

between 7:30 a.m. and 4:15 p.m. on Federal workdays. Persons may also provide comments via e-mail at [RLE@NRC.GOV](mailto:RLE@NRC.GOV). The NRC maintains an Agencywide Documents and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <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 Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Richard L. Emch, Jr., Senior Project Manager, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001; telephone 301-415-1590 or by e-mail at [rle@nrc.gov](mailto:rle@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

Attachment 1 to this **Federal Register** notice, entitled *Staff Position and Rationale for the Proposed License Renewal Interim Staff Guidance LR-ISG-2006-03: Staff Guidance for Preparing Severe Accident Mitigation Alternatives (SAMA) Analyses* contains the NRC staff's rationale for publishing the proposed LR-ISG-2006-03. Attachment 2 to this **Federal Register** notice, entitled *Proposed License Renewal Interim Staff Guidance LR-ISG-2006-03: Staff Guidance for Preparing Severe Accident Mitigation Alternatives (SAMA) Analyses*, contains the guidance for preparing SAMA analyses related to license renewal applications.

The NRC staff is issuing this notice to solicit public comments on the proposed LR-ISG-2006-03. After the NRC staff considers any public comments, it will make a determination regarding the proposed LR-ISG.

Dated at Rockville, Maryland, this 10th day of August 2006.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Deputy Director Division of License Renewal, Office of Nuclear Reactor Regulation.*

**Attachment 1—Staff Position and Rationale for the Proposed License Renewal Interim Staff Guidance LR-ISG-2006-03: Staff Guidance for Preparing Severe Accident Mitigation Alternatives (SAMA) Analyses**

*Staff Position:*

The NRC staff recommends that applicants for license renewal follow the guidance provided in Nuclear Energy Institute NEI 05-01, "Severe Accident Mitigation Alternatives

(SAMA) Analysis—Guidance Document," Rev. A when preparing their SAMA analyses.

*Rationale:*

The Nuclear Energy Institute (NEI) developed a generic Guidance Document NEI 05-01, Rev. A, to help clarify the NRC staff's expectations regarding the information that needs to be included in SAMA analyses. The NRC staff reviewed and concluded that NEI 05-01, Rev. A describes existing NRC regulations, and facilitates complete preparation of SAMA analysis submittals. The staff finds that utilization of the guidance provided in NEI 05-01, Rev. A will result in improved quality in SAMA analyses and a reduction in the number of requests for additional information.

**Attachment 2—Proposed License Renewal Interim Staff Guidance LR-ISG-2006-03: Staff Guidance for Preparing Severe Accident Mitigation Alternatives (SAMA) Analyses**

*Introduction*

A Severe Accident Mitigation Alternatives (SAMA) analyses is required as part of a license renewal application, if a SAMA analysis has not already been performed for the plant and reviewed by the NRC staff. SAMA analyses have been performed and submitted to the NRC as part of all the applications for license renewal received by the staff thus far. Therefore, this LR-ISG is being proposed consistent with our goal to more efficiently resolve license renewal issues identified by the staff or the industry.

*Background and Discussion*

After receiving extensive requests for additional information regarding the SAMA analyses, several applicants for license renewal concluded that they did not fully understand the kind of information that the NRC staff was expecting to see in SAMA analyses.

The Nuclear Energy Institute (NEI) developed a generic guidance document to help clarify the NRC staff's expectations regarding the information that needs to be submitted in SAMA analyses. On April 8, 2005, NEI submitted NEI 05-01, "Severe Accident Mitigation Alternatives (SAMA) Analysis—Guidance Document." The NRC staff reviewed this guidance document, and by letter, dated July 12, 2005, provided comments on NEI 05-01. The NRC staff's comments were discussed during a public meeting between NEI and NRC on July 21, 2005.

On February 17, 2006, NEI submitted its NEI 05-01, Rev. A, dated November 2005. The NRC staff reviewed and concluded that this version fully resolved the NRC staff's comments. In addition, the NRC staff concluded that NEI 05-01, Rev. A, describes existing NRC regulations, and facilitates complete preparation of SAMA analysis submittals.

Some applicants for license renewal have submitted SAMA analyses using the guidance provided in NEI 05-01, Rev. A. The NRC staff found improved quality in the submitted SAMA analyses and a reduction in the number of requests for additional information for those applications that

followed the guidance provided in NEI 05-01, Rev. A.

*Proposed Action*

The staff is proposing that applicants for license renewal follow the guidance provided in NEI 05-01, Rev. A when preparing their SAMA analyses. The staff finds that NEI 05-01, Rev. A, describes existing NRC regulations, and facilitates complete preparation of SAMA analysis submittals.

Although this proposed LR-ISG does not convey a change in the NRC's regulations or how they are being interpreted, it is being provided to facilitate complete preparation of future SAMA analysis submittals in support of applications for license renewal. The NRC staff plans to incorporate the guidance provided in NEI 05-01, Rev. A, into a future update of Supplement 1 to Regulatory Guide 4.2, "Preparation of Supplemental Environmental Reports for Applications to Renew Nuclear Power Plant Operating Licenses." Because this LR-ISG provides a clarification of existing guidance with no additional requirements, the staff did not perform a backfit evaluation. For those that are interested in reviewing NEI 05-01, Rev. A, the Agencywide Documents Access and Management System (ADAMS) Accession Number is ML060530203.

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**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-54300; File No. SR-CBOE-2006-67]

**Self-Regulatory Organizations; Chicago Board Options Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Increase the Equity Options Designated Primary Market Maker Transaction Fee**

August 10, 2006.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 17, 2006, the Chicago Board Options Exchange, Inc. (the "Exchange" or the "CBOE") 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 the Exchange. The Exchange has designated this proposal as one establishing or changing a due, fee, or other charge imposed by the Exchange under Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the

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

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

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

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

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

The CBOE is proposing to amend its Fees Schedule to increase the equity options Designated Primary Market Maker ("DPM") transaction fee. The text of the proposed rule change is on the Exchange's Web site (<http://www.cboe.com>), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

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

In its filing with the Commission, the CBOE 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. The Exchange 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

The Exchange proposes to increase the equity options DPM transaction fee from the current \$.14 per contract to \$.16 per contract, effective August 1, 2006. The Exchange believes that this fee increase is appropriate given that DPM costs are expected to decrease as the result of recently implemented enhanced DPM Linkage transaction fee credits.<sup>5</sup>

##### 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the requirements of Section 6(b) of the Securities Exchange Act of 1934 ("Act"),<sup>6</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>7</sup> of the Act in particular, in that it is designed to

provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE members.

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

The CBOE 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

No written comments were solicited or received with respect to the proposed rule change.

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

Because the foregoing rule change establishes or changes a due, fee, or other charge imposed by the Exchange, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>8</sup> and subparagraph (f)(2) of Rule 19b-4<sup>9</sup> thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such 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.<sup>10</sup>

### 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](mailto:rule-comments@sec.gov). Please include File Number SR-CBOE-2006-67 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 No. SR-CBOE-2006-67. 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 Exchange. 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 No. SR-CBOE-2006-67 and should be submitted on or before September 7, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54307; File No. SR-NASD-2006-096]

### Self-Regulatory Organizations: National Association of Securities Dealers, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Additional Market Participant Identifier Functionality on the Alternative Display Facility

August 11, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on August 8, 2006, the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange

<sup>5</sup> See Section 21 of the CBOE Fees Schedule. See also Securities Exchange Act Release No. 53866 (May 25, 2006), 71 FR 31237 (June 1, 2006). Linkage order fees (except for Satisfaction Orders) and related transaction fee credits are in effect on a pilot basis until July 31, 2007. See Footnote 8 and Section 21 of the CBOE Fees Schedule dated August 3, 2006.

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(4).

<sup>8</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>9</sup> 17 CFR 240.19b-4(f)(2).

<sup>10</sup> *Id.*

<sup>11</sup> 17 CFR 200.30-3(a)(12).

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

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