

D. Any operating reactor plants that are determined to have overall unacceptable performance or that are in a shutdown condition as a result of significant performance problems and/or operational event(s).<sup>9</sup>

### III. Events at Facilities Other Than Nuclear Power Plants and All Transportation Events

#### A. Events Involving Design, Analysis, Construction, Testing, Operation, Transport, Use, or Disposal of Licensed Facilities or Regulated Materials

1. An accidental criticality [10 CFR 70.52(a)].
2. A major deficiency in design, construction, control, or operation having significant safety implications that require immediate remedial action.
3. A serious safety-significant deficiency in management or procedural controls.
4. A series of events (in which the individual events are not of major importance), recurring incidents, or incidents with implications for similar facilities (generic incidents) that raise a major safety concern.

#### B. For Fuel Cycle Facilities

1. Absence or failure of all safety-related or security-related controls (engineered and human) for an NRC-regulated lethal hazard (radiological or chemical) while the lethal hazard is present.
2. An NRC-ordered safety-related or security-related immediate remedial action.

#### C. For Medical Licensees A medical event that:

1. Results in a dose that is
  - a. Equal to or greater than 1Gy (100 rad) to a major portion of the bone marrow or to the lens of the eye; or equal to or greater than 2.5 Gy (250 rad) to the gonads; or
  - b. Equal to or greater than 10 Gy (1,000 rad) to any other organ or tissue; and
2. Represents either
  - a. A dose or dosage that is at least 50 percent greater than that prescribed, or

high safety significance. Reactor conditions or performance indicators evaluated to be red are considered Abnormal Occurrences. Additionally, Criterion IIC also includes any events or conditions evaluated by the NRC ASP program to have a conditional core damage probability (CCDP) or change in core damage probability (CDP) of greater than  $1 \times 10^{-3}$ .

<sup>9</sup> Any plants assessed by the ROP to be in the unacceptable performance column, as described in NRC Inspection Manual Chapter 0305, "Operating Reactor Assessment Program." This assessment of safety performance is based on the number and significance of NRC inspection findings and licensee performance indicators.

- b. A prescribed dose or dosage that
  - (i) Uses the wrong radiopharmaceutical or unsealed byproduct material; or
  - (ii) Is delivered by the wrong route of administration; or
  - (iii) Is delivered to the wrong treatment site; or
  - (iv) Is delivered by the wrong treatment mode; or
  - (v) Is from a leaking source or sources; or
  - (vi) Is delivered to the wrong individual or human research subject.

### IV. Other Events of Interest

The Commission may determine that events other than AOs may be of interest to Congress and the public and should be included in an appendix to the AO report as "Other Events of Interest." Such events may include, but are not necessarily limited to, events that do not meet the AO criteria but that have been perceived by Congress or the public to be of high health and safety significance, have received significant media coverage, or have caused the NRC to increase its attention to or oversight of a program area, or a group of similar events that have resulted in licensed materials entering the public domain in an uncontrolled manner. 5 U.S.C. 552(a)]

Dated at Rockville, Maryland, this 5th day of October 2006.

For the U.S. Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E6-16871 Filed 10-11-06; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NUREG-1852]

### "Demonstrating the Feasibility and Reliability of Operator Manual Actions in Response to Fire, Draft Report for Comment"

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability of NUREG-1852, "Demonstrating the Feasibility and Reliability of Operator Manual Actions in Response to Fire, Draft Report For Comment," and request for public comment.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is announcing the availability of and is seeking comments on NUREG-1852, "Demonstrating the Feasibility and Reliability of Operator Manual Actions in Response to Fire, Draft Report For Comment."

**DATES:** Comments on this document should be submitted by November 6, 2006. Comments received after that date will be considered to the extent practical. To ensure efficient and complete comment resolution, comments should include references to the section, page, and line numbers of the document to which the comment applies, if possible.

**ADDRESSES:** Members of the public are invited and encouraged to submit written comments to Michael Lesar, Chief, Rulemaking, Directives, and Editing Branch, Office of Administration, Mail Stop T6-D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hand-deliver comments attention to Michael Lesar, 11545 Rockville Pike, Rockville, MD, between 7:30 a.m. and 4:15 p.m. on Federal workdays. Comments may also be sent electronically to [NRCREP@nrc.gov](mailto:NRCREP@nrc.gov).

This document, NUREG-1852, is available at the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> under Accession No. ML062350285; on the NRC Web site <http://www.nrc.gov/reading-rm/doc-collections/nuregs/docs4comment.html>; and at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. The PDR's mailing address is USNRC PDR, Washington, DC 20555; telephone (301) 415-4737 or (800) 397-4205; fax (301) 415-3548; e-mail [PDR@NRC.GOV](mailto:PDR@NRC.GOV).

#### FOR FURTHER INFORMATION, CONTACT:

Erasmia Lois, Human Factors and Reliability Branch, Office of Nuclear Regulatory Research, telephone (301) 415-6560, e-mail [exl1@nrc.gov](mailto:exl1@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

NUREG-1852, "Demonstrating the Feasibility and Reliability of Operator Manual Actions in Response to Fire, Draft Report For Comment," September 2006

This NUREG provides criteria that licensees may use to demonstrate the feasibility and reliability of operator manual actions in response to fire. This NUREG does not clarify circumstances under which licensees may use operator manual actions in lieu of fire barriers. Licensees should refer to 10 CFR 50.48 and their license bases to determine applicable regulatory requirements with respect to operator manual actions in fire protection. Additional guidance on regulatory requirements pertaining to operator manual actions are provided in Regulatory Issue Summary 2006-10, "Regulatory Expectations with

Appendix R, Paragraph III.G.2 Operator Manual Actions," dated June 2006.

Section 9.5.1, "Fire Protection Program," of the Standard Review Plan, NUREG-0800, will be revised to incorporate the guidance provided by RIS 2006-10 and NUREG-1852.

The NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to developing this document is available to the NRC staff. This document is issued for comment only and is not intended for interim use. The NRC will review public comments received on the document, incorporate suggested changes as necessary, and issue the final NUREG-1852 for use.

Dated at Rockville, MD, this 11th day of September, 2006.

For the Nuclear Regulatory Commission.

**Farouk Eltawila,**

*Director, Division of Risk Assessment and Special Projects, Office of Nuclear Regulatory Research.*

[FR Doc. E6-16872 Filed 10-11-06; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collections; Comment Request

Upon written request; copies available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

#### Extensions:

- Rule 12d1-3, OMB Control No. 3235-0109, SEC File No. 270-116.
- Schedule 13E-4F, OMB Control No. 3235-0375, SEC File No. 270-340.
- Form F-X, OMB Control No. 3235-0379, SEC File No. 270-336.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for approval.

Rule 12d1-3 (17 CFR 240.12d1-3) requires a certification that a security has been approved by an exchange for listing and registration pursuant to Section 12(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78j(d)) to be filed with the Commission. The information required under Rule 12d1-3 must be filed with the Commission and is publicly available. We estimate that it

takes one-half hour per response to provide the information required under Rule 12d1-3 and that the information is filed by 688 respondents for a total annual reporting burden of 344 hours (.5 hours per response × 688 responses).

Schedule 13E-4F (17 CFR 240.13e-102) may be used by any foreign private issuer if: (1) The issuer is incorporated or organized under the laws of Canada; (2) the issuer is making a cash tender or exchange offer for the issuer's own securities; and (3) less than 40 percent of the class of such issuer's securities outstanding that is the subject of the tender offer is held by U.S. holders. The information collected must be filed with the Commission and is publicly available. We estimate that it takes 2 hours per response to prepare Schedule 13E-4F and that the information is filed by 3 respondents for a total annual reporting burden of 6 hours (2 hours per response × 3 responses).

Form F-X (17 CFR 239.42) is used to appoint an agent for service of process by Canadian issuers registering securities on Form F-7, F-8, F-9 or F-10 or filing periodic reports on Form 40-F under the Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The information collected must be filed with the Commission and is publicly available. We estimate that it takes 2 hours per response to prepare Form F-X and that the information is filed by 129 respondents for a total annual reporting burden of 258 hours (2 hours per response × 129 responses).

Written comments are invited on: (a) Whether these proposed collections of information are necessary for the performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collections of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comment to R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: September 28, 2006.

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E6-16849 Filed 10-11-06; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54565; File No. SR-Amex-2006-84]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to a Suspension of Transaction Charges for Specialist Orders in the Nasdaq-100 Tracking Stocksup® (QQQQ)

October 3, 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 September 8, 2006, 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, II and III below, which Items have been prepared by the Amex. The Amex has designated this proposal as one establishing or changing a member due, fee, or other charge imposed by a self-regulatory organization pursuant to 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 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 Exchange proposes to amend the Amex Exchange Traded Funds and Trust Issued Receipts Fee Schedule to suspend transaction charges for specialist orders in connection with the trading of the Nasdaq-100 Index Tracking Stock® (Symbol: QQQQ) from September 8, 2006 through December 31, 2006. The text of the proposed rule change is available on the Amex's Web site at <http://www.amex.com>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

<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).