

**SUMMARY:** Section 651(e) of the Energy Policy Act of 2005 expanded the definition of byproduct material as defined in the Atomic Energy Act of 1954, as amended. To comply with the Congressional mandate, the Nuclear Regulatory Commission (NRC) is changing its regulations to expand the definition of byproduct material to include the following materials produced, extracted, or converted after extraction for use for commercial, medical, or research activities: (1) Discrete sources of radium-226, (2) accelerator-produced radioactive material, and (3) discrete sources of naturally occurring radioactive material, other than source material, that the Commission, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and other appropriate Federal agencies, determines would pose a threat to public health and safety or the common defense and security similar to the threat posed by a discrete source of radium-226. To aid in the rulemaking process, NRC is holding a public meeting with a "roundtable" format (defined further in the body of this notice) to solicit input, that may be useful in drafting a proposed rule, from stakeholders. The meeting is open to the public, and all interested parties may attend. Individuals unable to attend the meeting will be able to listen by teleconference.

**DATES:** November 9, 2005, from 9 a.m. to 4 p.m. Registration is from 8:30 a.m. to 9 a.m.; however, all persons planning to attend the meeting are encouraged to preregister in order to facilitate security check-in on the day of the meeting.

**ADDRESSES:** Nuclear Regulatory Commission, Two White Flint North, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

**FOR FURTHER INFORMATION CONTACT:** Leslie Kerr, telephone (301) 415-6272, e-mail [lsk@nrc.gov](mailto:lsk@nrc.gov), of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Questions on the meeting format, including participation in the roundtable, should be directed to the meeting facilitator, Francis "Chip" Cameron. Mr. Cameron can be reached at 301-415-1642 or [fxc@nrc.gov](mailto:fxc@nrc.gov). To preregister to attend the meeting in person or to participate via teleconference, please contact Jayne McCausland, telephone (301) 415-6219, fax (301) 415-5369, or e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Section 651(e) of the Energy Policy Act of 2005

(the Act) expanded the definition of byproduct material in Section 11e. of the Atomic Energy Act of 1954 to include certain naturally occurring and accelerator produced radioactive material (NARM) and required the NRC to provide a regulatory framework for licensing and regulating the additional byproduct material. The NRC is conducting a rulemaking to revise its regulations to expand the definition of byproduct material to include: (1) Any discrete source of radium-226 that is produced, extracted, or converted after extraction for use for commercial, medical, or research activities; (2) accelerator-produced radioactive material that is produced, extracted, or converted after extraction for use for commercial, medical, or research activities; and (3) any discrete source of naturally occurring radioactive material, other than source material, that is extracted or converted after extraction for use for commercial, medical, or research activities that the Commission determines, in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of Homeland Security, and the head of any other appropriate Federal agency, would pose a threat to public health and safety or the common defense and security similar to the threat posed by discrete sources of radium-226.

NRC is holding a public meeting on November 9, 2005 to solicit input from stakeholders on the regulation of NARM. The format for this public meeting will be a "roundtable" format. Participants at the roundtable will be the invited representatives of the broad spectrum of interests who may be affected by this rulemaking. The roundtable format is being used for this meeting to promote a dialogue among the representatives at the table on the issues of concern. Although the focus of the discussion will be on the invited participants at the table, an opportunity will be provided for comment and questions from the audience. Questions on the meeting format, including participation in the roundtable, should be directed to the meeting facilitator, Francis "Chip" Cameron. Mr. Cameron can be reached at 301-415-1642 or [fxc@nrc.gov](mailto:fxc@nrc.gov). An agenda for the meeting will be posted to the NRC's rulemaking website: <http://ruleforum.llnl.gov>.

Those planning to attend the meeting are encouraged to preregister for the meeting by notifying Ms. Jayne M. McCausland, telephone (301) 415-6219, fax (301) 415-5369, or e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov). If an attendee will require special services, such as services for the hearing impaired, please notify

Ms. McCausland of these requirements when preregistering. Individuals unable to attend the meeting will be able to listen by teleconference. For teleconference information, please contact Ms. McCausland.

The NRC is accessible to the White Flint Metro Station. Visitor parking near the NRC buildings is limited.

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

For the Nuclear Regulatory Commission.

**Charles L. Miller,**

*Director, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E5-6021 Filed 10-31-05; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards; Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment; Notice of Meeting**

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment (PRA) will hold a meeting on November 17-18, 2005, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Thursday, November 17, 2005—8:30 a.m. until the conclusion of business.  
Friday, November 18, 2005—8:30 a.m. until the conclusion of business

The purpose of this meeting is to discuss the details of the Standardized Plant Analysis Risk (SPAR) program.

The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, and their contractors regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Eric A. Thornsby, (Telephone: 301-415-8716) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (ET). Persons planning to attend this meeting are

urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: October 25, 2005.

**Michael L. Scott,**

*Branch Chief, ACRS/ACNW.*

[FR Doc. E5-6020 Filed 10-31-05; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-06732]

### Issuer Delisting; Notice of Application of Covanta Holding Corporation To Withdraw its Common Stock, \$10 Par Value, From Listing and Registration on the American Stock Exchange LLC

October 25, 2005.

On September 23, 2005, Covanta Holding Corporation, a Delaware 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, \$10 par value ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex").

On September 16, 2005, the Board of Directors ("Board") of the Issuer approved resolutions to withdraw the Security from listing and registration on Amex and to list the Security on the New York Stock Exchange, Inc. ("NYSE"). The Issuer stated that the Board determined that it is in the best interest of the Issuer to list the Security on NYSE, and is withdrawing the Security on Amex in order to avoid direct and indirect costs and the division of the market resulting from dual listing on Amex and NYSE.

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 Delaware, in which it is incorporated, and provided written notice of withdrawal to Amex.

The Issuer's application relates solely to the withdrawal of the Security from listing on Amex, and shall not affect its continued listing on NYSE or its obligation to be registered under Section 12(b) of the Act.<sup>3</sup>

Any interested person may, on or before November 15, 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 1-06732 or;

#### Paper Comments

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

All submissions should refer to File Number 1-06732. 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, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. E5-6017 Filed 10-31-05; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-08610]

### Issuer Delisting; Notice of Application of SBC Communications Inc. To Withdraw Its Common Stock, \$1.00 Par Value, From Listing and Registration on the Chicago Stock Exchange, Inc.

October 25, 2005.

On September 22, 2005, SBC Communications Inc., a Delaware 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, \$1.00 par value ("Security"), from listing and registration on the Chicago Stock Exchange, Inc. ("CHX").

The Board of Directors ("Board") of the Issuer approved a resolution on July 23, 2003 to, among other things, authorize certain officers of the Issuer to list or delist any of the Issuer's securities on or from any United States or foreign exchange, except to delist the Security from the New York Stock Exchange, Inc. ("NYSE"). The Issuer stated that the following reasons factored into its decision to withdraw the Security from CHX. First, the Issuer stated that the Security only infrequently trades on CHX. Over the past 12 months, shares of the Security traded on CHX represented 2% of the total shares of the Security traded on all national exchanges. Substantially all of the Security is traded on NYSE and in the over-the-counter market. Second, the Issuer intends to continue listing the Security on NYSE. The Security is registered under Section 12(b) of the Act,<sup>3</sup> and the Issuer is subject to the periodic and current reporting requirements under Section 13 of the Act.<sup>4</sup> Third, the continued listing of the Security is costly and unjustified, in the Issuer's opinion, in light of the limited trading volume of the Security.

The Issuer stated in its application that it has complied with applicable rules of CHX by complying with all applicable laws in the State of Delaware, the state in which the Issuer is incorporated, and by providing CHX with the required documents governing the withdrawal of securities from listing and registration on CHX. The Issuer's application relates solely to the withdrawal of the Security from listing

<sup>1</sup> 15 U.S.C. 78j(d).

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

<sup>3</sup> 15 U.S.C. 78j(b).

<sup>4</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78j(d).

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

<sup>3</sup> 15 U.S.C. 78j(b).

<sup>4</sup> 15 U.S.C. 78m.