

Some publications in the NUREG series that are posted at NRC's Web site address <http://www.nrc.gov> are updated regularly and may differ from the last printed version.

FOR FURTHER INFORMATION, CONTACT: Ms. Mary Ann M. Ashley, Inspection Program Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Ms. Ashley may be reached at (301) 415-1073 or by e-mail at mab@nrc.gov.

SUPPLEMENTARY INFORMATION: On May 30, 2003, the NRC staff issued the "Draft 10 CFR Part 52 Construction Inspection Program Framework Document" for public comment. The framework document set forth the proposed basis for the construction inspection program for reactors built under 10 CFR Part 52. A public workshop was held on August 27, 2003 to discuss the scope and the types of inspections which are planned during the new reactor construction project.

The NRC has considered the comments received from stakeholders and has incorporated them, as appropriate, into a final revision of the construction inspection program framework document and is issuing the framework as NUREG-1789. A detailed resolution of comments submitted about the draft framework document has been incorporated into NUREG-1789. The NUREG details the audits and inspections that will be conducted by the NRC during the Early Site Permit (ESP) and Combined License (COL) phases. The document also discusses how the NRC staff will verify satisfactory completion of the inspections, tests, analyses, and acceptance criteria (ITAAC) and review operational programs. NRC staff will use the inspection program descriptions contained in the framework NUREG to guide the development of internal inspection documents including Inspection Manual Chapters and Inspection Procedures.

Dated at Rockville, Maryland, this 12th day of May 2004.

For the Nuclear Regulatory Commission.

Stuart A. Richards,

Chief, Inspection Program Branch, Division of Inspection Program Management, Office of Nuclear Reactor Regulation.

[FR Doc. 04-11757 Filed 5-24-04; 8:45 am]

BILLING CODE 7590-01-P

PRESIDIO TRUST

Public Health Service Hospital, The Presidio of San Francisco (Presidio), CA; Notice of Intent To Prepare a Supplemental Environmental Impact Statement and Conduct Public Scoping

AGENCY: The Presidio Trust.

ACTION: The Presidio Trust (Trust) announces, in accordance with the provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*), that it is commencing preparation of a Supplemental Environmental Impact Statement (SEIS) regarding the rehabilitation and reuse of historic buildings in the Public Health Service Hospital (PHSH) district of the Presidio, and that the Trust is inviting the participation of the public and interested agencies in the scoping process. The SEIS tiers from the Final EIS for the Presidio Trust Management Plan, the Trust's comprehensive land use plan and policy framework for Area B of the Presidio, adopted in August 2002.

SUMMARY: The Trust prepared and made available to the public an Environmental Assessment (EA) for the PHSH in February 2004 (69 FR 96591). Based on the impact analysis in the EA and a review of public comments received on the document, the Trust has determined that the proposed Federal action has the potential to cause significant effects on the human environment, and that a SEIS would best achieve NEPA's goals. The EA will be used to help facilitate preparation of the SEIS, which will include new substantive environmental analyses and information in response to public comment.

The SEIS will evaluate the following alternatives:

- No-Action Alternative—Continues recent and existing activities in the PHSH district with no building rehabilitation, new construction or demolition.
- PTMP Alternative (Alternative 1)—Rehabilitates existing buildings for educational and residential uses with no new construction or demolition.
- Infill Alternative (Alternative 2)—Rehabilitates the historic buildings as well as the non-historic wings of the hospital for residential use with limited demolition and new construction.
- No Infill Alternative (Alternative 3)—Rehabilitates the historic buildings for residential use and removes the hospital's non-historic wings as well as other non-historic buildings and additions.

- Battery Caulfield Alternative (Alternative 4)—Rehabilitates the historic buildings for residential use, removes the hospital's non-historic wings as well as other non-historic buildings and additions, and provides for new construction on Battery Caulfield.

A complete description of Alternatives 1 through 4 is provided in the EA, which may be viewed at or downloaded from the Trust's Web site at <http://www.presidio.gov> following the link from the home page. A printed copy may be requested at no charge at 415/561-5414 or phsh@presidiotrust.gov, or by writing to the Presidio Trust, P.O. Box 29052, San Francisco, CA 94129-0052. The EA may also be reviewed in the Trust's library on the Presidio at 34 Graham Street, San Francisco, CA.

The Trust encourages all interested individuals, organizations and agencies to provide comments on the scope of the SEIS. As part of the scoping process, oral comments will be accepted from the public on the issues and choice of alternatives to be considered in the SEIS at a Trust public meeting on June 29, 2004, beginning at 6 p.m., at the Officers' Club, 50 Moraga Avenue, on the Main Post in the Presidio. Written comments may be submitted to John Pelka, NEPA Compliance Coordinator at 415/561-2790 (fax), phsh@presidiotrust.gov, or the Trust Post Office address specified above, and must be received no later than July 7, 2004. Comments previously received regarding the EA need not be repeated; these comments will inform the Trust's preparation of the Supplemental EIS. Please be aware that all written comments and information submitted will be made available to the public, including, without limitation, any postal address, e-mail address, phone number or other information contained in each submission.

The Trust will provide information updates and notices concerning the project through postings on its Web site or through its bi-monthly publication, the Presidio Post. The Trust will announce the release of the SEIS by notice in the **Federal Register** and Presidio Post, as well as via direct mailing and other means.

FOR FURTHER INFORMATION CONTACT: John Pelka, NEPA Compliance Coordinator, the Presidio Trust, 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052, 415/561-5300.

Dated: May 19, 2004.

Karen A. Cook,

General Counsel.

[FR Doc. 04-11753 Filed 5-24-04; 8:45 am]

BILLING CODE 4310-4R-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-49732; File No. SR-NASD-2004-069]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the National Association of Securities Dealers, Inc. To Redesignate Rules 4200A and 4350A

May 19, 2004.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on April 23, 2004, the National Association of Securities Dealers, Inc. ("NASD"), through its subsidiary, The Nasdaq Stock Market, Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. Pursuant to section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(3) thereunder,⁴ Nasdaq has designated this proposal as one concerned solely with the administration of the self-regulatory organization, which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq is filing a proposed rule change to redesignate Rules 4200A and 4350A as 4200-1 and 4350-1 respectively, and to make conforming changes.

The text of the proposed rule change is available at Nasdaq and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq included statements concerning the purpose of and basis for the

proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Nasdaq has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On November 4, 2003, the Commission approved a number of rule changes to the rules relating to the corporate governance of companies listed on Nasdaq,⁵ including the adoption of Rules 4200A and 4350A. Nasdaq seeks to redesignate Rules 4200A and 4350A as 4200-1 and 4350-1, respectively, to avoid any confusion with previously existing NASD Rule 4200A. In addition, Nasdaq seeks to conform references to Rules 4200A and 4350A in other rules.

2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of Section 15A of the Act,⁶ in general, and with Section 15A(b)(6) of the Act,⁷ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, remove impediments to a free and open market and a national market system, and, in general, to protect investors and the public interest. Nasdaq believes that clarifying the new rules helps investors and issuers.

B. Self-Regulatory Organization's Statement on Burden on Competition

Nasdaq does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to section

19(b)(3)(A)(iii) of the Act⁸ and Rule 19b-4(f)(3) thereunder⁹ in that it is concerned solely with the administration of the self-regulatory organization. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File No. SR-NASD-2004-069 on the subject line.

Paper Comments

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

All submissions should refer to File No. SR-NASD-2004-069. This file number should be included on the subject line if e-mail is used. To help the Commission 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/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of the NASD. All comments

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(3).

⁵ See Securities Exchange Act Release No. 48475 (November 4, 2003), 68 FR 64154 (November 12, 2003).

⁶ 15 U.S.C. 78o-3.

⁷ 15 U.S.C. 78o-3(b)(6).

⁸ 15 U.S.C. 78s(b)(3)(A)(iii).

⁹ 17 CFR 240.19-4(f)(3).