

The proposed action before the Commission is whether to grant this exemption under the provisions of 10 CFR 72.7. The NRC staff has reviewed the exemption request and determined that not maintaining a coefficient of friction between the vertical concrete cask and the ISFSI pad surface of at least 0.5, is consistent with the safety analyses previously reviewed for the NAC-UMS system, and would have no impact on the design basis and would not be inimical to public health and safety.

#### *Need for the Proposed Action*

During the 2002–2003 winter, MYAPC discovered a condition in which the surface area between the vertical concrete casks and the ISFSI pad had a significant covering of ice (approximately 80–95 percent of the surface). This winter icing condition may result in a reduced coefficient of friction that does not meet the requirements of CoC No. 1015, Amendment 2, Section B 3.4.2.6, for a coefficient of friction of at least 0.5 between the vertical concrete casks and the ISFSI pad surface. The icing condition was unanticipated and therefore not explicitly addressed in the cask licensing basis. The presence of ice causes a loss of contact between the vertical concrete casks and the ISFSI pad and leads to an indeterminate coefficient of friction. Since the icing condition renders previous test results insufficient to demonstrate a coefficient of friction greater than 0.5, MYAPC would not be in compliance with the CoC during these icing conditions.

Granting the requested exemption will allow MYAPC to regain compliance with CoC No. 1015, Amendment 2, in a timely manner. Section B 3.4.2.6 is a requirement specific to MYAPC and applicable to no other licensees.

#### *Environmental Impacts of the Proposed Action*

The licensee requested the exemption from maintaining a coefficient of friction between the vertical concrete cask and the ISFSI pad surface of at least 0.5 as specified in CoC No. 1015, Amendment 2. The NRC staff performed a safety evaluation of the proposed exemption. Staff reviewed the analysis provided by MYAPC in the exemption request for winter icing conditions which may result in a reduced coefficient of friction between the vertical concrete cask and the ISFSI pad surface, and limited vertical concrete cask sliding during a design earthquake. Staff judged that the design earthquake will not cause large sliding of the NAC-UMS vertical concrete cask on the ISFSI

pad surfaces. In the unlikely event of vertical concrete cask impacts, staff evaluated the magnitude of the impact load between two colliding casks and determined the impact load would be far less severe than that encountered in a tip-over accident for which the NAC-UMS system has been demonstrated structurally adequate. The staff concludes that the NRC has reasonable assurance that the proposed exemption has no impact on off-site doses, and is acceptable.

Therefore, the environmental impact of not maintaining a coefficient of friction between the vertical concrete cask and the ISFSI pad surface of at least 0.5, is no greater than the environmental impact already assessed in the initial rulemaking for the NAC-UMS storage system (65 FR 62581, dated October 19, 2000).

The proposed action will not increase the probability or consequences of the analyzed accidents, no changes are being made to the types of effluents that may be released offsite, and there is no increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action. Therefore, the staff has determined that there is no reduction in the ability of the NAC-UMS system to perform its safety function, nor significant environmental impacts, as a result of not maintaining a coefficient of friction between the vertical concrete cask and the ISFSI pad surface of at least 0.5.

#### *Alternative to the Proposed Action*

Since there is no significant environment impact associated with the proposed action, alternatives with equal or greater environmental impact are not evaluated. The alternative to the proposed action would be to deny approval of the exemption. Denial of the exemption request will have the same environmental impact.

#### *Agencies and Persons Consulted*

This exemption request was discussed with Mr. Charles Pray, State Nuclear Safety Advisor for the State of Maine, on January 6, 2004, and he stated that the State had no comments on the technical aspects of the exemption. The NRC staff has determined that a consultation under Section 7 of the Endangered Species Act is not required because the proposed action will not affect listed species or critical habitat. The NRC staff has also determined that the proposed action is not a type of activity having the potential to cause effects on historic properties. Therefore, no further consultation is required under Section

106 of the National Historic Preservation Act.

#### **Finding of No Significant Impact**

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting the exemption from specific provisions of 10 CFR 72.212(a), 72.212(b)(2)(i), 72.212(b)(7), and 10 CFR 72.214, and not requiring MYAPC to maintain a coefficient of friction between the concrete cask and ISFSI pad surface of at least 0.5, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined that an environmental impact statement for the proposed exemption is not warranted.

The request for exemption was docketed under 10 CFR part 72, Docket 72–30. For further details with respect to this action, see the exemption request dated October 2, 2003, as supplemented. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. 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 Reference staff at 1–800–397–4209, 301–415–4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 23rd day of January, 2004.

For the Nuclear Regulatory Commission.

**Stephen C. O'Connor, Sr.**

*Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 04–1944 Filed 1–29–04; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 70–7003]

### **Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Application for USEC, Inc., Bethesda, MD; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of environmental assessment and finding

of no significant impact for license application; correction.

**SUMMARY:** The U.S. Nuclear Regulatory Commission published a Finding of No Significant Impact (FONSI) in the **Federal Register** on January 27, 2004 (69 FR 3956), concerning the United States Enrichment Corporation Inc.'s (USEC Inc.'s) license application for its American Centrifuge Lead Cascade Facility (Lead Cascade) in Piketon, Ohio. The FONSI contained an incorrect number.

**FOR FURTHER INFORMATION CONTACT:** Yawar Faraz, NMSS/FCSS (301) 415-8113.

#### Correction

In the **Federal Register** of January 27, 2004, in volume 69, number 17, on page 3956, correct the 0.0001% value to 1%. The corrected sentence, which is the third sentence of the third full paragraph in the third column, should read as follows:

“For example, NRC staff finds that public exposure to radiation from the proposed action will be less than 1% of the limits in 10 CFR part 20.”

Dated in Rockville, Maryland this 27th day of January, 2004.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Chief, Rules Review and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 04-2018 Filed 1-29-04; 8:45 am]

**BILLING CODE 7590-01-P**

#### NUCLEAR REGULATORY COMMISSION

##### Advisory Committee on Nuclear Waste, Meeting on Planning and Procedures; Notice of Meeting

The ACNW will hold a planning and procedures meeting on February 26, 2004, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACNW, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

**Thursday, February 26, 2004—8 a.m.—11 a.m.**

The Committee will discuss proposed ACNW activities and related matters.

The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Howard J. Larson (telephone: 301/415-6805) between 7:30 a.m. and 4:15 p.m. (e.t.) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: January 23, 2004.

**Sher Bahadur,**

*Associate Director for Technical Support, ACRS/ACNW.*

[FR Doc. 04-2015 Filed 1-29-04; 8:45 am]

**BILLING CODE 7590-01-P**

#### NUCLEAR REGULATORY COMMISSION

##### Advisory Committee on Reactor Safeguards, Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment; Notice of Meeting

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment will hold a meeting on February 19, 2004, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

**Thursday, February 19, 2004—8:30 a.m. Until the Conclusion of Business**

The purpose of this meeting is to review the ongoing resolution of public comments on the proposed 10 CFR 50.69, “Risk-Informed Categorization and Treatment of Structures, Systems, and Components,” and the staff’s draft Regulatory Guide endorsing Revision D of NEI 00-04, “10 CFR 50.69 Structures, Systems, and Components Categorization Guideline.” The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff and NEI regarding this matter. The Subcommittee will gather information,

analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Michael R. Snodderly (telephone: 301-415-6927) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted during the meeting.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: January 23, 2004.

**Sher Bahadur,**

*Associate Director for Technical Support, ACRS/ACNW.*

[FR Doc. 04-2016 Filed 1-29-04; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

##### Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 17Ad-11; SEC File No. 270-261; OMB Control No. 3235-0274.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (“Commission”) has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

##### Rule 17Ad-11: Reports Regarding Aged Record Differences, Buy-Ins, and Failure To Post Certificate Detail to Master Securityholder Files

Rule 17Ad-11 requires all registered transfer agents to report to issuers and the appropriate regulatory agency in the event that aged record differences exceed certain dollar value thresholds. An aged record difference occurs when an issuer’s records do not agree with those of securityowners as indicated, for instance, on certificates presented to the