

may be entered in the proceeding on the requestors/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment requests involve no significant hazards consideration, the Commission may issue the amendments and make them immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments. If the final determination is that the amendment requests involve a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by email to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to Jonathan Rogoff, Esquire, Vice President, Counsel & Secretary, Nuclear Management Company, LLC, 700 First Street, Hudson, WI 54016, the attorney for the licensee.

For further details with respect to this action, see the application for amendments dated December 23, 2003, which is available for public inspection at the Commission's PDR, located at One White Flint North, File Public Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.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, 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 9th day of September 2004.

For the Nuclear Regulatory Commission

L. Mark Padovan,

Project Manager, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 04-20851 Filed 9-15-04; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

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

The ACNW Subcommittee on Planning and Procedures will hold a meeting on September 24, 2004, at the Suncoast Hotel (Fairway 2 Room), 9090 Alta Drive, Las Vegas, Nevada.

The entire meeting will be closed to public attendance 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 Subcommittee will continue to discuss self-assessment of ACNW performance in CY 2004, potential operational areas for improved effectiveness, and other activities related to the conduct of ACNW business.

Further information regarding this meeting can be obtained by contacting Mr. Howard J. Larson, Assistant Director for ACNW/Team Leader (telephone 301/415-6805), between 7:30 a.m. and 4 p.m. (e.t.).

Dated: September 9, 2004.

Michael R. Snodderly,

Acting Associate Director for Technical Support, ACRS/ACNW.

[FR Doc. 04-20858 Filed 9-15-04; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Nuclear Waste (ACNW); Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 153rd meeting on September 22-23, 2004, at the Suncoast Hotel (Ballroom A), 9090 Alta Drive, Las Vegas, Nevada.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

Wednesday, September 22, 2004

(1) 8-8:10 a.m. Opening Statement

Working Group on the Evaluation of Igneous Activity and its Consequences at a Geologic Repository at Yucca Mountain, Nevada (Open)

- (2) 8:10–8:20 a.m. Greeting and Introductions
Working Group Session; 1 Geologic Considerations in the Estimation of Probability of Igneous Activity at Yucca Mountain
- (3) 8:20–8:50 a.m.¹ NRC Perspective on Volcanism Modeling Issues
- (4) 8:50–9:50 a.m. NRC Overview of Igneous Activity in the Yucca Mountain Region
9:50–10:10 a.m. * * * Break * * *
- (5) 10:10–10:55 a.m. 1996 Probabilistic Volcanic Hazards Analysis: One Subject Matter Experts' Perspective
- (6) 10:55–11:40 a.m. Alternative Views on the Likelihood of an Igneous Event in the Yucca Mountain Region
11:40–1 p.m. * * * Lunch * * *
- (7) 1–2 p.m. Session 1 Working Group Roundtable Discussion
- (8) 2–2:30 p.m. Public Comments
2:30–2:45 p.m. * * * Break * * *
- Working Group Session 2;
Characterization of Magma/Repository Interactions
- (9) 2:45–3:30 p.m. NRC Staff Perspective on the Modeling of Magma/Repository Interactions
- (10) 3:30–4:15 p.m. 2002 Recommendations of the DOE-Sponsored Igneous Consequences Peer Review Panel: One Panelist's Perspective
- (11) 4:15–5 p.m. Alternative Views on the Modeling of Magma/Repository Interactions at Yucca Mountain
- (12) 5–6 p.m. Session 2 Working Group Roundtable Discussion
- (13) 6–6:30 p.m. Public Comments
Adjourn Day 1

Thursday, September 23, 2004

- (14) 8–8:10 a.m. Opening Statement Working Group Session 3; Biosphere Doses Due to Disruptive Igneous Events
- (15) 8:10–9:40 a.m. NRC Staff Perspective on Challenges to Modeling Doses due to Disruptive Igneous Events
- (16) 9:40–12 p.m. ACNW Invited Speakers on Biosphere Dose Modeling Issues
- 16.1 Perspectives on Aerosol Modeling Issues
- 16.2 Perspectives on Resuspension Modeling Issues
- 16.3 Perspectives on Dose Modeling

Issues

- 12–1 p.m. * * * Lunch * *
- (17) 1–2 p.m. Session 3 Working Group Roundtable Discussion
- (18) 2–3 p.m. Presentations by Stakeholder Organizations
3–3:15 p.m. * * * Break * * *
- (19) 3:15–4:15 p.m. Panel and Committee Summary Discussion
- (20) 4:15–4:45 p.m. Epilogue Remarks
- (21) 4:45–5 p.m. Closing Comments by the Working Group Chairman
- (22) 5–5:30 p.m. Discussion of ACNW Letter Report
5:30–6 p.m. * * * Break * * *
- (23) 6–7 p.m. Future ACNW Activities/Report of the Planning and Procedures Subcommittee
Adjourn 153rd ACNW Meeting
- Procedures for the conduct of and participation in the ACNW meetings were published in the **Federal Register** on October 16, 2003 (68 FR 59643). In accordance with these procedures, oral or written statements may be presented by members of the public. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Persons desiring to make oral statements should notify Mr. Howard J. Larson, Assistant Director for ACNW/Team Leader (telephone 301/415-6805), between 7:30 a.m. and 4 p.m. e.t., as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman.

Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Larson as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefore can be obtained by contacting Mr. Larson.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at pdr@nrc.gov, or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at

<http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS & ACNW Mtg schedules/agendas).

Dated: September 10, 2004.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 04-20859 Filed 9-15-04; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-50338; File No. S7-05-04]

RIN 3235-AJ02

Collection Practices Under Section 31 of the Exchange Act

AGENCY: Securities and Exchange Commission.

ACTION: Notice of OMB approval of collection of information.

FOR FURTHER INFORMATION CONTACT:

Michael Gaw, Senior Special Counsel, 202-942-0158, or Christopher Solgan, Attorney, 202-942-7937; Division of Market Regulation; Securities and Exchange Commission; 450 5th Street, NW., Washington, DC 20549-1001.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget has approved the collection of information requirements titled "Rule 31—Section 31 transaction fees; Rule 31T—Temporary Rule regarding fiscal year 2004; Form R31—Form for reporting covered sales and covered round turn transactions under Section 31 of the Securities Exchange Act of 1934" (OMB Control No. 3235-0597). The Commission adopted Rules 31 and 31T and Form R31 in June 2004.¹

Dated: September 9, 2004.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 04-20845 Filed 9-15-04; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

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

Extension:

Rule 17a-3, SEC File No. 270-026, OMB Control No. 3235-0033.

¹ See Securities Exchange Act Release No. 49928 (June 28, 2004), 69 FR 41060 (July 7, 2004).

¹ Presentation time should not exceed 50 percent of the total time allocated for a specific agenda item. The remaining 50 percent of the time is reserved for discussion.