

the plant resulted in, among other things, inconsistencies and inaccuracies in the UFSAR, safety systems whose compliance with the regulations could not be verified, design basis analyses that might not be accurate, and a UFSAR that may not be up to date. The Petitioners considers the systemic mismanagement to be potentially unsafe and to be in violation of Federal regulations. In the Petition, a number of NRC inspection reports, licensee event reports, letters between the NRC staff and the licensee, plant performance review summaries, and other documents were cited that the Petitioners believe document their contentions.

On January 24, 2001, the Petitioners and the licensee met with the staff's Petition Review Board. The meeting gave the Petitioners and the licensee an opportunity to provide additional information and to clarify issues raised in the Petition. During the public meeting, the Petitioners gave the staff supplemental information which the staff considered in making its decision. The Petitioners contended that the supplemental information provided further evidence of the licensee's mismanagement of the IP2 facility.

The NRC sent a copy of the proposed Director's Decision to the Petitioners and to the licensee for comment on July 25, 2001. The Petitioners responded with comments on September 14, 2001. The licensee did not respond. The Petitioners' comments and the NRC staff responses to the comments can be found in the cover letter transmitting the Director's Decision and Attachment 1 to the Director's Decision.

The Director of the Office of Nuclear Reactor Regulation concluded that the information contained in the Petition and the supplement does not warrant NRC staff action to suspend or revoke the operating license for IP2. Likewise, the staff finds no basis for initiating an investigation into wrongdoing on the part of ConEd. These requested actions are not granted. The NRC grants the Petitioners' request that IP2 remain on the list of agency focus plants (i.e., plants with multiple/repetitive degraded cornerstones). However, the NRC staff did not grant the Petitioners' request to define under what conditions IP2 will be removed from the list of plants with multiple/repetitive degraded cornerstones.

In addition, the staff found that the Petitioners' request to delay or deny a request to transfer the operating license for IP2 until the licensee's management can demonstrate that the UFSAR, condition report backlog, and maintenance requirements are up to date, and that plant workers have been

retrained to the modified UFSAR does not meet the requirements for review under 10 CFR 2.206. The reasons for these decisions are explained in the Director's Decision pursuant to 10 CFR 2.206 (DD-01-04), the complete text of which is available in ADAMS for inspection in the Commission's Public Document Room at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and electronically accessible in ADAMS through the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html> (ADAMS Accession No. ML 0103030073). Persons who do not have access to ADAMS or who encounter problems in accessing documents located in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209, or locally at 301-415-4737, or by email at [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the Director's Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206 of the Commission's regulations. As provided for by this regulation, the Director's Decision will constitute the final action of the Commission 25 days after the date of the decision, unless the Commission, on its own motion, institutes a review of the Director's Decision in that time.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 21st day of November 2001.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulations.*

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## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-13961]

### Issuer Delisting; Notice of Application To Withdraw From Listing and Registration on the American Stock Exchange LLC (Spinnaker Industries, Inc., Common Stock, No Par Value and Class A Common Stock, No Par Value)

November 23, 2001.

Spinnaker Industries, Inc., a Delaware corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) hereunder,<sup>2</sup> to withdraw its Common Stock, no par value, and Class A

Common Stock, no par value ("Securities"), from listing and registration on the American Stock Exchange LLC ("Amex").

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in effect in the State of Delaware, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

On November 9, 2001, the Board of Directors of the Issuer unanimously approved a resolution to withdraw the Securities from listing on the Amex. In making the decision to withdraw the Security from listing on the Exchange, the Issuer considered the following:

1. The Issuer's conclusion that it will be unable to achieve compliance with the Amex's continued listing requirements in the foreseeable future;

2. The Issuer's decision, after extensive negotiations with the holders of the Issuer's 10<sup>3</sup>/<sub>4</sub>% Senior Secured Notes (due 2006) and its senior secured lenders, file a voluntary petition from relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court of the Southern District of Ohio, Western Division, in Dayton. The petition is being filed on November 13, 2001;

3. The percentage of the Securities owned by the principal shareholder of the Issuer and the four holders (including the principal shareholder) owning 5% or more of the outstanding Securities as of November 1, 2001 (41.7% and 78.3%, respectively), and the very limited trading activity in the Security; and

4. The costs associated with maintaining the Issuer's listing on the Amex in light of the Issuer's current financial position.

Additionally, the Issuer represents that it has fewer than 300 record holders and it intends to file a Form 15 with the Commission in accordance with Rule 12g-4 under the Act.

The Issuer's application relates solely to the Securities' withdrawal from listing and registration under section 12(b) of the Act<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

An interested person may, on or before December 18, 2001 to submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
*Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of December 3, 2001: a closed meeting will be held on Monday, December 3, 2001, at 2 p.m.

Commissioner Hunt, as duty officer, determined that no earlier notice thereof was possible.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(5), (7), (9)(A), (9)(B), and (10) and 17 CFR 200.402(a)(5),(7), 9(i), 9(ii) and (10), permit consideration of the scheduled matters at the closed meeting.

The subject matter of the closed meeting scheduled for Monday, December 3, 2001, will be: institution and settlement of injunctive actions; institution and settlement of administrative proceedings of an enforcement nature; formal orders; and an adjudicatory matter.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matter have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942-7070.

Dated: November 27, 2001.

**Jonathan G. Katz,**  
*Secretary.*

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Trade Policy Staff Committee; Extension of Deadline for the Submission of Responses to Requests for the Exclusion of Specific Products From Any Action Under Section 203 of the Trade Act of 1974 With Regard to Imports of Certain Steel and Modifications to the Earlier Instructions for the Submission of Written Comments

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Extension of deadline for submission of responses and modifications to the earlier instructions for the submission of written comments.

**SUMMARY:** The Trade Policy Staff Committee ("TPSC") is extending the deadline, from November 27, 2001, to December 5, 2001, for the submission of responses to requests for the exclusion of specific products from any action under section 203 of the Trade Act of 1974, as amended, (19 U.S.C. 2253) ("Trade Act") with regard to imports of certain steel. In light of recent security measures, the TPSC is also modifying the instructions for the submission of written comments in the TPSC Notice and Request for Comments of October 26, 2001. See 66 FR 54321 ("October 26th Notice").

**DATES:** The deadline for responses to requests for the exclusion of specific products from any action under section 203 of the Trade Act of 1974 with regard to imports of certain steel is being extended to December 5, 2001. Other dates in the October 26th Notice remain unchanged. Modifications to the instructions for submission of written comments are applicable to all documents related to action under section 203 of the Trade Act with regard to imports of certain steel that are submitted to the TPSC after publication of this notice in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Office of Industry, Office of the United States Trade Representative, 600 17th Street, NW., Room 501, Washington, DC 20508. Telephone (202) 395-5656.

**SUPPLEMENTARY INFORMATION:** On October 26, 2001, the TPSC published in the **Federal Register** a Notice and

Request for Comments on what action the President should take under section 203 of the Trade Act to facilitate efforts by the domestic industries producing certain steel products to make a positive adjustment to import competition and provide greater economic and social benefits than costs. See 66 FR 54321. According to the October 26th Notice, the deadline for the submission of requests for the exclusion of specific products from any action under section 203(a) of the Trade Act was November 13, 2001, and the deadline for the submission of responses to such requests was November 27, 2001. The TPSC is extending the November 27, 2001, deadline until not later than December 5, 2001. Parties should refer to the October 26th Notice, and additional information provided below, for instructions for the submission of written comments.

The October 26th Notice contained instructions for the submission of written comments. In light of recently implemented security measures, U.S. mail submissions will not be received in time for consideration. To improve the receipt of submissions by electronic mail, the TPSC is making the following modifications to the instructions:

- The October 26th Notice allowed interested persons filing written comments, requests, or other information to provide the information by electronic mail or by U.S. mail. It instructed interested persons submitting documents by U.S. mail to include twenty (20) copies. The TPSC now requests only one (1) copy of any documents submitted by U.S. mail. Interested persons submitting documents by U.S. mail should also make arrangements for the transmission of an electronic copy of the document by electronic mail in accordance with the instructions in the October 26th Notice, as modified below. Although the TPSC prefers the use of electronic mail, a copy of any documents submitted by U.S. mail may also be transmitted to the TPSC by fax at (202) 395-9674.

- The October 26th Notice indicated that interested persons may file documents in any commercial word processing or spreadsheet format. The TPSC strongly encourages the submission of documents in Adobe PDF format, as attachments to an electronic mail message.

- The October 26th Notice instructed that for any document containing business confidential information submitted by electronic transmission, the file name of the business confidential version should begin with the characters "BC-", and the file name of the public version should begin with

<sup>5</sup> 17 CFR 200.30-3(a)(1).