

petitions are available for inspection at that address.

Dated at Arlington, Virginia, this 17th day of November, 2003.

**Marvin W. Nichols, Jr.,**

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

[FR Doc. 03-29746 Filed 11-28-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 52-009]

### System Energy Resources, Inc.; Notice of Acceptance of Application for Early Site Permit for the Grand Gulf ESP Site

On October 21, 2003, the Nuclear Regulatory Commission (NRC, the Commission) received an early site permit (ESP) application dated October 16, 2003, from System Energy Resources, Inc., a subsidiary of Entergy Corporation, filed pursuant to Section 103 of the Atomic Energy Act and 10 CFR part 52. The site selected for the application is property co-located with the Grand Gulf Nuclear Station near Port Gibson, Mississippi (the Grand Gulf ESP site). A notice of receipt and availability of this application was previously published in the **Federal Register** (68 FR 64665; November 14, 2003).

An applicant may seek an ESP in accordance with subpart A of 10 CFR part 52 separate from the filing of an application for a construction permit (CP) or combined license (COL) for a nuclear power facility. The ESP process allows resolution of issues relating to siting. At any time during the period of an ESP (up to 20 years), the permit holder may reference the permit in a CP or COL application.

The NRC staff has determined that System Energy Resources has submitted information in accordance with 10 CFR parts 2 and 52 that is sufficiently complete and acceptable for docketing. The Docket No. established for this application is 52-009. The NRC staff will perform a detailed technical review of the application, and docketing of the ESP application does not preclude the NRC from requesting additional information from the applicant as the review proceeds, nor does it predict whether the Commission will grant or deny the application. The Commission will conduct a hearing in accordance with 10 CFR 52.21 and will receive a report on the application from the Advisory Committee on Reactor Safeguards in accordance with 10 CFR 52.23. If the Commission then finds that

the application meets the applicable standards of the Atomic Energy Act and the Commission's regulations, and that required notifications to other agencies and bodies have been made, the Commission will issue an ESP, in the form and containing conditions and limitations that the Commission finds appropriate and necessary.

In accordance with 10 CFR part 51, the Commission will also prepare an environmental impact statement for the proposed action. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future **Federal Register** notice.

Finally, the Commission will announce, in a future **Federal Register** notice, the opportunity for petition for leave to intervene in the hearing required for this application by 10 CFR 52.21.

A copy of the System Energy Resources ESP application is available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and available to local residents at the Harriette Person Memorial Library in Port Gibson, Mississippi. It is also 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> (ADAMS Accession No. ML032960315). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC Public Document Room staff by telephone 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 24th day of November, 2003.

For the Nuclear Regulatory Commission.

**James E. Lyons,**

*Program Director, New, Research and Test Reactors Program, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-29791 Filed 11-28-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Licensing Support Network; Advisory Review Panel

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of public meeting.

**SUMMARY:** The Licensing Support Network Advisory Review Panel (LSNARP) will hold its next meeting on Tuesday December 9, 2003, at the Alexis Park, located at 375 East Harmon, Las Vegas, Nevada 89109. The meeting will be open to the public pursuant to the Federal Advisory Committee Act (Pub. L. 94-463, 86 Stat. 770-776).

*Agenda:* The meeting will be held from 8:30 a.m. to 5 p.m. on Tuesday, December 9. The preliminary agenda includes the topics listed below. Additional details regarding timing of presentations and changes to the agenda may be obtained through the contacts listed below and will be announced prior to the meeting.

1. Introductory Remarks—NRC/LSNARP
2. Proposed changes to 10 CFR part 2 and Guidance for Submission of Electronic Docket Materials under 10 CFR part 2, subpart J—NRC-OGC/OCIO
3. Status of the revision to the Topical Guidelines.—NRC-OGC/NMSS
4. Status of LSN Expansion Activities and New Electronic Information Exchange Interface—NRC-LSA/OCIO
5. Participation of ARP in testing of document submission process—NRC/LSNARP
6. Status of loading NRC's collection—NRC-LSA/OCIO/NMSS—types of problems the NRC has addressed in spidering by the LSN.—“Lessons learned” in conversion of NRC's legacy documents, such as CNWRA
7. Progress of potential parties in identifying and making their docs available to the LSN. Discussion of problems and solutions in processing and publishing, and meeting the requirements of part 2—NRC/LSNARP

**SUPPLEMENTARY INFORMATION:** The LSN is an internet based electronic discovery database being developed to aid the NRC in complying with the schedule for decision on the construction authorization for the high-level waste repository contained in section 114(d) of the Nuclear Waste Policy Act of 1982, as amended. In 1998, the NRC Rules of Practice in 10 CFR part 2, subpart J, were modified to provide for the creation and operation of the LSN, an internet-based technological solution to the submission and management of records and documents relating to the licensing of a geologic repository for the disposal of high-level radioactive waste (63 FR 71729). Pursuant to 10 CFR 2.1011(d), the agency has chartered the LSNARP, an advisory committee that

provides advice to the NRC on fundamental issues relating to LSN design, operation, maintenance, and compliance monitoring.

**FOR FURTHER INFORMATION CONTACT:** U.S. Nuclear Regulatory Commission, Office of the Secretary, Mail Stop O-16 C1, Washington, DC 20555-0001; Attn: Andrew Bates (telephone 301-415-1963; e-mail [ALB@NRC.GOV](mailto:ALB@NRC.GOV)) or Atomic Safety and Licensing Board Panel, Mail Stop T-3 F23, Attn: Jack G. Whetstone (telephone 301-415-7391; e-mail [JGW@NRC.GOV](mailto:JGW@NRC.GOV)).

**Public Participation:** Interested persons may make oral presentations to the LSNARP or file written statements. An oral presentations request should be made to one of the contact persons listed above as far in advance as practicable so that appropriate arrangements can be made.

Dated: November 21, 2003.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 03-29792 Filed 11-28-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of proposed guidance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is publishing for public comment the proposed policy guidance on Title VI's prohibition against national origin discrimination as it affects limited English proficient persons.

**DATES:** Comments must be submitted on or before December 31, 2003.

**ADDRESSES:** Interested persons should submit written comments to Michael T. Lesar, Chief, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Mail Stop: T-6D59, Washington, DC 20555-0001. Comments may also be submitted by facsimile to 301-415-5144, or by e-mail to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Marva C. Gary, Civil Rights Program Manager, at 301-415-7382, TDD 301-415-5244, or by e-mail at [mcg@nrc.gov](mailto:mcg@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, *et seq.* and its implementing regulations provide that no person shall

be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives Federal financial assistance. In Executive Order 13166, reprinted at 64 FR 50119 (August 16, 2000), federal grant agencies are directed to issue guidance to their respective recipients of federal financial assistance on ensuring meaningful access to their programs and activities by persons with limited English proficiency (LEP). Executive Order 13166 further requires that agency guidance be consistent with the compliance standards set out in Department of Justice Policy Guidance issued contemporaneous with the Executive Order and published at 65 FR 50123 (August 16, 2000).

On October 26, 2001 and January 11, 2002, the Assistant Attorney General for Civil Rights issued to Federal departments and agencies guidance memoranda, which reaffirmed the Department of Justice's commitment to ensuring that federally assisted programs and activities fulfill their LEP responsibilities, which clarified and answered certain questions raised regarding the August 16th publication. On March 14, 2002, the Office of Management and Budget (OMB) issued a Report To Congress titled "Assessment of the Total Benefits and Costs of Implementing Executive Order No. 13166: Improving Access to Services for Persons with Limited English Proficiency." Among other things, the Report recommended the adoption of uniform guidance across all Federal agencies, with flexibility to permit tailoring to each agency's specific recipients. Consistent with the OMB recommendation, the Department of Justice (DOJ) published LEP Guidance for DOJ recipients which was drafted and organized to also function as a model for similar guidance by other Federal grant agencies. The proposed NRC guidance is consistent with the model LEP Guidance document published by DOJ.

It has been determined that this guidance does not constitute a regulation subject to the rulemaking requirements of the Administrative Procedure Act, 5 U.S.C. 553. It has also been determined that this guidance document is not subject to the requirements of Executive Order 12866.

The text of the complete proposed guidance document appears below.

For the Nuclear Regulatory Commission.

**William F. Kane,**

*Acting Executive Director for Operations.*

### Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons

#### I. Introduction

Most individuals living in the United States read, write, speak and understand English. There are many individuals, however, for whom English is not their primary language. For instance, based on the 2000 census, over 26 million individuals speak Spanish and almost 7 million individuals speak an Asian or Pacific Island language at home. If these individuals have a limited ability to read, write, speak, or understand English, they are limited English proficient, or "LEP." While detailed data from the 2000 census has not yet been released, 26 percent of all Spanish-speakers, 29.9 percent of all Chinese-speakers, and 28.2 percent of all Vietnamese-speakers reported that they spoke English "not well" or "not at all" in response to the 1990 census.

Language for LEP individuals can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by federally funded programs and activities. The Federal Government funds an array of services that can be made accessible to otherwise eligible LEP persons. The Federal Government is committed to improving the accessibility of these programs and activities to eligible LEP persons, a goal that reinforces its equally important commitment to promoting programs and activities designed to help individuals learn English.

In certain circumstances, failure to ensure that LEP persons can effectively participate in or benefit from federally assisted programs may violate the prohibition under Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d and Title VI regulations against national origin discrimination. The purpose of this policy guidance is to assist recipients in fulfilling their responsibilities to provide meaningful access to LEP persons under existing law. This policy guidance clarifies existing legal requirements for LEP persons by providing a description of the factors recipients should consider in fulfilling their responsibilities to LEP