

### III

By letter dated June 15, 2005, the Licensee stated that in addition to the actions already taken by FENOC to promote a safety conscious work environment (SCWE) at the FENOC nuclear facilities, the Licensee agreed to take certain additional corrective measures to emphasize the importance of a SCWE. The agreed-upon additional actions noted in Section IV of this Confirmatory Order focus on SCWE training for contractor personnel who are granted unescorted access to Davis-Besse and the other FENOC nuclear facilities.

On July 6, 2005, FENOC consented to the NRC issuing this Confirmatory Order with the commitments, as described in Section IV below. The Licensee further agreed in its July 6, 2005, letter that this Order is to be effective upon issuance and that it has waived its right to a hearing. The NRC has concluded that its concerns can be resolved through NRC's confirmation of the Licensee's commitments as outlined in this Order.

I find that the Licensee's commitments as set forth in Section IV are acceptable and necessary and conclude that with these commitments the public health and safety are reasonably assured. In view of the foregoing, I have determined that the public health and safety require that the Licensee's commitments be confirmed by this Order. Based on the above and the Licensee's consent, this Order is immediately effective upon issuance. FENOC is required to provide the NRC with a letter summarizing its actions when all of the Section IV requirements have been completed.

### IV

Accordingly, pursuant to Sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 30, *It is hereby ordered, effective immediately, that License No. NPF-3 is modified as follows:*

1. By no later than August 31, 2005, FENOC will provide contractors who are granted unescorted access to FENOC nuclear facilities with SCWE training that is equivalent to the SCWE training provided to FENOC employees as part of Plant Access Training.

2. By no later than August 31, 2005, FENOC will review the SCWE training module included in Plant Access Training and make any changes necessary to ensure that the module clearly reinforces that FENOC SCWE policies and NRC employee protection

requirements (10 CFR 50.7) apply to all personnel working on behalf of FENOC, specifically including contractor employees, supervision, and management.

3. By no later than August 31, 2005, FENOC will provide specific training to the Davis-Besse food services contractor management and supervision involved in the provision of services to FENOC on SCWE principles, FENOC SCWE policies, and NRC employee protection requirements (10 CFR 50.7). This training will be comparable to the SCWE training that has been provided to FENOC management and supervision.

4. By no later than August 31, 2005, FENOC will include surveys of contractor personnel as part of the quarterly FENOC performance monitoring of SCWE at its nuclear facilities. These surveys are performed annually. Other data relied upon in the quarterly performance monitoring already includes the activities of contractor personnel in the calculation of the applicable performance measures.

The Director, Office of Enforcement, may relax or rescind, in writing, any of the above conditions upon a showing by the Licensee of good cause.

### V

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, to the Regional Administrator, NRC Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532-4352, and to the Licensee. Because of continuing disruptions in delivery of mail to United States Government offices, it is requested that requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to (301) 415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov) and also to the Office of the General Counsel either by means of facsimile transmission to (301)

415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). If a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

A request for hearing shall not stay the immediate effectiveness of this order.

For the Nuclear Regulatory Commission.

Dated this 15th day of July, 2005.

**Michael R. Johnson,**

*Director, Office of Enforcement.*

[FR Doc. E5-3968 Filed 7-25-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-22-ISFSI]

### In the Matter of Private Fuel Storage, L.L.C. (Independent Spent Fuel Storage Installation); Notice of Appointment of Adjudicatory Employees

*Commissioners:* Nils J. Diaz, Chairman;  
Jeffrey S. Merrifield; Gregory B. Jaczko;  
Peter B. Lyons.

Pursuant to 10 CFR 2.4, notice is hereby given that Mr. Arthur Buslik of the Office of Nuclear Regulatory Research, Division of Risk Analysis and Applications, Probabilistic Risk Analysis Branch; and Abdul Sheikh, of the Office of Nuclear Regulatory Research, Division of Engineering Technology, Engineering Research Applications Branch, have been appointed as Commission adjudicatory employees within the meaning of section 2.4, to advise the Commission regarding issues relating to the pending petition for review in the Matter of Private Fuel Storage, L.L.C. (Contention Utah K (Aircraft Crashes)). These employees have not previously performed any investigative or litigating function in connection with this or any related proceeding. Mr. Buslik has previously served as an adjudicatory employee in this proceeding.

Until such time as a final decision is issued in this matter, interested persons outside the agency and agency employees performing investigative or

litigating functions in this proceeding are required to observe the restrictions of 10 CFR 2.780 and 2.781 in their communications with Mr. Buslik and Mr. Sheikh.

It is so ordered.

For the Commission.

Dated at Rockville, Maryland, this 20th day of July, 2005.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E5-3966 Filed 7-25-05; 8:45 am]

**BILLING CODE 7590-01-P**

## POSTAL SERVICE

### United States Postal Service Board of Governors; Sunshine Act Meeting

**TIMES AND DATES:** 1 p.m., Monday, August 1, 2005; and 8 a.m., Tuesday, August 2, 2005.

**PLACE:** Newport Beach, California, at the Balboa Bay Hotel, 1221 West Coast Highway, in the Grand Ballroom.

**STATUS:** August—1 p.m. (Closed); August 2—8 a.m. (Open);

#### MATTERS TO BE CONSIDERED:

##### Monday, August 1—1 p.m. (Closed)

1. Strategic Planning.
2. Rate Case Planning.
3. Personnel Matters and Compensation Issues.
4. Pricing of International Services.
5. Preliminary Report on Goals and Performance Assessment for Fiscal Year 2006.
6. Financial Update.
7. Preliminary Fiscal Year 2006 Integrated Financial Plan and Financial Outlook.
8. Capital Investment—Postal Automated Redirection System, Phase 2.

##### Tuesday, August 2—8 a.m. (Open)

1. Minutes of the Previous Meeting, June 14, 2005.
2. Remarks of the Postmaster General and Chief Executive Officer.
3. Committee Reports.
4. Capital Investment—Distribution Quality Improvement.
5. Quarterly Report on Service Performance.
6. Quarterly Report on Financial Performance.
7. Report on the Pacific Area and Santa Ana District.
8. Tentative Agenda for the September 27, 2005, meeting in Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

William T. Johnstone, Secretary of the Board, U.S. Postal Service, 475 L'Enfant

Plaza, SW., Washington, DC 20260–1000. Telephone (202) 268–4800.

**William T. Johnstone,**

*Secretary.*

[FR Doc. 05-14773 Filed 7-21-05; 4:09 pm]

**BILLING CODE 7710-12-M**

## POSTAL SERVICE

### United States Postal Service Board of Governors; Sunshine Act Meeting

#### Board Votes to Close July 15, 2005, Meeting

In person and by telephone vote on July 15, 2005, a majority of the members contacted and voting, the Board of Governors voted to close to public observation a meeting held in Washington, DC, via teleconference. The Board determined that prior public notice was not possible.

#### Item Considered

1. Strategic Planning.

#### General Counsel Certification

The General Counsel of the United States Postal Service has certified that the meeting was properly closed under the Government in the Sunshine Act.

#### FOR FURTHER INFORMATION CONTACT:

Requests for information about the meeting should be addressed to the Secretary of the Board, William T. Johnstone, at (202) 268–48000.

**William T. Johnstone,**

*Secretary.*

[FR Doc. 05-14774 Filed 7-21-05; 4:09 pm]

**BILLING CODE 7710-12-M**

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-13867]

### Issuer Delisting; Notice of Application of Allied Holdings, Inc. To Withdraw Its Common Stock, No Par Value, From Listing and Registration on the American Stock Exchange LLC

July 20, 2005.

On June 21, 2005, Allied Holdings, Inc., a Georgia corporation (“Issuer”), 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) thereunder,<sup>2</sup> to withdraw its common stock, no par value (“Security”), from

listing and registration on the American Stock Exchange LLC (“Amex”).

On March 29, 2005, the Board of Directors (“Board”) of the Issuer unanimously approved resolutions to withdraw the Security from listing on Amex. The Board stated that the following reasons factored into its decision to withdraw the Security from Amex: (i) The Issuer’s ability to continue to comply with its plan, submitted to and accepted by Amex, to regain compliance with Amex’s continued listing standards with respect to stockholders’ equity; (ii) the Board’s understanding that its current principal market maker will act to continue to make a market in the Security on the over-the-counter bulletin board; and (iii) the Board’s determination that such withdrawal is in the best interest of the Issuer and its shareholders.

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 Georgia, in which it is incorporated, and by providing written notice of withdrawal to Amex.

The Issuer’s application relates solely to withdrawal of the Security from listing on Amex and from 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>

Any interested person may, on or before August 12, 2005, comment on the facts bearing upon whether the application has been made in accordance with the rules of Amex, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

#### Electronic Comments

- Use the Commission’s Internet comment form (<http://www.sec.gov/rules/delist.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-13867 or;

#### Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number 1-13867. 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,

<sup>1</sup> 15 U.S.C. 781(d).

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

<sup>3</sup> 15 U.S.C. 781(b).

<sup>4</sup> 15 U.S.C. 781(g).