

application of 30 CFR 75.1100-2(e)(2) (Quantity and location of firefighting equipment) to its Cherry Tree Mine (MSHA I.D. No. 36-09224) located in Clearfield County, Pennsylvania. The petitioner requests a modification of the existing standard to permit the use of an alternative method of compliance for firefighting equipment at temporary electrical installations. The petitioner proposes to use two (2) fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations in lieu of one fire extinguisher and 240 pounds of rock dust. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

##### 5. FMC Corporation

[Docket No. M-2005-001-M]

FMC Corporation, Box 872, Green River, Wyoming 82935 has filed a petition to modify the application of 30 CFR 57.22305 (Approved equipment (III mines)) to its FMC Trona Mine (MSHA I.D. No. 48-00152) located in Sweetwater County, Wyoming. The petitioner requests a modification of the existing standard to permit the use of a portable Leica DISTO laser distance meter in by the last open bread or face areas of the mine. The petitioner requests the use of an alternative method so that the equipment in areas covered by 30 CFR 57.22305 can be used safely. The petitioner states that examinations for methane in the mine atmosphere will be conducted prior to utilizing the laser distance meter and at a minimum every ten minutes during use; employees will complete a training form and will be instructed in the requirements for using the equipment; and that the equipment will not be operated in 1.0% or more methane. The petitioner asserts that the safety of the miners will not be reduced because ergonomic safety will be increased since the surveys will be better able to determine mining distances to the face that cannot safely be measured due to the roof being unbolted.

##### Request for Comments

Persons interested in these petitions are encouraged to submit comments via Federal eRulemaking Portal: <http://www.regulations.gov>; e-mail: [zzMSHA-Comments@dol.gov](mailto:zzMSHA-Comments@dol.gov); Fax: (202) 693-9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before May

31, 2005. Copies of these petitions are available for inspection at that address.

Dated in Arlington, Virginia, this 22nd day of April 2005.

**Rebecca J. Smith,**

*Acting Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 05-8573 Filed 4-28-05; 8:45 am]

**BILLING CODE 4510-43-P**

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-317 and 50-318]

### Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2; Notice of Withdrawal of Application for Amendment to Renewed Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Calvert Cliffs Nuclear Power Plant, Inc. (the licensee) to withdraw its June 7, 2004, application for proposed amendment to Renewed Facility Operating License No. DPR-53 and No. DPR-69, for the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, located in Lusby, MD.

The proposed amendment would have revised Technical Specification 3.9.4, "Shutdown Cooling and Coolant Circulation-High Water Level," to incorporate the use of an alternate cooling method to function as a path for decay heat removal when in Mode 6 with the refueling pool fully flooded.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on November 29, 2004 (69 FR 69417). However, by letter dated March 30, 2005, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 7, 2004, and the licensee's letter dated March 30, 2005, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (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 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 25th day of April 2005.

For the Nuclear Regulatory Commission.

**Richard V. Guzman,**

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

[FR Doc. E5-2052 Filed 4-28-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-11]

### Notice of Issuance of Amendment to Materials License No. SNM-2510; Sacramento Municipal Utility District; Rancho SECO Independent Spent Fuel Storage Installation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License Amendment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or Commission) has issued Amendment 2 to Materials License SNM-2510 held by Sacramento Municipal Utility District (SMUD) for the receipt, possession, transfer, and storage of spent fuel at the Rancho Seco Independent Spent Fuel Storage Installation (ISFSI), located on the site of the Rancho Seco Nuclear Generating Station located in Sacramento County, California. The amendment is effective as of the date of issuance.

**FOR FURTHER INFORMATION CONTACT:**

James R. Hall, Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-1336; fax number: (301) 415-8555; email: [jrh@nrc.gov](mailto:jrh@nrc.gov).

**SUPPLEMENTARY INFORMATION:** By application dated July 29, 2004, SMUD submitted a request to the NRC, in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 72.56, "Application for amendment of license," to amend the License for the Rancho Seco ISFSI to allow for the storage of Greater than Class C (GTCC) waste. This requested change does not affect the design, operation, or surveillance of the ISFSI.

This amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in

10 CFR Chapter I, which are set forth in the license amendment.

In accordance with 10 CFR 72.46(b)(2), a determination has been made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

The NRC staff has determined that the proposed action will not have a significant impact on the environment. For this action, an Environmental Assessment and Finding of No Significant Impact was prepared and published in the **Federal Register** (70 FR 16881, April 1, 2005). The request for amendment was docketed under 10 CFR Part 72, Docket 72-11. For further details with respect to this action, see the amendment request dated July 29, 2004, and December 2, 2004, supplement. 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>. Copies of the referenced documents will also be available for review at the NRC Public Document Room (PDR), located at 11555 Rockville Pike, Rockville, MD 20852. PDR reference staff can be contacted at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland, this 18th day of April, 2005.

For the Nuclear Regulatory Commission.

**James R. Hall,**

Senior Project Manager Licensing Section,  
Spent Fuel Project Office, Office of Nuclear  
Material Safety and Safeguards.

[FR Doc. E5-2051 Filed 4-28-05; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-8571; 34-51610; File No. 265-23]

### Summary of Proposed Committee Agenda of Advisory Committee on Smaller Public Companies

**AGENCY:** Securities and Exchange  
Commission.

**ACTION:** Request for comments.

**SUMMARY:** The Advisory Committee is soliciting public comment on a summary of its proposed Committee Agenda. The Committee Agenda sets forth the specific issues that the Committee proposes to address in connection with its evaluation of the current securities regulatory system for smaller public companies, including the impact of the Sarbanes-Oxley Act of 2002 on areas under consideration.

**DATES:** Comments should be received on or before May 31, 2005.

**ADDRESSES:** Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet submission form (<http://www.sec.gov/info/smallbus/acspc.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number 265-23 on the subject line; or
- Use the Federal eRulemaking Portal (<http://www.regulations.gov>). Follow the instructions for submitting comments.

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Committee Management Officer, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number 265-23. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/info/smallbus/acspc.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20002. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

#### **FOR FURTHER INFORMATION CONTACT:**

Questions about this release should be referred to Kevin M. O'Neill, Special Counsel, at (202) 551-3260, or William A. Hines, Special Counsel, at (202) 551-3320, Office of Small Business Policy, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0310.

**SUPPLEMENTARY INFORMATION:** At the request of the SEC Advisory Committee on Smaller Public Companies, the

Commission is publishing this release soliciting public comments on the issues that the Committee proposes to address. The Commission announced the establishment of the Advisory Committee on December 16, 2004.

The Committee was officially established on March 23, 2005, with the filing of its Charter with Congress. The Charter provides that the Committee's objective is to assess the current regulatory system for smaller public companies under the securities laws and make recommendations for changes. The Charter directs the Committee to consider the following areas of inquiry, including the impact in each area of the Sarbanes-Oxley Act of 2002, Pub. L. 107-204, 116 Stat. 745 (July 30, 2002): (1) Frameworks for internal control over financial reporting applicable to smaller public companies, methods for management's assessment of such internal control, and standards for auditing such internal control; (2) corporate disclosure and reporting requirements and federally-imposed corporate governance requirements for smaller public companies; (3) accounting standards and financial reporting requirements applicable to smaller public companies; and (4) the process, requirements and exemptions relating to offerings of securities by smaller public companies, particularly public offerings.

In accordance with these Charter directives, the Committee approved a proposed Committee Agenda at a public meeting held on April 12, 2005. A summary of the Committee Agenda is set forth below. The full text of the Committee Agenda may be found on the Committee's Web page at <http://www.sec.gov/info/smallbus/acspc.shtml>. The Committee Agenda identifies in general terms the subjects that the Committee proposes to address. All interested parties are invited to submit their views, in writing, on any or all of the subjects identified, or on any other matter relating to the current regulatory system for smaller public companies under the securities laws that the Committee should consider addressing. The Committee specifically seeks public comment on the following questions relating to the proposed summary of the Committee Agenda:

*Question 1:* Are the subjects identified in the summary of the Committee Agenda the right subjects for the Committee to consider?

*Question 2:* Should the Committee consider subjects not identified in the summary of the Committee Agenda in order to properly fulfill its mandate?

*Question 3:* Should the Committee not consider some subjects identified in the