

modification for the Buck Mountain Slope Mine with conditions.

*Docket No.:* M-2003-034-C.

*FR Notice:* 68 FR 33204.

*Petitioner:* Consol Pennsylvania Coal Company.

*Regulation Affected:* 30 CFR 75.503.

*Summary of Findings:* Petitioner's proposal is to increase the maximum length of trailing cables supplying power to continuous mining machines to 950 feet and other section equipment to 900 feet during longwall panel development. This is considered an acceptable alternative method for the Bailey Mine. MSHA grants the petition for modification for the Bailey Mine with conditions.

*Docket No.:* M-2003-035-C.

*FR Notice:* 68 FR 33205.

*Petitioner:* Jim Walter Resources, Inc.

*Regulation Affected:* 30 CFR 75.503.

*Summary of Findings:* Petitioner's proposal is to extend the length of the cable for high-voltage continuous mining machines to 1,200 feet during longwall panel development. This is considered an acceptable alternative method for the No. 7 Mine. MSHA grants the petition for modification for the No. 7 Mine with conditions.

*Docket No.:* M-2003-037-C.

*FR Notice:* 68 FR 33205.

*Petitioner:* Consolidation Coal Company.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use a six-wheeled diesel grader without individual service brakes on all of the wheels. The petitioner will equip the grader with service brakes on each of the drive wheels; stationary emergency brakes; restrict the tramming speed of the grader to 10 miles per hour; train the grader operators to check brake function during preoperational checks; and to lower the grader blade to the ground as an additional braking mechanism. The operators will also receive task training and annual refresher training on the provisions of the proposed alternative method. This is considered an acceptable alternative method for the Emery Mine. MSHA grants the petition for modification for the Emery Mine with conditions.

*Docket No.:* M-2003-039-C.

*FR Notice:* 68 FR 37177.

*Petitioner:* Rivers Edge Mining, Inc.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use the Getman Diesel Grader underground with rear wheel brakes only in lieu of using brakes that act on each wheel of the vehicle. The petitioner proposes to limit the speed of

the diesel graders to 10 miles per hour (mph). Higher gear ratios on the Getman diesel grader will be physically blocked in order to limit the speed to 10 mph maximum, and grader operators will be trained to drop the grader blade to provide additional stopping capability in emergency situations. These terms and conditions will provide an equivalent level of safety to the standard requirement that each wheel of the grader be equipped with service brakes. This is considered an acceptable alternative method for the Rivers Edge Mine. MSHA grants the petition for modification for the Rivers Edge Mine with conditions.

*Docket No.:* M-2003-040-C.

*FR Notice:* 68 FR 37177.

*Petitioner:* Pine Ridge Coal Company.

*Regulation Affected:* 30 CFR 75.1909(b)(6).

*Summary of Findings:* Petitioner's proposal is to use the Getman Diesel Grader underground with rear wheel brakes only in lieu of using brakes that act on each wheel of the vehicle. The petitioner proposes to limit the speed of the diesel graders to 10 miles per hour (mph). Higher gear ratios on the Getman diesel grader will be physically blocked in order to limit the speed to 10 mph maximum, and grader operators will be trained to drop the grader blade to provide additional stopping capability in emergency situations. These terms and conditions will provide an equivalent level of safety to the standard requirement that each wheel of the grader be equipped with service brakes. This is considered an acceptable alternative method for the Big Mountain #16 Mine. MSHA grants the petition for modification for the Big Mountain #16 Mine with conditions.

[FR Doc. 04-1387 Filed 1-21-04; 8:45 am]

**BILLING CODE 4510-43-P**

## **NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

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

**AGENCY:** National Archives and Records Administration.

**ACTION:** Notice of guidance; correction.

**SUMMARY:** This document corrects the preamble to a notice published in the *Federal Register* of January 12, 2004, regarding guidance on Title VI's prohibition against national origin discrimination as it affects limited

English proficient persons. The date for submitting comments was missing in the DATES section. This document corrects that error.

**DATES:** Comments must be submitted on or before March 12, 2004. NARA will review all comments and will determine what modifications, if any, to this policy guidance are necessary.

**ADDRESSES:** Comments must be sent to Regulation Comments Desk (NPOL), Room 4100, Policy and Communications Staff, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. They may be faxed to (301) 837-0319. Electronic comments may be submitted through Regulations.gov. You may also comment via email to [comments@nara.gov](mailto:comments@nara.gov).

**FOR FURTHER INFORMATION CONTACT:** Diane Dimkoff at telephone number (301) 837-1659. Arrangements to receive the policy in an alternative format may be made by contacting the named individual.

Dated: January 14, 2004.

**Nancy Allard,**

*Federal Register Liaison Officer.*

[FR Doc. 04-1248 Filed 1-21-04; 8:45 am]

**BILLING CODE 7515-01-P**

## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

### **National Endowment for the Arts; Leadership Initiatives Advisory Panel**

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that a meeting of the Leadership Initiatives Advisory Panel, AccessAbility section, will be held by teleconference from 2:30 p.m.-4 p.m. on Wednesday, February 4, 2004, from Room 724 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 30, 2003, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Panel Coordinator, National Endowment for

the Arts, Washington, DC 20506, or call 202/682-5691.

Dated: January 15, 2004.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations,  
National Endowment for the Arts.*

[FR Doc. 04-1335 Filed 1-21-04; 8:45 am]

BILLING CODE 7537-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-244]

### Rochester Gas and Electric Corporation R.E. Ginna Nuclear Power Plant; Notice of Consideration of Approval of Transfer of Facility Operating License and Conforming Amendment and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of Facility Operating License No. DPR-18 for the R.E. Ginna Nuclear Plant (Ginna) currently held by Rochester Gas and Electric Corporation (RG&E), as owner and licensed operator of Ginna. The transfer would be to R.E. Ginna Nuclear Power Plant, LLC (Ginna LLC). The Commission is also considering amending the license for administrative purposes to reflect the proposed transfer.

According to a December 16, 2003, application for approval filed by RG&E and Constellation Generation Group, LLC, Ginna LLC would assume title to the facility following approval of the proposed license transfer, and would be responsible for the operation, maintenance, and eventual decommissioning of Ginna. No physical changes to the Ginna facility or operational changes are being proposed in the application. However, the license transfer is contingent upon NRC approval of the pending application to renew the operating license for Ginna for an additional 20 years beyond the current license expiration date of September 18, 2009.

The proposed amendment would replace references to RG&E in the license with references to Ginna LLC to reflect the new owner and make any other changes necessary to reflect the proposed transfer.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an

application for the transfer of a license, if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By February 11, 2004, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served

upon James M. Petro, Counsel for Constellation Energy Group, 750 East Pratt Street, 5th Floor, Legal Department, Baltimore, MD 21201, (410) 783-3303, e-mail:

*James.Petro@constellation.com*; James R. Curtiss, Counsel for Constellation Energy Group at Winston & Strawn, 1400 L St., NW., Washington, DC 20005, (202) 371-5751, e-mail: *jcurtiss@winston.com*; Samuel Behrends, Counsel for Rochester Gas and Electric Corporation, at LeBoeuf, Lamb, Greene and MacRae, 1875 Connecticut Avenue, NW., Washington, DC 20009, (202) 986-8018, e-mail: *sbehrend@llgm.com*; Daniel F. Stenger, Counsel for Rochester Gas and Electric Corporation, at Ballard Spahr Andrews & Ingersoll, LLP, 601 13th Street, NW., Suite 1000 South, Washington, DC 20005-3807, (202) 661-7617, e-mail: *stengerd@ballardspahr.com*; the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (e-mail address for filings regarding license transfer cases only: *OGCLT@NRC.gov*); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by February 23, 2004, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated December 16, 2003, available for public inspection at the Commission'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 System's