

The October 24, 2003, EA and FONSI, the license and supporting documents, and the preliminary supplement to the EA and draft FONSI are available on NRC's Web site at: <http://www.nrc.gov/waste.html>, by selecting "Diablo Canyon ISFSI," in the Quick Links box.

## II. Summary of Final Supplement to the EA for the Diablo Canyon ISFSI

In the supplement to the EA, the NRC staff has considered the potential radiological impacts of terrorist acts on the Diablo Canyon ISFSI. NRC has established requirements and has initiated several actions designed to provide high assurance that a terrorist attack would not lead to a significant radiological event at an ISFSI. These include: (1) NRC's continual evaluation of the threat environment, in coordination with the intelligence and law enforcement communities, which provides, in part, the basis for the protective measures currently required; (2) the protective measures that are in place to reduce the chance of an attack that leads to a significant release of radiation; (3) the robust design of dry cask storage systems, which provide substantial resistance to penetration; and (4) NRC security assessments of the potential consequences of terrorist attacks against ISFSIs.

The supplement to the EA describes the security measures for ISFSIs and discusses the security assessments performed by NRC, which confirmed that the existing security requirements, imposed by regulations and orders, are adequate to provide high assurance that a terrorist attack on an ISFSI will not lead to significant radiological consequences. Threat scenarios considered in the generic security assessments for ISFSIs included a large aircraft impact similar in magnitude to the attacks of September 11, 2001, and ground assaults using expanded adversary characteristics consistent with the design basis threat for radiological sabotage for nuclear power plants.

The NRC staff compared the assumptions used in its generic ISFSI security assessments to the relevant features of the Diablo Canyon ISFSI. Based on this comparison, the staff determined that the assumptions used in these generic security assessments, regarding the storage cask design, the amount of radioactive material that could be released, and the atmospheric dispersion, were representative, and in some cases, conservative, relative to the actual characteristics for the Diablo Canyon ISFSI. The staff determined that any dose to affected residents nearest to the Diablo Canyon site calculated using site-specific parameters will be much

lower than doses calculated using the assumptions made for the generic assessments. Based on these considerations, the dose to the nearest affected resident, from even the most severe plausible threat scenarios (the ground assault and aircraft impact scenarios discussed above) would likely be well below 5 rem. In many scenarios, the hypothetical dose to an individual in the affected population could be substantially less than 5 rem, or none at all.

In the supplement (based also on the initial EA), the NRC staff concludes that the construction, operation, and decommissioning of the Diablo Canyon ISFSI, even when potential terrorist attacks on the facility are considered, will not result in a significant effect on the human environment. NRC security requirements, imposed through regulations and orders, and implemented through the licensee's security plans, in combination with the design requirements for dry cask storage systems, provide adequate protection against successful terrorist attacks on ISFSIs. Therefore, a terrorist attack that would result in a significant release of radiation affecting the public is not reasonably expected to occur.

## III. Final Finding of No Significant Impact

The NRC staff has prepared a supplement to the EA related to the construction and operation of the Diablo Canyon ISFSI, in accordance with the requirements of 10 CFR Part 51. As set forth in the supplement to the EA, NRC has considered the potential for terrorist attacks on the facility, and has determined that the storage of spent nuclear fuel at the Diablo Canyon ISFSI will not have a significant effect on the quality of the human environment, based on the facility design features and the mitigative security measures incorporated as part of the NRC licensing action and in response to NRC security orders. These design features and mitigative security measures will provide high assurance that substantial environmental impacts will be avoided and thereby reduced to a non-significant risk level. On the basis of the initial EA and this supplement, NRC has concluded that there are no significant environmental impacts, and the proposed action does not warrant the preparation of an Environmental Impact Statement. Therefore, in accordance with 10 CFR 51.31, NRC has determined that issuance of a final FONSI is appropriate.

## V. Further Information

Documents related to this action, including the May 29, 2007, preliminary supplement to the EA and draft FONSI; the August 30, 2007, EA supplement and final FONSI; the October 24, 2003, EA; and the Diablo Canyon ISFSI license and supporting documentation, are available electronically, at NRC's Electronic Reading Room, at: <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession number for the supplement to the EA and draft FONSI is ML071280256, and for the EA supplement and final FONSI, the accession number is ML072400511. The ADAMS accession number for the October 24, 2003, EA is ML032970337, and for the ISFSI license and related documents, the accession number is ML040780107. If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact NRC's 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 NRC's PDR, O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents, for a fee.

Dated at Rockville, Maryland this 30th day of August, 2007.

For the Nuclear Regulatory Commission.

### Robert A. Nelson,

*Chief, Licensing Branch, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. E7-17738 Filed 9-7-07; 8:45 am]

BILLING CODE 7590-01-P

## OVERSEAS PRIVATE INVESTMENT CORPORATION

### September 20, 2007 Board of Directors Meeting

*Time and Date:* Thursday, September 20, 2007, 10 a.m. (Open Portion).

*Place:* Offices of the Corporation, Twelfth Floor Board Room, 1100 New York Avenue, NW., Washington, DC.

*Status:* Meeting OPEN to the Public from 10 a.m. to 10:15 a.m. Closed portion will commence at 10:15 a.m. (approx.).

#### *Matters To Be Considered:*

1. President's Report.
2. Tribute—David A. Sampson.

3. Approval of July 12, 2007 Minutes (Open Portion).

*Further matters to be considered:* (Closed to the Public 10:15 a.m.)

1. Report from Audit Committee.
2. Proposed FY 2009 Budget.
3. Finance Project—Sub-Saharan Africa.
4. Finance Project—Sub-Saharan Africa.
5. Finance Project—Sub-Saharan Africa.
6. Finance Project—Jordan, Lebanon, Egypt, West Bank and Certain OPIC-Eligible MENA Countries.
7. Finance Project—Mexico.
8. Finance Project—Pakistan.
9. Approval of July 12, 2007 Minutes (Closed Portion).
10. Pending Major Projects.
11. Reports.

*For Further Information Contact:* Information on the meeting may be obtained from Connie M. Downs at (202) 336-8438.

Dated: September 6, 2007.

**Connie M. Downs,**

*Corporate Secretary, Overseas Private Investment Corporation.*

[FR Doc. 07-4424 Filed 9-6-07; 9:46 am]

BILLING CODE 3210-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-56327; File No. SR-FINRA-2007-006]

### Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Filing of Proposed Rule Change Relating to Historic TRACE Data

August 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 August 9, 2007, Financial Industry Regulatory Authority, Inc. (“FINRA”) (f/k/a National Association of Securities Dealers, Inc. (“NASD”)) 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 FINRA. 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

FINRA is proposing to: (1) Adopt a FINRA policy providing for public access to historic TRACE data (“Historic TRACE Data”); and (2) amend NASD Rule 7030 to: (i) Define Historic TRACE Data in proposed NASD Rule 7030(c)(3)(D); (ii) establish fees for Historic TRACE Data in proposed NASD Rule 7030(d); (iii) make conforming changes to the fee chart in NASD Rule 7030 and the definitions of “Non-Professional,” “Tax-Exempt Organization,” and “Real-Time” in, respectively, paragraphs (A), (B), and (C) of NASD Rule 7030(c)(3); and (iv) renumber current NASD Rule 7030(c)(4) as NASD Rule 7030(e).<sup>3</sup> The text of the proposed rule change is available at FINRA, on FINRA’s Web site at <http://www.finra.org>, and in 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, FINRA 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. FINRA 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

FINRA is proposing to adopt a FINRA policy providing for public access to Historic TRACE Data and to amend NASD Rule 7030 to establish fees to offset the costs of developing and maintaining the new Historic TRACE Data database and providing such data to vendors, members, and other users. The proposed amendments to NASD Rule 7030 would: (i) Define Historic TRACE Data in proposed NASD Rule 7030(c)(3)(D); (ii) establish fees for Historic TRACE Data in proposed NASD Rule 7030(d); (iii) make conforming changes to the fee chart in NASD Rule 7030 and the definitions of “Non-Professional,” “Tax-Exempt Organization,” and “Real-Time” in,

respectively, paragraphs (A), (B), and (C) of NASD Rule 7030(c)(3); and (iv) renumber current NASD Rule 7030(c)(4) as NASD Rule 7030(e).

#### Historic TRACE Data

TRACE data is the first complete database of transaction-level pricing information ever compiled on the over-the-counter (“OTC”) U.S. corporate bond market and, as such, may be of widespread interest to corporate bond market participants, other financial intermediaries, market observers, academicians, and financial regulators. To date, FINRA has made available publicly aggregated statistics from both disseminated and non-disseminated TRACE transaction information, but has done so in a manner to protect transaction-level non-disseminated data from being ascertained. Since TRACE began, many people have expressed interest in reviewing historic TRACE transaction-level data. FINRA believes it is important to provide access to this data, particularly for research purposes.<sup>4</sup> The transaction data that will be provided include all transactions reported to TRACE since July 1, 2002, except Rule 144A transactions defined below.<sup>5</sup>

Historic TRACE Data will generally consist of basic transaction information such as the price, the date and time of execution, and the yield. It will include information on transactions not previously available,<sup>6</sup> and contain

<sup>4</sup> Before submitting the proposal, FINRA (then known as NASD) sought member input about whether FINRA should release standard TRACE transaction-level data to the public; if access should be limited in any way; if the data should be redacted as to certain types of information; and if FINRA should provide access to any portion of the transaction-level historic data that previously had only been reported, but not disseminated. See NASD Notice to Members 06-32 (June 2006). The sole commenter was The Bond Market Association (“TBMA”) (now known as the Securities Industry Financial Markets Association or “SIFMA”). See comment letter from Mary C.M. Kuan, Vice President and Assistant General Counsel, TBMA, to Barbara Z. Sweeney, Office of the Corporate Secretary, NASD, dated August 14, 2006. TBMA supported obtaining access to the transaction-level historic data, provided that member participant identifiers (“MPIDs”) were deleted from the data and the data was sufficiently aged to eliminate any possible use of such data to identify current trading, positioning, or strategies of other market participants.

<sup>5</sup> In TRACE, Rule 144A transactions refers to transactions in TRACE-eligible securities “issued pursuant to Section 4(2) of the Securities Act of 1933 (“Securities Act”) and purchased and sold pursuant to Rule 144A of the Securities Act of 1933.” NASD Rule 6210(a).

<sup>6</sup> When TRACE began, daily transaction-level dissemination of information occurred in phases to gauge the relationship between transparent transaction information and its impact on liquidity. As a result, all public transactions in TRACE-

Continued

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

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

<sup>3</sup> NASD Rule 7030 contains all TRACE fees; previously, such fees were set forth in NASD Rule 7010(k).