

- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-Phlx-2006-18 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Phlx-2006-18. 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 Room. Copies of the filing also will be available for inspection and copying at the principal office of the Phlx. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2006-18 and should be submitted on or before June 23, 2006.

IV. Commission's Findings and Order Granting Approval of the Proposed Rule Change

After careful consideration, the Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder, applicable to a national securities exchange, and, in particular with the requirements of Section 6(b)(5) of the Act.¹⁶ The proposed rule change would provide a limited exception to the Exchange's split price priority rule by allowing a Floor Broker and a contra-side participant in the trading crowd to have priority over an out-of-crowd SQT

or an RSQT when there is a bid/ask differential of one minimum trading increment that is established by the quotes of such SQT or RSQT. The Commission believes that the proposed rule change should help facilitate better priced executions for larger-sized orders on the floor of the Exchange. The Commission notes that it has previously approved rule proposals that permit an exchange to grant priority to in-crowd participants in open outcry auctions on its floor over market participants who are not physically present in the crowd.¹⁷

The Exchange has requested accelerated approval of the proposed rule change. The Commission finds good cause, consistent with Section 19(b)(2) of the Act, to approve the proposed rule change, as amended, prior to the 30th day after the date of publication of the notice of filing thereof in the **Federal Register**. As noted above, the Exchange's proposal yields a result similar to that of CBOE rules previously approved by the Commission that permit a Floor Broker and a contra-side participant in the trading crowd to have priority in split price transactions over out-of-crowd participants when there is a bid/ask differential of one trading increment.¹⁸ Accordingly, the Commission believes that it is appropriate to approve the proposed rule change on an accelerated basis to allow the Phlx to compete more effectively for larger-sized orders in open outcry transactions on the floor of the Exchange.

V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹⁹ that the proposed rule change, as amended (Phlx-2006-18), is hereby approved on an accelerated basis until the expiration of the current split price priority pilot program on June 30, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²⁰

J. Lynn Taylor,

Assistant Secretary.

[FR Doc. E6-8550 Filed 6-1-06; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF STATE

[Public Notice 5433]

Notice of Public Meeting on FY 2007 Refugee Admissions Program

There will be a meeting on the President's FY 2007 Refugee Admissions Program on Wednesday, June 28, 2006 from 2 p.m. to 4 p.m. The meeting will be held at the Refugee Processing Center, 1401 Wilson Boulevard, Suite 700, Arlington, Virginia. The meeting's purpose is to hear the views of attendees on the appropriate size and scope of the FY 2007 Refugee Admissions Program.

Seating is limited. Persons wishing to attend this meeting must notify the Bureau of Population, Refugees, and Migration at telephone (202) 663-1045 by 5 p.m. Wednesday, June 21, 2006, to arrange for admission. Persons wishing to present oral comments, or to submit written comments for consideration, must provide them in writing by 5 p.m. Wednesday, June 21, 2006. All comments should be faxed to PRM at (202) 663-1364.

Any questions about the public meeting should be directed to Kelly Gauger, PRM/Admissions Program Officer at (202) 663-1055. Information about the Refugee Admissions Program may be found at <http://www.state.gov/g/prm/>.

Dated: May 24, 2006.

Kelly Ryan,

Deputy Assistant Secretary, Department of State.

[FR Doc. E6-8624 Filed 6-1-06; 8:45 am]

BILLING CODE 4710-33-P

TENNESSEE VALLEY AUTHORITY

Environmental Impact Statement for Bear Creek Dam Leakage Resolution

AGENCY: Tennessee Valley Authority.

ACTION: Notice of intent.

SUMMARY: The Tennessee Valley Authority (TVA) will prepare an environmental impact statement (EIS) addressing the proposed resolution of leakage problems at Bear Creek Dam, Franklin County, Alabama. Since the dam was completed in 1969, there has been excessive leakage of water through its foundation and TVA seeks a long-term resolution of this leakage. TVA will use the EIS process to obtain public involvement on this proposal. Public comment is invited concerning both the scope of the EIS and environmental issues that should be addressed as a part of this EIS.

¹⁶ In approving this proposed rule change, as amended, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

¹⁷ See *supra* note 13.

¹⁸ *Id.*

¹⁹ 15 U.S.C. 78s(b)(2).

²⁰ 17 CFR 200.30-3(a)(12).

DATES: Comments on the scope and environmental issues for the EIS must be postmarked or e-mailed no later than July 3, 2006 to ensure consideration.

ADDRESSES: Written comments should be sent to Charles P. Nicholson, Environmental Stewardship and Policy, Tennessee Valley Authority, Mail Stop WT 9B, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1499. Comments may be e-mailed to cpnichol@tva.gov or submitted by fax at (865) 632-6855.

FOR FURTHER INFORMATION CONTACT: Warren P. Behlau, Tennessee Valley Authority, Mail Stop LP 3D-C, 1101 Market Street, Chattanooga, Tennessee 37402-2801. Telephone (423) 751-8760. E-mail may be sent to wpbehlau@tva.gov.

SUPPLEMENTARY INFORMATION:

Background

Bear Creek Reservoir is one of four reservoirs located in northwest Alabama that comprise the Bear Creek Project. The Bear Creek Project was authorized by Congress in 1964 for the primary purposes of flood control, recreation, and economic development, including water supply. The project dams do not generate electricity. Construction of Bear Creek Dam began in 1967 and was completed in 1969. The earth-fill dam has a maximum height of 68 feet and length of 1385 feet. It impounds a reservoir with a maximum length of 12 miles, summer pool of 690 acres, and approximately 39 miles of shoreline. Most of the reservoir shoreline is owned by TVA and much of the adjacent back-lying land is owned by Bear Creek Development Authority (BCDA), a state agency. Shoreline development consists of an environmental education center and two public recreation areas with campgrounds and other facilities operated by BCDA, and a municipal raw water intake and treatment plant operated by the Franklin County Water Service Authority approximately 2.3 miles upstream of Bear Creek Dam.

Bear Creek Dam has a concrete chute spillway with an elevation of 602 feet. The reservoir has historically been operated with a winter pool elevation of 565 feet and a summer pool elevation of 576 feet. The target spring fill date is mid-April and the target date to begin the winter drawdown in November 15. Under normal conditions, discharges are through a tower-type intake structure, sluiceway tunnel, and stilling basin. The reservoir is operated to maintain a minimum continuous flow of 21 cubic feet per second at Red Bay, Alabama, about 23 miles downstream of Bear Creek Dam.

Bear Creek Dam is constructed of earth fill. A portion of the dam was constructed on residual soil and there are numerous sinkholes in its vicinity. Since the completion of the dam in 1969, there has been continuous leakage of water through the foundation of the dam. Although some leakage is typical of earthen dams, the amount at Bear Creek has been excessive. In 1972, TVA completed a major foundation drilling and grouting project which reduced the leakage. Since 1972 the leakage has slowly increased and TVA has attempted several subsequent repairs. The most recent repairs were in 2004-2005, when TVA completed another major drilling and grouting project. This repair project did not adequately reduce leakage when the reservoir was returned to its normal summer pool level.

The excessive leakage through the dam foundation increases the risk of dam failure, especially when the pool level is at an elevation above 570 feet. TVA has taken steps to minimize this risk by maintaining the summer reservoir pool at an elevation of 568 feet, eight feet lower than the normal summer operating level of 576 feet. The normal winter pool level continues to be 565 feet. Due to the limited size of the intake structure and sluiceway, however, TVA cannot pass enough water through them during many rainfall events to prevent the pool from rising above 570 feet. When heavy rains cause the reservoir to rise above elevation 576, TVA notifies the local emergency management agencies of the increased risk and monitors the situation closely. TVA also has equipment and materials on hand for emergency repairs, should a sinkhole or other problem develop.

TVA recognizes that these measures are not viable long-term solutions to the leakage problem. TVA's Hydro Board of Consultants has jointly agreed with TVA that it must take action to resolve the leakage problem.

Potential Alternatives

TVA is considering a range of alternatives. Although the No Action alternative, which consists of operating the dam as designed, would not remedy the leakage problem, it would provide a baseline for comparison with other alternatives and its consideration is required by the implementing regulations for the National Environmental Policy Act (NEPA). Other alternatives under consideration include: (1) Continue to operate the dam as done since 2005 with a lower summer pool elevation of 568 feet; (2) modify the dam by rebuilding the spillway at a lower elevation to

maintain a winter pool elevation of 565 feet and with a maximum rise of 5 feet; (3) repair the dam by installing a grout curtain in the soil foundation or by building a barrier to prevent flow through the dam; (4) remove the dam and rebuild it in approximately the same location and with similar operating characteristics; (5) build a new weir dam, capable of maintaining a reservoir pool elevation of 565 feet, a short distance downstream of the Franklin County Water Service Authority water intake, remove Bear Creek Dam, and restore the former creek channel; and (6) remove the dam and restore the original creek channel.

TVA will use the results of the public scoping process and additional technical studies to refine the range of alternatives that will be evaluated in detail in the EIS.

Proposed Issues To Be Addressed

The EIS will contain descriptions of the existing environmental and socioeconomic resources within the area that would be affected by the proposed action. TVA's evaluation of potential environmental impacts to these resources will include, but not necessarily be limited to, the potential impacts on water quality, water supply, aquatic and terrestrial ecology, endangered and threatened species, wetlands, flooding and floodplains, recreation, aesthetics and visual resources, land use including agricultural operations, historic and archaeological resources, and socioeconomic resources.

Scoping Process

Scoping, which is integral to the process for implementing NEPA, is a procedure that solicits public input to the EIS process to ensure that: (1) Issues are identified early and properly studied; (2) issues of little significance do not consume substantial time and effort; (3) the draft EIS is thorough and balanced; and (4) delays caused by an inadequate EIS are avoided. TVA's NEPA procedures require that the scoping process commence soon after a decision has been reached to prepare an EIS in order to provide an early and open process for determining the scope and for identifying the significant issues related to a proposed action. The range of alternatives and the issues to be addressed in the draft EIS will be determined, in part, from written comments submitted by mail or e-mail, and comments presented orally or in writing at any public meetings. The preliminary identification of reasonable alternatives and environmental issues in

this notice is not meant to be exhaustive or final.

The scoping process will include both interagency and public scoping. The public is invited to submit written comments or e-mail comments on the scope of this EIS no later than the date given under the **DATES** section of this notice.

TVA will conduct a public scoping meeting on June 20, 2006, at the Arts and Entertainment Center in Red Bay, Alabama. The meeting, which will be conducted in an open-house format, will be from 4 p.m. to 8 p.m. At the meeting, TVA staff will describe the project and the EIS process, answer questions, and solicit comments on the issues that the public would like addressed in the EIS. The meeting will be publicized through notices in local newspapers, by TVA press releases, on the TVA Web site at <http://www.tva.gov/environment/calendar.htm>, and in letters to local elected officials.

The agencies to be included in the interagency scoping are U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Bear Creek Development Agency, Alabama Department of Environmental Management, the Alabama Historical Commission, and other Federal, State, and local agencies, as appropriate. After consideration of the scoping comments, TVA will further identify alternatives and environmental issues to be addressed in the EIS. Following analysis of the environmental consequences of each alternative, TVA will prepare a draft EIS for public review and comment. Notice of availability of the draft EIS will be published by the Environmental Protection Agency in the **Federal Register**. TVA will solicit written comments on the draft EIS, and information about public meetings to comment on the draft EIS will be announced. TVA expects to release a draft EIS in the spring of 2007 and a final EIS in the fall of 2007.

In the event the situation unexpectedly worsens or is determined to be worse, it may be necessary to take action expeditiously to address this consistent with applicable procedures for emergency actions.

Dated: May 26, 2006.

Kathryn J. Jackson,

Executive Vice President, River System Operations & Environment.

[FR Doc. E6-8564 Filed 6-1-06; 8:45 am]

BILLING CODE 8120-08-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for a Change in Use of Aeronautical Property at Lawrence Municipal Airport, Lawrence, MA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Request for public comments.

SUMMARY: The FAA is requesting public comment on the City of Lawrence, Massachusetts' request to change a portion (40.37 acres) of Airport property from aeronautical use to non-aeronautical use. The property is located in North Andover, MA, off Clark Street in the area known of the Northwest quadrant of the Airport and is currently used for vacant land. The City plans to sell 17.44 acres and lease 22.9 acres for revenue production. Upon disposition is the property will be used as for development of an industrial park. Portions of the property were acquired under FAAP Project No. 9-19-007-0503 and ADAP Project No. 5-25-0026-06.

The disposition of proceeds from the disposal of airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

DATES: Comments must be received on or before July 3, 2006.

ADDRESSES: Documents are available for review by appointment by contacting Mr. Michael Miller, Airport Manager at Lawrence Municipal Airport, 492 Sutton Street, North Andover, MA, Telephone 978-794-5880 or by contacting Donna R. Witte, Federal Aviation Administration, 16 New England Executive Park, Burlington, Massachusetts, Telephone 781-238-7624.

FOR FURTHER INFORMATION CONTACT: Donna R. Witte at the Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803, Telephone 781-238-7624.

SUPPLEMENTARY INFORMATION: Section 125 of The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR 21) requires the FAA to provide an opportunity for public notice and comment to the "waiver" or "modification" of a sponsor's Federal obligation to use certain airport property for aeronautical purposes.

Issued in Burlington, Massachusetts, on May 17, 2006.

LaVerne F. Reid,

Manager, Airports Division, New England Region.

[FR Doc. 06-5030 Filed 6-1-06; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Approval of Finding of No Significant Impact (FONSI) on a Short Form Environmental Assessment (EA); Central Illinois Regional Airport, Bloomington, IL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Approval of Documents.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public of the approval of a Finding of No Significant Impact (FONSI) on an Environmental Assessment for proposed Federal actions at Central Illinois Regional Airport, Bloomington, Illinois. The FONSI specifies that the proposed federal actions and local development projects are consistent with existing environmental policies and objectives as set forth in the National Environmental Policy Act of 1969 and will not significantly affect the quality of the environment.

A description of the proposed Federal action is: (a) To issue an environmental finding to allow approval of the Airport Layout Plan (ALP) for the development items listed below; (b) Approval of the Airport Layout Plan (ALP) for the development items listed below; and (c) Establish eligibility of the Central Illinois Regional Airport Authority to compete for Federal funding for the development projects depicted on the Airport Layout Plan.

The specific item in the local airport development project is to construct a new fuel farm.

Copies of the environmental decision and the Short Form EA are available for public information review during regular business hours at the following locations:

1. Central Illinois Regional Airport, 3201 CIRA Drive, Suite 200, Bloomington, Illinois.
2. Division of Aeronautics—Illinois Department of Transportation, One Langhorne Bond Drive, Capital Airport, Springfield, IL 62707.
3. Chicago Airports District Office, Room 320, Federal Aviation