

human environment, the NRC staff concludes that the proposed action is the preferred alternative.

#### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the State of Alabama, Department of Radiation Control for review on October 31, 2006. On November 11, 2006, the State of Alabama Department of Radiation Control responded by e-mail. The State agreed with the conclusions of the EA, and otherwise had no substantive comments.

The NRC staff has determined that the proposed action is of a procedural nature and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

#### **III. Finding of No Significant Impact**

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

#### **IV. Further Information**

Documents related to this action, including the application for license amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The documents related to this action are listed below, along with their ADAMS accession numbers.

1. NUREG-1757, "Consolidated NMSS Decommissioning Guidance";
2. Title 10, Code of Federal Regulations, Part 20, Subpart E, "Radiological Criteria for License Termination";
3. Title 10, Code of Federal Regulations, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions";
4. NUREG-1496, "Generic Environmental Impact Statement in

Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities";

5. August 1, 2002 U.S. Army Corps of Engineers (USACE) to NRC memorandum (ML031490516);

6. October 2002 "Airborne Radiological Survey—Main Post and Pelham Range, Walkover Radiological Survey at Rideout Field and Anomaly Surveys on Main Post and Pelham Range, Groundwater Investigation—Burial Mound at Rideout Field" (Package ML030100136);

7. June 2003 "Final Completion Report, Site Investigation at LaGarde Park, Anniston, Alabama" (ML052710179);

8. August 25, 2003 NRC Inspection Report No. 01-02861-05/03-01 (ML032380139);

9. October 13, 2003, STEP, Inc. to USACE, "Removal Action at LaGrange Park, Phase II Memorandum" (ML052710136);

10. February 10, 2004, Shaw Group, Inc. response to NRC Inspection Report 01-02861-05/03-01 (ML042100101);

11. NRC letter dated June 24, 2004, acknowledging the receipt of the Army's Airborne Survey Report (ML041770403);

12. May 2004 "Final Report for Removal Action at LaGarde Park" (TBS);

13. April 2005 "Final Remedial Investigation Report, Expanded Site Investigation at LaGarde Park, Anniston, Alabama" (ML061940256);

14. April 26, 2005, Department of the Army request for termination of Materials License No. 01-02861-05 (ML051430344);

15. August 2005 "Draft Final Remedial Action Report, Final Interim Removal Action at LaGarde Park, Anniston, Alabama" (ML052840081);

16. November 4, 2005 "Final Remedial Action Report, Final Interim Removal Action at LaGarde Park, Anniston, Alabama" (ML061940267);

17. December 14, 2005 NRC Inspection Report 03017584/2005001 (ML053480096);

18. May 2006 "Proposed Plan for the LaGarde Park Site of the Former Fort McClellan, Anniston, Alabama" (ML061940273); and

19. June 2006 "Final Decision Document for the LaGarde Park Site of the former Fort McClellan, Anniston, Alabama" (ML061940269).

If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 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, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at King of Prussia, Pennsylvania, this 27th day of February, 2007.

For the Nuclear Regulatory Commission.

**Marie Miller,**

*Chief, Materials Security & Industrial Branch, Division of Nuclear Materials Safety, Region I.*

[FR Doc. E7-4096 Filed 3-6-07; 8:45 am]

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#### **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

#### **Determination Regarding Waiver of Discriminatory Purchasing Requirements With Respect to Goods and Services Covered by Chapter 9 of the Dominican Republic-Central America-United States Free Trade Agreement for the Dominican Republic**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Determination Regarding Waiver of Discriminatory Purchasing Requirements under the Trade Agreements Act of 1979.

**DATES:** *Effective Date:* March 1, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jean Heilman Grier, Senior Procurement Negotiator, Office of the United States Trade Representative, (202) 395-9476.

**SUPPLEMENTARY INFORMATION:** On August 5, 2004, the United States and the Dominican Republic entered into the Dominican Republic-Central America-United States Free Trade Agreement ("the CAFTA-DR"). Chapter 9 of the CAFTA-DR sets forth certain obligations with respect to government procurement of goods and services, as specified in Annex 9.1.2(b)(i) of the CAFTA-DR. On August 2, 2005, the President signed into law the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act ("the Act") (Pub. L. No. 109-53, 119 Stat. 462). In section 101(a) of the Act, the Congress approved the CAFTA-DR. The CAFTA-DR will enter into force on March 1, 2007, for the Dominican Republic.

Section 1-201 of Executive Order 12260 of December 31, 1980 delegated the functions of the President under Sections 301 and 302 of the Trade Agreements Act of 1979 ("the Trade Agreements Act") (19 U.S.C. 2511, 2512) to the United States Trade Representative.

*Determination:* In conformity with sections 301 and 302 of the Trade Agreements Act, and in order to carry out U.S. obligations under the CAFTA-DR, I hereby determine that:

1. The Dominican Republic is a country, other than a major industrialized country, which, pursuant to the CAFTA-DR, will provide appropriate reciprocal competitive government procurement opportunities to United States products and services and suppliers of such products and services. In accordance with Section 301(b)(3) of the Trade Agreements Act, the Dominican Republic is so designated for purposes of Section 301(a) of the Trade Agreements Act.

2. Accordingly, beginning on March 1, 2007, with respect to eligible products (namely, those goods and services covered under the CAFTA-DR for procurement by the United States) of the Dominican Republic and suppliers of such products, the application of any law, regulation, procedure, or practice regarding government procurement that would, if applied to such products and suppliers, result in treatment less favorable than that accorded—

(A) To United States products and suppliers of such products; or

(B) To eligible products of another foreign country or instrumentality which is a party to the Agreement on Government Procurement referred to in section 101(d)(17) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(17)) and suppliers of such products, shall be waived. This waiver shall be applied by all entities listed in the Schedule of the United States to Section A of Annex 9.1.2(b)(i) and in List A of Section C of Annex 9.1.2(b)(i) of the CAFTA-DR.

3. The Trade Representative may modify or withdraw the designation in paragraph 1 and the waiver in paragraph 2.

Dated: February 28, 2007.

**Susan C. Schwab,**

*United States Trade Representative.*

[FR Doc. E7-4020 Filed 3-6-07; 8:45 am]

**BILLING CODE 3190-W7-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-55368; File No. SR-Amex-2007-26]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Revise the AEMI and AEMI-One Rules Relating to the Publishing of Manual Quotations and Re-Enabling Auto-Ex

February 28, 2007.

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 February 27, 2007, 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 substantially prepared by the Exchange. Amex has filed this proposal pursuant to Section 19(b)(3)(A) of the Act<sup>3</sup> and Rule 19b-4(f)(5) thereunder,<sup>4</sup> which renders it 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 adopt changes to its AEMI and AEMI-One rules to address a situation that the Exchange has encountered in publishing its manual, non-firm quote following a tolerance breach that disables the Exchange’s automatic execution functionality (“auto-ex”). Under certain circumstances, displaying the price of the national best bid (“NBB”) or national best offer (“NBO”) (as the case may be) as part of such a non-firm quote (as provided in the current AEMI and AEMI-One rules) may result in the Exchange publishing a locked or crossed quotation. To avoid this situation, the Exchange is proposing to amend Rules 128A-AEMI-One(g) and 128A-AEMI(g) to provide instead for using the price of the best bid, offer, or order (as the case may be) in AEMI, rather than the NBB or NBO, under these circumstances. Related changes to Rules 123-AEMI-One(h) and 123-AEMI(h) would clarify that all such non-firm quotes disseminated through the AEMI platform are indicative only. In

addition, the Exchange is proposing the addition of a phrase to each of Rules 128A-AEMI-One(g) and 128A-AEMI(g) to clarify that the obligation of the Specialist is to “attempt to” pair off the remainder of an aggressing order that results in a locked or crossed AEMI Book to re-enable auto-ex prior to the expiration of a ten-second time period. The Exchange also is proposing an unrelated change to the text of Rules 1A-AEMI-One(b) and 1A-AEMI(b) to clarify the applicability of cross-references in the Exchange’s rules to a legacy rule that is no longer applicable due to having been superseded by a corresponding AEMI or AEMI-One rule.

The text of the proposed rule change is available on the Amex’s Web site at <http://www.amex.com>, at the Exchange’s principal office, 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, Amex 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. Amex 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 the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange has recently adopted two sets of rules in connection with the operation of its new hybrid market trading platform for equity products and exchange-traded funds, designated as AEMIS<sup>SM</sup> (the “Auction and Electronic Market Integration” platform). The initial version of AEMI is referred to as “AEMI-One” and is currently operational on a pilot basis<sup>5</sup> through the day prior to the final date set by the Commission for full operation of all automated trading centers that intend to qualify their quotations for trade-

<sup>5</sup> See Securities Exchange Act Release No. 54709 (November 3, 2006), 71 FR 65847 (November 9, 2006) (SR-Amex-2006-72) (Order Approving a Proposed Rule Change and Amendment No 1 Thereto, and Notice of Filing and Order Granting Accelerated Approval to Amendment No. 3, to Adopt New Rules to Implement on a Pilot Basis an Initial Version of AEMI, Its Proposed New Hybrid Market Trading Platform for Equity Products and Exchange Traded Funds).

<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).

<sup>4</sup> 17 CFR 240.19b-4(f)(5).