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Dated at Rockville, Maryland, this 13th day of February, 2004.

For the Nuclear Regulatory Commission.

William D. Reckley,

Acting Chief, Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. E4-431 Filed 2-27-04; 8:45 am]

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PRESIDIO TRUST

Public Health Service Hospital, The Presidio of San Francisco (Presidio), CA; Notice of Availability of Environmental Assessment and Scheduling of Public Comment Period

ACTION: The Presidio Trust (Trust) announces the availability for review of the Environmental Assessment (EA) for the Public Health Service Hospital (PHSH) project and the scheduling of a review period for the public to provide comment on the PHSH EA. The EA, prepared in accordance with the provisions of the National Environmental Policy Act (NEPA) (42 U.S.C. 4321 *et seq.*), evaluates the environmental impacts of rehabilitating and reusing historic buildings in the PHSH district of the Presidio. The Trust is inviting public review and comment on the PHSH EA until April 30, 2004. Public scoping comments were solicited as noticed in the **Federal Register** on September 9, 2003 (68 FR 53205-6) and again on November 12, 2003 (68 FR 64151-2).

Materials Available to the Public: The PHSH EA is being provided to agencies, organizations and individuals who have expressed an interest in the NEPA process for the PHSH project. The EA may be viewed at or downloaded from the Trust's Web site at <http://www.presidio.gov>, following the link

from the home page. A printed copy may be requested at no charge at 415/561-5414 or phsh@presidiotrust.gov, or by writing the Presidio Trust, P.O. Box 29052, San Francisco, CA 94129-0052. The EA may also be reviewed in the Trust's library on the Presidio at 34 Graham Street, San Francisco, CA.

Public Review and Comment Period: Before finalizing the PHSH EA, the Trust invites the interested public to review the document and provide comment. Written comments may be submitted to John Pelka, NEPA Compliance Coordinator at 415/561-2790 (fax), phsh@presidiotrust.gov, or the address below, and must be transmitted or delivered no later than April 30, 2004. Please be aware that all written comments and information submitted will be made available to the public, including, without limitation, any postal address, e-mail address, phone number or other information contained in each submission.

Additional public notice in the **Federal Register**, on the Trust's Web site and/or in written newsletters to those on the Trust's public mailing list will announce the date, location and details of a hearing for the public to provide oral comment on the PHSH EA. Following the close of the public review period on April 30, 2004, the Trust will consider and respond to any written or oral comments in the final PHSH EA.

FOR FURTHER INFORMATION CONTACT: John Pelka, NEPA Compliance Coordinator, the Presidio Trust, 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052, 415/561-5300.

Dated: February 24, 2004.

Karen A. Cook,

General Counsel.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-49295; File No. SR-Amex-2004-06]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change and Amendments No. 1 and 2 by the American Stock Exchange LLC Relating to Small Business Issuers

February 23, 2004.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on January

21, 2004, the American Stock Exchange LLC (the "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 Amex. On January 30, 2004, the Exchange filed Amendment No. 1 to the proposed rule change.³ On February 12, 2004, the Exchange filed Amendment No. 2 to the proposed rule change.⁴ Amex has filed the proposed rule change as a "non-controversial" rule change under Rule 19b-4(f)(6) under the Act,⁵ which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Amex proposes to make technical amendments to the Exchange's recently approved enhanced corporate governance requirements to: (i) Amend sections 121A, 121B(2)(c), 802(a), and 809(b) of the Amex *Company Guide* to reference small business issuers rather than small business filers, and (ii) insert in section 809 of the Amex *Company Guide* the date of Commission approval and certain effective dates based on the date of approval. Below is the text of the proposed rule change. Proposed new language is in *italics*; proposed deletions are in brackets.

* * * * *

American Stock Exchange Company Guide

Section 121. INDEPENDENT DIRECTORS AND AUDIT COMMITTEE

A. Independent Director

Each listed company must have a sufficient number of independent directors on its Board of Directors (1) such that at least a majority of such directors are independent directors (subject to the exceptions set forth in section 801 and, with respect to small business [filers] *issuers*, section 121B(2)(c)), and (2) to satisfy the audit committee requirement set forth below. "Independent director" means a person other than an officer or employee of the

³ See Letter from Claudia Crowley, Vice President, Listing Qualifications, Amex, to Nancy Sanow, Assistant Director, Division of Market Regulation, Commission, dated January 29, 2004.

⁴ See Letter from Claudia Crowley, Vice President, Listing Qualifications, Amex, to Nancy Sanow, Assistant Director, Division of Market Regulation, Commission, dated February 11, 2004.

⁵ 17 CFR 240.19b-4(f)(6).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.