

Submit, by October 24, 2005, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide Web site: <http://www.nrc.gov/publicinvolve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-5 F52, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV).

Dated at Rockville, Maryland, this 18th day of August, 2005.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E5-4618 Filed 8-23-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-305]

### Dominion Energy Kewaunee, Inc.; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Dominion Energy Kewaunee, Inc., (the licensee) to withdraw its June 1, 2004, application for proposed amendment to Facility Operating License No. DPR-43 for the Kewaunee Nuclear Plant, located in Kewaunee County, Wisconsin.

The proposed amendment would have modified the Technical Specifications (TS) to revise TS 1.0,

“Definitions,” Table 3.5-2, “Instrument Operation Conditions for Reactor Trip,” and Table 4.1-1, “Minimum Frequencies for Checks, Calibrations, and Test of Instrument Channels,” proposed to change the requirement to perform the channel test and channel calibration “once per operating cycle.” The proposed changes would have added a definition for “staggered test basis,” increase surveillance test intervals for the analog channels and logic cabinets of the reactor protection system and engineered safety featured actuation system, and would have added a completion time for the reactor trip breakers. Subsequently, by letter date August 4, 2005, you withdrew the amendment request. The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on July 6, 2004 (69 FR 40676). However, by letter dated August 4, 2005, the licensee withdrew the proposed amendment.

For further details with respect to this action, see the application for amendment dated June 1, 2004, and the licensee’s letter dated August 4, 2005, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, Public File Area 01 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams/html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 11th day of August, 2005.

For the Nuclear Regulatory Commission.

**L. Raghavan,**

*Chief, Section 1, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. E5-4617 Filed 8-23-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8006]

### Notice of Termination of Release of Kerr McGee Corporation, Technical Center, in Oklahoma City, OK for Unrestricted Use

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of license termination and site release for unrestricted use.

#### FOR FURTHER INFORMATION CONTACT:

Rachel S. Browder, M.S., Health Physicist, Nuclear Materials Licensing Branch, Division of Nuclear Materials Safety, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011; Telephone: (817) 276-6552; fax number: (817) 860-8122; e-mail: [rsb3@nrc.gov](mailto:rsb3@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

Pursuant to 10 CFR Part 2.106, the U.S. Nuclear Regulatory Commission (NRC) is providing notice of termination of Source Material License No. SUB-986, and authorizing the release of Kerr McGee Corporation Technical Center (Licensee) located at 3301 NW 150th Street, Oklahoma City, Oklahoma, for unrestricted use. The Licensee’s request for an amendment to authorize decommissioning of its Technical Center was previously noticed in the **Federal Register** on July 12, 2001 (66 FR 36605) with an opportunity for hearing.

Kerr McGee Corporation provided a final radiological status survey and performed an indoor and outdoor dose analysis to demonstrate the site meets the license termination criteria in Subpart E of 10 CFR Part 20. In addition, NRC staff conducted independent measurements of soils and surfaces at the site. The NRC staff has evaluated Kerr McGee Corporation’s request, reviewed the results of the final radiological survey, and determined that the site meets the unrestricted use dose criteria in 10 CFR 20.1402. The Commission has concluded that the site is suitable for release for unrestricted use and has terminated the license for Kerr McGee Corporation Technical Center, Oklahoma City, Oklahoma, property. The NRC staff issued a Final Safety Evaluation Report (SER) on August 1, 2005, to support the proposed action.

##### II. Further Information

The NRC has prepared a Final SER that documents the information that was

reviewed and NRC's conclusion. In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," details with respect to this action, including the Final SER and accompanying documentation included in the license amendment package are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you may access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are: Kerr McGee Technical Center (KMTC) "Revised Decommissioning Plan," April 5, 2001, ML011840119 and ML011840269; KMTC Response to NRC Request for Information, March 6, 2002, ML020670216; KMTC Clarification and Modification to DCGLs, October 16, 2002, ML022940089; KMTC Final Status Survey Report Outdoor Survey Units, September 2003, ML033020108; KMTC Final Status Survey Report Indoor Survey Units, April 2004, ML041100784; KMTC Supplement to Indoor Final Status Survey Report, December 2004, ML043520247; Final Safety Evaluation Report, August 1, 2005, ML052130413. If you do not have access to ADAMS or if there are problems with accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at (800) 397-4203, (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Arlington, Texas, this 15th day of August, 2005.

For the Nuclear Regulatory Commission.

**D. Blair Spitzberg,**

*Chief, Fuel Cycle Decommissioning Branch, Division of Nuclear Materials Safety, Region IV.*

[FR Doc. E5-4619 Filed 8-23-05; 8:45 am]

BILLING CODE 7590-01-P

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## RAILROAD RETIREMENT BOARD

### Sunshine Act; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on August 30, 2005, 9:30 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois,

60611. The agenda for this meeting follows:

- (1) IDMS to DB2 Conversion
- (2) Discussion on Field Service Hiring
- (3) Decision on Reconsideration—DisAbility ReDesign, Inc.

The entire meeting will be open to the public. The person to contact for more information is Beatrice Ezerski, Secretary to the Board, Phone No. 312-751-4920.

Dated: August 18, 2005.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 05-16893 Filed 8-22-05; 9:51 am]

BILLING CODE 7905-01-M

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## RAILROAD RETIREMENT BOARD

### Sunshine Act; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on August 30, 2005, 9:30 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, IL 60611. The agenda for this meeting follows:

- (1) IDMS to DB2 Conversion
- (2) Discussion on Field Service Hiring
- (3) Decision on Reconsideration—DisAbility ReDesign, Inc.
- (4) Discussion of the Fiscal Year 2007 Budget

The entire meeting will be open to the public. The person to contact for more information is Beatrice Ezerski, Secretary to the Board, Phone No. 312-751-4920.

Dated: August 18, 2005.

**Beatrice Ezerski,**

*Secretary to the Board*

[FR Doc. 05-16900 Filed 8-22-05; 9:58 am]

BILLING CODE 7905-01-M

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## SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 34-52293; IA-2417; File No. S7-25-99]

RIN 3235-AH78

### Certain Broker-Dealers Deemed Not To Be Investment Advisers

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Notice of OMB approval of collections of information.

**FOR FURTHER INFORMATION CONTACT:**

Robert L. Tuleya, Senior Counsel, (202) 551-6787, [IRules@sec.gov](mailto:IRules@sec.gov), Office of Investment Adviser Regulation, Division of Investment Management, U.S. Securities and Exchange Commission,

100 F Street, NE., Washington, DC 20549-0506.

**SUPPLEMENTARY INFORMATION:** In conjunction with Investment Advisers Act of 1940 rule 202(a)(11)-1,<sup>1</sup> the Securities and Exchange Commission submitted certain existing collections of information to the Office of Management and Budget ("OMB") in accordance with 44 U.S.C. 3507(d) and 5 CFR 1320.11. OMB has approved changes to these collection of information requirements which are described in *Certain Broker-Dealers Deemed Not To Be Investment Advisers*.<sup>2</sup> The titles of the affected collections of information are: "Form ADV" (OMB Control No. 3235-0049); "Form ADV-NR" (OMB Control No. 3235-0240); "Form ADV-W and Rule 203-2" (OMB Control No. 3235-0313); "Rule 203-3 and Form ADV-H" (OMB Control No. 3235-0538); "Rule 204-2" (OMB Control No. 3235-0278); "Rule 204-3" (OMB Control No. 3235-0047); "Rule 204A-1" (OMB Control No. 3235-0596); "Rule 206(4)-3" (OMB Control No. 3235-0242); "Rule 206(4)-4" (OMB Control No. 3235-0345); "Rule 206(4)-6" (OMB Control No. 3235-0571); and "Rule 206(4)-7" (OMB Control No. 3235-0585).

Dated: August 18, 2005.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 05-16867 Filed 8-23-05; 8:45 am]

BILLING CODE 8010-01-P

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-52297; File No. SR-Amex-2005-080]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Order Granting Accelerated Approval to Proposed Rule Change Relating to Fees in Connection With Merger Spreads and Short Stock Interest Spreads

August 18, 2005.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 25, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared

<sup>1</sup> 17 CFR 275.202(a)(11)-1.

<sup>2</sup> Investment Advisers Act Rel. No. 2376 (Apr. 12, 2005) [70 FR 20424 (Apr. 19, 2005)].

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.