

meets the requirements of the Attachment to this Order.

2. The Licensee shall, in writing, within twenty (20) days of the date of this Order, notify the Commission (1) of receipt and confirmation that compliance with the Order will be achieved or (2) if it is unable to comply with any of the requirements described in the Attachment, or (3) if compliance with any of the requirements is unnecessary in its specific circumstances. The notification shall provide the Licensee's justification for seeking relief from or variation of any specific requirement.

B. In accordance with the NRC's "Order Imposing Fingerprinting and Criminal History Records Check Requirements for Access to Safeguards Information (Effective Immediately)" (EA-06-203) issued on September 29, 2006, (71 FR 59140, October 6, 2006), only the NRC-approved reviewing official shall review results from a FBI criminal history records check. In accordance with all other applicable requirements and the evaluation of the results of the FBI criminal history records check as specified in this Order, the reviewing official shall determine whether an individual may have, or continue to have, unescorted access. No person may have access to SGI or unescorted access to any utilization facility, or radioactive material or property subject to regulation by the NRC if the NRC has determined, in accordance with its administrative review process based on fingerprinting and an FBI identification and criminal history records check, either that the person may not have access to SGI or that the person may not have unescorted access to a utilization facility, or radioactive material or property subject to regulation by the NRC.

C. Fingerprints shall be submitted and reviewed in accordance with the procedures described in the Attachment to this Order. Individuals who have been fingerprinted and granted access to SGI by the NRC-approved reviewing official in accordance with EA-06-203 (September 29, 2006), do not need to be fingerprinted again for purposes of authorizing unescorted access. In addition, individuals who have a favorably decided U.S. Government criminal history records check within the last five (5) years, or who have an active Federal security clearance have satisfied the EPAct fingerprinting requirement and need not be fingerprinted again, provided in each case that the appropriate documentation is made available to the Licensee's reviewing official. However, all other applicable requirements must be

satisfied to allow any individual unescorted access to the facility.

D. The Licensee may allow any individual who currently has unescorted access, in accordance with applicable requirements, to continue to have unescorted access, pending a decision by the reviewing official (based on fingerprinting and a FBI criminal history records check) that the individual may continue to have unescorted access. The licensee shall complete implementation of the requirements of the Attachment to this Order by October 30, 2007.

Licensee responses to Condition A.2. shall be submitted to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

The Director, Office of Federal and State Materials and Environmental Management Programs, may, in writing, relax or rescind any of the above conditions upon demonstration of good cause by the Licensee.

In accordance with 10 CFR 2.202, the Licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within twenty (20) days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time in which to submit an answer or request a hearing must be made in writing to the Director, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically set forth the matters of fact and law on which the Licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, Office of the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Material Litigation and Enforcement at the same address, and to the Licensee if the answer or hearing request is by a person other than the Licensee. Because of possible delays in delivery of mail to United States Government offices, it is requested that

answers and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov) and also to the Office of the General Counsel either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). If a person other than the Licensee requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309.

If a hearing is requested by the Licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the Licensee may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error. In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions as specified above in section III shall be final twenty (20) days from the date of this Order without further Order or proceedings.

If an extension of time for requesting a hearing has been approved, the provisions as specified above in Section III shall be final when the extension expires, if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

Dated this 1st day of August, 2007.

For The Nuclear Regulatory Commission.

**George Pangburn,**

*Acting Director, Office of Federal and State Materials, and Environmental Management Programs.*

[FR Doc. E7-15494 Filed 8-7-07; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Draft U.S. Nuclear Regulatory Commission FY 2007-FY 2012 Strategic Plan, NUREG-1614, Volume 4

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is announcing the availability of draft NUREG-1614, Volume 4. "U.S. Nuclear Regulatory Commission, FY 2007-FY 2012 Strategic Plan," dated July 2007. The comment period on the draft strategic plan ends September 7, 2007. Comments on the draft plan are to be submitted in electronic format (Microsoft Word) using e-mail to: [StratPlan@nrc.gov](mailto:StratPlan@nrc.gov) or mail to Chief, Rules and Directives Branch, mail Stop T6-D59, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; or faxed to: Chief, Rules and Directives Branch at (301) 415-5144.

**ADDRESSES:** Draft NUREG-1614, Volume 4, is available for inspection and copying for a fee at the NRC Public Document Room, 11555 Rockville Pike, Rockville, Maryland. You may also electronically access NUREG-series publications and other NRC records at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections>.

A free single copy of Draft NUREG-1614, Volume 4, to the extent of availability, may be requested by writing to the Office of the Chief Information Officer, Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Printing and Graphics Branch, Washington, DC 20555-0001; facsimile: 301-415-2289; e-mail: [DISTRIBUTION@nrc.gov](mailto:DISTRIBUTION@nrc.gov).

Some publications in the NUREG series that are posted at NRC's Web site address <http://www.nrc.gov/reading-rm/doc-collections> are updated regularly and may differ from the last printed version.

**FOR FURTHER INFORMATION CONTACT:** George S. Smolik, Planning Team Chief, Division of Planning, Budget, and Analysis, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7339.

**SUPPLEMENTARY INFORMATION:** The Government Performance and Results Act (GRPA) requires that an agency's strategic plan be updated for submission to the Congress and the President every three years. The NRC is developing a new strategic plan for FY 2007-FY 2012 to replace the agency's existing strategic plan.

The NRC is seeking comments on its draft FY 2007-FY 2012 Strategic Plan (ADAMS Accession No. ML072080203). The draft Strategic Plan establishes the agency's long-term strategic direction and outcomes. It provides a foundation

to guide NRC's work and to allocate NRC's resources.

The NRC's draft FY 2007-FY 2012 Strategic Plan describes the agency's mission, vision, and strategic objective, which remain unchanged. The NRC's priority continues to be, as always, to ensure the adequate protection of public health, safety, and the environment, and promoting common defense and security.

The NRC's draft Strategic Plan also reflects the changes taking place in the regulatory environment associated with the use of radioactive materials, such as the expected receipt of applications to construct and operate new nuclear power plants, and the disposal of high-level radioactive waste. Further, the draft Strategic Plan addresses how the NRC will address these challenges, such as communications, human capital, and regulatory and organizational infrastructure.

The draft Strategic Plan identifies our two strategic goals, which focus on safety and security. The agency's Safety and Security goals, as well as their associated strategic outcomes, continue to accurately describe the agency's core functions, and therefore remain essentially unchanged. This focus on safety and security ensures that the NRC remains a strong independent, stable, and predictable regulator. The draft Strategic Plan also describes the agency's Organizational Excellence Objectives of Openness, Effectiveness, Timeliness, and Management, which characterize the manner in which the agency intends to support achieving the Safety and Security goals.

The NRC encourages all interested parties to comment on the draft Strategic Plan. The comment period ends September 7, 2007. Comments on the draft plan are to be submitted in electronic format (Microsoft Word) using e-mail to: [StratPlan@nrc.gov](mailto:StratPlan@nrc.gov) or mailed to Chief, Rules and Directives Branch, mail Stop T6-D59, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; or faxed to: Chief, Rules and Directives Branch at (301) 415-5144. Stakeholder feedback will be valuable in helping the Commission develop a final plan that has the benefit of the many views in the regulated civilian nuclear industry.

The final version of NUREG-1614, Volume 4, is expected to be released on or about December 31, 2007.

Dated at Rockville, Maryland, this 2nd day of August 2007.

For the Nuclear Regulatory Commission.

**Leslie W. Barnett,**

*Director, Division of Planning, Budget, and Analysis, Office of the Chief Financial Officer.*  
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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-56186; File No. SR-BSE-2006-56]

### Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing of Amendment No. 2 to the Proposed Rule Change and Order Granting Accelerated Approval of Proposed Rule Change as Modified by Amendments No. 1 and 2 Thereto To Add to the Boston Options Exchange a New Functionality Called an Auto Auction Order

August 2, 2007.

#### I. Introduction

On December 15, 2006, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), 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> a proposal to amend the Boston Options Exchange ("BOX") Rules to add a new functionality referred to as an Auto Auction Order ("AAO") to make it easier for customers to participate in a price improvement auction ("Improvement Auction"). On February 1, 2007, BSE filed Amendment No. 1 to the proposed rule change. The proposed rule change was published for comment in the **Federal Register** on February 12, 2007.<sup>3</sup> The Commission received one comment letter regarding the proposal.<sup>4</sup> BSE filed a response to the comment letter on June 8, 2007.<sup>5</sup> On June 8, 2007, BSE filed Amendment No. 2 to the proposed rule change.<sup>6</sup> This order approves the proposed rule

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

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

<sup>3</sup> See Securities Exchange Act Release No. 55233 (February 2, 2007), 72 FR 6626 ("Notice").

<sup>4</sup> See letter to Nancy M. Morris, Secretary, Commission, from Michael J. Simon, Secretary, International Securities Exchange, LLC ("ISE"), dated March 5, 2007 ("ISE Letter").

<sup>5</sup> See letter to Nancy M. Morris, Secretary, Commission, from William Meehan, General Counsel, BSE, dated June 8, 2007 ("BSE Letter").

<sup>6</sup> In Amendment No. 2, BSE amended the proposal to reflect that AAOs may be entered only for Public Customer accounts and only in a series for which the standard trading increment is greater than one cent. BSE also made corresponding technical changes to the rule text.