

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-63,401]

**Unifi, Inc., Staunton, VA; Notice of  
Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on May 19, 2008 in response to a petition filed by a company official on behalf of workers at Unifi, Inc., Staunton, Virginia.

The company has requested that the petition be withdrawn. The company intends to submit a new petition closer to the date of separation or threat of separation.

Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 19th day of June 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. E8-14606 Filed 6-26-08; 8:45 am]

**BILLING CODE 4510-FN-P**

**FEDERAL MINE SAFETY AND HEALTH  
REVIEW COMMISSION****Sunshine Act Meeting**

**TIME AND DATE:** 10 a.m., Thursday, July 24, 2008.

**PLACE:** The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, NW., Washington, DC.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:**

The Commission will consider and act upon the following in open session: *Secretary of Labor v. National Cement Company of California*, Docket No. WEST 2004-182-RM. (Issues include whether the Secretary properly interpreted section 3(h)(1) of the Mine Act in concluding that MSHA had jurisdiction over an access road leading to a cement plant.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(d).

**CONTACT PERSON FOR MORE INFO:** Jean Ellen (202) 434-9950/(202) 708-9300

for TDD Relay/1-800-877-8339 for toll free.

**Sandra G. Farrow,**

*Acting Chief Docket Clerk.*

[FR Doc. E8-14591 Filed 6-26-08; 8:45 am]

**BILLING CODE 6735-01-M**

**NATIONAL FOUNDATION ON THE  
ARTS AND THE HUMANITIES****National Endowment for the Arts;  
Proposed Collection; Comment  
Request**

**ACTION:** Notice.

**SUMMARY:** The National Endowment for the Arts (NEA), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the NEA is soliciting comments concerning the proposed information collection to evaluate the "Operation Homecoming: Literary Programming for Veterans and Their Families" initiative. A copy of the current information collection request can be obtained by contacting the office listed below in the address section of this notice.

**DATES:** Written comments must be submitted to the office listed in the address section below on or before August 27, 2008. The NEA is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who

are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

**ADDRESSES:** Michael McLaughlin, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Room 710, Washington, DC 20506-0001, telephone (202) 682-5457 (this is not a toll-free number), fax (202) 682-5613.

**Kathleen Edwards,**

*Director, Administrative Services, National Endowment for the Arts.*

[FR Doc. E8-14547 Filed 6-26-08; 8:45 am]

**BILLING CODE 7537-01-P**

**NUCLEAR REGULATORY  
COMMISSION**

[Docket No 50-391]

**Tennessee Valley Authority; Watts Bar  
Nuclear Plant, Unit 2; Environmental  
Assessment and Finding of No  
Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering extending the latest construction completion date specified in Construction Permit No. CPPR-92 issued to Tennessee Valley Authority (permittee, TVA) for the Watts Bar Nuclear Plant (WBN), Unit 2. The facility is located at the permittee's site on the west branch of the Tennessee River approximately 50 miles northeast of Chattanooga, Tennessee.

**Environmental Assessment***Identification of Proposed Action*

The proposed action would extend the latest construction completion date of Construction Permit No. CPPR-92 from December 31, 2010 to March 31, 2013. The proposed action is in response to the permittee's request dated May 8, 2008. This request superseded an earlier letter dated March 6, 2008.

The proposed extension will not allow any work to be performed that is not already allowed by the existing construction permit. The extension will merely grant the permittee more time to complete construction in accordance with the previously approved construction permit.

*The Need for the Proposed Action*

The proposed action is needed to give the permittee adequate time to complete construction of WBN Unit 2. In a July 14, 2000 letter, TVA confirmed that

WBN Unit 2 met the NRC's definition of a deferred plant, as described in Generic Letter 87-15, "Policy Statement on Deferred Plants." Subsequently, on August 3, 2007, TVA informed the Commission of its intent to complete construction and licensing of WBN Unit 2 by April 1, 2012; this letter was submitted in accordance with the Policy Statement on Deferred Plants. TVA provided information requested by the Policy Statement, and also informed the Commission that it would resume construction activities no sooner than December 3, 2007. These activities are within the scope of the existing construction permit, which expires December 31, 2010.

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

The environmental impacts associated with the construction of the facility have been previously discussed and evaluated in TVA's Final Environmental Statement for construction (FES-CP) of WBN, Units 1 and 2, issued on November 9, 1972. NRC staff evaluated the environmental impacts of construction and operation of this plant, issuing comments on TVA's FES-CP as part of its review. In December 1978, NRC staff issued NUREG-0498, "Final Environmental Statement Related to Operation of Watts Bar Nuclear Plant Units 1 and 2," for the operating-license stage (FES-OL), addressing environmental impacts of construction activities not addressed previously in TVA's FES-CP. The activities included: (1) Construction of the transmission route for the Watts Bar—Volunteer 500 kV line, (2) construction of the settling pond for siltation control for construction runoff at a different location from that originally proposed in the FES-CP, and (3) the relocation of the blowdown diffuser from the originally proposed site indicated in the FES-CP. The staff addressed the terrestrial and aquatic environmental impacts in the FES-OL, as well as historic and archeological impacts, and concluded that the assessment presented in the FES-CP remains valid.

NUREG-0498, Supplement 1 was issued in April 1995. Environmental issues evaluated included changes to regional demography, natural resource use, meteorology, ecology, impacts to humans and the environment, severe accident mitigation design alternatives, and socioeconomic impacts, including environmental justice issues. The staff concluded that there were no significant changes to the environmental impacts discussed in the 1978 FES-OL due to changes in plant design or operation, or changes in the environment.

Furthermore, the staff concluded that no additional impacts not previously discussed in the NRC's 1978 FES-OL related to construction of Unit 2 were expected.

On February 15, 2008, TVA submitted "Watts Bar Nuclear Plant (WBN)—Unit 2—Final Supplemental Environmental Impact Statement [FSEIS] For the Completion and Operation of Unit 2," to the NRC. This FSEIS was completed in June 2007, and was submitted in support of TVA's operating license application for WBN Unit 2. It also includes TVA's evaluation of the environmental impacts of construction.

The licensee has no plans to construct additional transmission lines or disturb any land not discussed in previous environmental reviews. Impacts on the Federal threatened and endangered species list issued by the Fish and Wildlife Service were evaluated in previous NRC environmental reviews. No additional impacts are expected.

Completed construction of WBN Unit 2 includes major structures such as the containment, turbine building, control building, and equipment such as the reactor pressure vessel, reactor coolant system piping, and steam generators. Installation of equipment shared with WBN Unit 1, such as diesel generators, was completed prior to issuance of the Unit 1 operating license in 1996. The majority of construction activities will take place within structures already completed. Therefore, most of the construction impacts discussed in the FES have already occurred. As discussed in TVA's FSEIS, additional onsite construction environmental impacts will be small, mitigated by use of good construction practices.

Socioeconomic impacts are similar to those previously evaluated by the NRC. As construction proceeds, workers moving to the area will increase demand for services such as schools and recreational facilities. In its June 2007 FSEIS, in anticipation of a decision to resume construction, TVA stated that it "...would designate certain counties as impacted by the construction process. This [designation] would make them eligible for a supplemental allocation from TVA's annual tax equivalent payment under Tennessee law. These funds could be used by counties to address impacts on county services." These payments mitigate the effects of new workers living in the area.

The requested extension of the construction permit only extends the period of construction as described in the FES, and does not involve any different impacts as described and analyzed in the original and updated environmental impact statements. The

cumulative impacts of the extended construction period are small, and mitigated, as discussed above.

Based on the foregoing, the NRC staff has concluded that the proposed action would have no significant environmental impact. Since this action would only extend the period of construction activities described in the FES, it does not involve any different impacts or a significant change to those impacts described and analyzed in the original environmental impact statement. Consequently, an environmental impact statement addressing the proposed action is not required.

#### *Alternatives to the Proposed Action*

A possible alternative to the proposed action would be to deny the request, or the no-action alternative. This alternative would result in expiration of the construction permit for Watts Bar, Unit 2. This option would require submittal of another application for construction in order to allow the permittee to complete construction of the facility with no significant environmental benefit. The environmental impacts of the proposed action and alternative action are similar.

Denial of the request could also result in TVA seeking other sources of electrical power. Siting and constructing new power generating facilities would result in their own environmental impacts, and does not provide an obvious environmental benefit versus the proposed construction permit extension, especially given the large degree of construction already completed for WBN Unit 2.

#### *Alternative Use of Resources*

This action does not involve the use of resources not previously considered in the FES for Watts Bar, Units 1 and 2.

#### *Agencies and Persons Contacted*

In accordance with its stated policy, on May 28, 2008, the staff consulted with officials from the State of Tennessee, including Alan Leiserson, Legal Services Director of the Tennessee Department of Environment and Conservation, regarding the environmental impact of the proposed action. The State officials had no comments.

#### *Finding of No Significant Impact*

On the basis of the environmental assessment, the NRC concludes that this action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an

environmental impact statement for this action.

For further details with respect to this action, see the licensee's request for extension dated May 8, 2008.

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (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 or send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 20th day of June 2008.

For the Nuclear Regulatory Commission.

**L. Raghavan,**

*Chief, Watts Bar Special Projects Branch,  
Division of Operating Reactor Licensing,  
Office of Nuclear Reactor Regulation.*

[FR Doc. E8-14594 Filed 6-26-08; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Subcommittee Meeting on Power Upgrades (Millstone Unit 3); Corrected Notice of Meeting (Corrected To Note Millstone Unit 3 Instead of Hope Creek)

The ACRS Subcommittee on Power Upgrades will hold a meeting on July 8, 2008, at 11545 Rockville Pike, Rockville, Maryland, Room T-2B3.

The meeting will be open to public attendance, with the exception of portions that may be closed to discuss proprietary information pursuant to 5 U.S.C. 552b(c)(4) for presentations covering information that is proprietary to Dominion Nuclear Connecticut, Inc. (DNC) or its contractor Westinghouse Electric Company, LLC.

The agenda for the subject meeting shall be as follows:

*Tuesday, July 8, 2008—9 a.m.—5 p.m.*

The Subcommittee will review the staff's safety evaluation associated with the Millstone Power Station Unit 3 stretch power uprate. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, DNC, Westinghouse, and other interested persons 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 Officer, Mr. David Bessette at 301-415-8065, 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. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on September 26, 2007, (72 FR 54695).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 8:45 a.m. and 5:30 p.m. (ET). 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: June 23, 2008.

**Antonio Dias,**

*Chief, Reactor Safety Branch B.*

[FR Doc. E8-14595 Filed 6-26-08; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** [73 FR 35427, June 23, 2008].

**STATUS:** Closed Meeting.

**PLACE:** 100 F Street, NE., Washington, DC.

**DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING:** Thursday, June 26, 2008 at 10 a.m.

**CHANGE IN THE MEETING:** Cancellation of Meeting.

The Closed Meeting scheduled for Thursday, June 26, 2008 has been cancelled.

For further information please contact the Office of the Secretary at (202) 551-5400.

June 24, 2008.

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-14611 Filed 6-26-08; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-58004; File No. SR-FINRA-2008-009]

### Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving Proposed Rule Change to the Code of Arbitration Procedure for Customer Disputes and the Code of Arbitration Procedure for Industry Disputes To Amend the Chairperson Eligibility Requirements

June 23, 2008.

#### I. Introduction

On March 12, 2008, the Financial Industry Regulatory Authority, Inc. ("FINRA") (f/k/a National Association of Securities Dealers, Inc. ("NASD")) filed with the Securities and Exchange Commission ("SEC" or "Commission") pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change relating to amendments to NASD Rule 12400(c) of the Code of Arbitration Procedure for Customer Disputes ("Customer Code") and NASD Rule 13400(c) of the Code of Arbitration Procedure for Industry Disputes ("Industry Code"). The proposed rule change was published for comment in the **Federal Register** on March 25, 2008.<sup>3</sup> The Commission received five comment letters in response to the proposed rule change.<sup>4</sup> This order approves the proposed rule change.

#### II. Description of the Proposed Rule Change

The proposed rule change amends the chairperson eligibility requirements under Rule 12400(c) of the Customer Code and Rule 13400(c) of the Industry Code.

On January 24, 2007, the SEC approved the Customer and Industry Codes (collectively referred to as

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

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

<sup>3</sup> See Securities Exchange Act Release No. 34-57529 (March 19, 2008); 73 FR 15817 (Mar. 25, 2008).

<sup>4</sup> See letter from Scot D. Bernstein, dated April 4, 2008 ("Bernstein letter"); letter from William A. Jacobson, Esq., Associate Clinical Professor, Director, Securities Law Clinic, Cornell Law School, dated April 15, 2008 ("Cornell letter"); letter from Lawrence S. Schultz, President, Public Investors Arbitration Association, dated April 16, 2008 ("PIABA letter"); letter from Karen Lockwood, dated May 12, 2008 ("Lockwood letter"); and letter from Barry D. Estell, Esquire, dated May 22, 2008 ("Estell letter").