not currently intend to maintain a secondary market for Units of outstanding Series, but may seek to do so in the future. Other broker-dealers may or may not maintain a secondary market for Units of a Series. If a secondary market is maintained, investors will be able to purchase Units on the secondary market at the current public offering price plus a front-end sales charge. If such a market is not maintained at any time for any Series, holders of the Units ("Unitholders") of that Series may redeem their Units through the Trustee.

#### A. Deferred Sales Charge and Waiver of Deferred Sales Charge Under Certain Circumstances

1. Applicants request an order to the extent necessary to permit one or more Series to impose a sales charge on a deferred basis ("DSC"). For each Series, the Depositor would set a maximum sales charge per Unit, a portion of which may be collected "up front" (i.e., at the time an investor purchases the Units). The DSC would be collected subsequently in installments ("Installment Payments") as described in the application. The Depositor would not add any amount for interest or any similar or related charge to adjust for such deferral.

2. When a Unitholder redeems or sells Units, the Depositor intends to deduct any unpaid DSC from the redemption or sale proceeds. When calculating the amount due, the Depositor will assume that Units on which the DSC has been paid in full are redeemed or sold first. With respect to Units on which the DSC has not been paid in full, the Depositor will assume that the Units held for the longest time are redeemed or sold first. Applicants represent that the DSC collected at the time of redemption or sale, together with the Installment Payments and any amount collected up front, will not exceed the maximum sales charge per Unit. Under certain circumstances, the Depositor may waive the collection of any unpaid DSC in connection with redemptions or sales of Units. These circumstances will be disclosed in the prospectus for the