

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-52,597]

**Sure-Fit, Inc., Allentown, PA; Notice of  
Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on August 18, 2003 in response to a worker petition filed on behalf of workers at Sure-Fit, Inc., Allentown, Pennsylvania.

The petitioners have requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC this 25th day of September, 2003.

**Richard Church,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. 03-27934 Filed 11-5-03; 8:45 am]

BILLING CODE 4510-30-P

**DEPARTMENT OF LABOR****Employment and Training  
Administration**

[TA-W-53,009]

**W.B. Place, Hartford, WI; Notice of  
Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 26, 2003, in response to a petition filed on behalf of workers at W.B. Place, Hartford, Wisconsin.

The petition regarding the investigation has been deemed invalid. In order for employees to establish a valid petition, there must be at least three valid petitioners. The petition in this case did not meet this threshold number. Consequently, the investigation has been terminated.

Signed at Washington, DC this 1st day of October 2003.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade  
Adjustment Assistance.*

[FR Doc. 03-27926 Filed 11-5-03; 8:45 am]

BILLING CODE 4510-30-P

**OFFICE OF NATIONAL DRUG  
CONTROL POLICY****Notice of Re-Establishment**

**AGENCY:** Office of National Drug Control Policy.

**ACTION:** Notice of Re-Establishment of Drug Control Research, Data, and Evaluation Committee.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. 2 and 41 CFR part 101-6.1013, the Office of National Drug Control Policy re-established the Charter of the Drug Control Research, Data, and Evaluation Committee on October 29, 2003. The re-established charter is available for viewing through the Library of Congress and the United States General Services Administration.

**FOR FURTHER INFORMATION CONTACT:**

Please direct any questions to Daniel Petersen, Assistant General Counsel, (202) 395-6622, Office of National Drug Control Policy, Executive Office of the President, Washington, DC 20503.

**Daniel Petersen,**

*Assistant General Counsel.*

[FR Doc. 03-27913 Filed 11-5-03; 8:45 am]

BILLING CODE 3180-02-P

**OFFICE OF NATIONAL DRUG  
CONTROL POLICY****Meeting of the Advisory Commission  
on Drug Free Communities**

**AGENCY:** Office of National Drug Control Policy.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Drug-Free Communities Act, a meeting of the Advisory Commission on Drug Free Communities will be held on December 11 & 12, 2003 at the Office of National Drug Control Policy in the 5th Floor Conference Room, 750 17th Street NW., Washington, DC. The meeting will commence at 8:30 a.m. on Thursday, December 11, 2003 and adjourn for the evening at 4:30 p.m. The meeting will reconvene at 8:30 a.m. on Friday, December 12, 2003 and adjourn at 1:30 p.m. The agenda will include: Remarks by ONDCP Director John P. Walters; updates on the Drug Free Communities Program; the National Youth Anti-Drug Media Campaign; and the National Anti-Drug Coalition Institute. There will be an opportunity for public comment from 11:30 a.m. until 12 noon on Thursday, December 11, 2003. Members of the public who wish to attend the meeting and/or make public comment should contact Stella Price at (202) 395-3617 to arrange building access.

**FOR FURTHER INFORMATION CONTACT:** Daniel Petersen, (202) 395-6622.

Dated: November 3, 2003.

**Daniel Petersen,**

*Assistant General Counsel.*

[FR Doc. 03-27912 Filed 11-5-03; 8:45 am]

BILLING CODE 3180-02-P

**NUCLEAR REGULATORY  
COMMISSION**

[Docket No. 50-440]

**FirstEnergy Nuclear Operating Co.,  
Perry Nuclear Power Plant; Exemption****1.0 Background**

The FirstEnergy Nuclear Operating Company (FENOC/ the licensee) is the holder of Facility Operating License No. NPF-58 which authorize operation of Perry Nuclear Power Plant (PNPP). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility consists of a boiling water reactor located on FENOC's Perry site, which is located in Lake County, Ohio.

**2.0 Request/Action**

Title 10 of the *Code of Federal Regulations* (10 CFR) part 50, § 50.71(e)(4) requires that licensees provide the Nuclear Regulatory Commission (NRC) with updates to the Final Safety Analysis Report (FSAR) annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months. The revisions must reflect changes up to 6 months prior to the date of filing. This regulation would require the submittal of the PNPP FSAR update by September 10, 2003.

The licensee has requested a one-time schedular exemption from the requirements of 10 CFR 50.71(e)(4). The proposed exemption would extend the PNPP submittal date up to 120 days beyond the required filing date of September 10, 2003. The new filing date would be January 8, 2004. The requirement to reflect changes up to 6 months prior to the date of filing would still apply.

**3.0 Discussion**

By letter dated August 8, 2003, the licensee requested a one-time schedular exemption from the requirements of 10 CFR 50.71(e)(4). Specifically, the licensee requested that it be permitted to delay the required update from September 10, 2003, to January 8, 2004, which is a 120 day delay.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own

initiative, grant exemptions from the requirements of 10 CFR part 50, when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Section 50.12(a)(2)(v) of 10 CFR Part 50 indicates that special circumstances exist when an exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation.

The requested exemption is administrative and would not affect the plant equipment, operation, or procedures. The FSAR contains the analysis, assumptions, and technical details of the facility design and operating parameters. Until the FSAR is updated, the recent changes are documented in the licensee's safety analysis reports and in the Commission's Safety Evaluations for actions requiring prior approval. Changes to a facility or its operation are made through the use of processes which are defined in regulations other than 10 CFR 50.71, such as, 10 CFR 50.59 and 10 CFR 50.54. These regulations provide the basis for evaluating proposed changes and ensuring that the changes will not present an undue risk to the public health and safety and are consistent with the common defense and security. Because the FSAR update reflects changes after they have been implemented, extending the due date does not present an undue risk to the public health and safety.

While preparing the scheduled submittal, a computer failure occurred affecting the PNPP electronic data management system (EDMS) which resulted in the loss of over 11,000 electronic documents. Updates to the FSAR that were being prepared were among the documents lost. Due to the need to reconstruct the updated FSAR information that was lost, additional time is needed to complete the submittal. The requirement to reflect changes up to 6 months prior to the date of filing would still apply. The exemption is requested to allow adequate time to complete the submittal.

The licensee has made a good faith effort to comply with the regulations for filing in September 2003, in that the updated FSAR submittal was approximately 80 percent completed, however, due to circumstances beyond their control the computer supporting the EDMS failed resulting in the loss of the documents prepared for the

submittal. Therefore, the exemption would only provide temporary relief from the applicable regulation and the extension would allow the time necessary for corrective actions and would result in an improved update to the FSAR. Thus, there are special circumstances present which would satisfy the requirements of 10 CFR 50.12(1)(2)(v).

#### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest. Therefore, the Commission hereby grants FirstEnergy Nuclear Operating Company, exemption from the requirements of 10 CFR part 50, § 50.71(e)(4) for PPNP.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (68 FR 59824).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 31st day of October 2003.

For the Nuclear Regulatory Commission.

**Ledyard B. Marsh,**

*Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-27943 Filed 11-5-03; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Regulatory Guide; Issuance, Availability

The Nuclear Regulatory Commission (NRC) has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in its review of applications for permits and licenses, and data needed by the NRC staff in its review of applications for permits and licenses.

Regulatory Guide 3.73, "Site Evaluations and Design Earthquake Ground Motion for Dry Cask Independent Spent Fuel Storage and Monitored Retrievable Storage Installations," provides guidance acceptable to the NRC staff for (1) conducting a detailed evaluation of site area geology and foundation stability, (2) conducting investigations to identify

and characterize uncertainty in seismic sources in the site region important for the probabilistic seismic hazard analysis; (3) evaluating and characterizing uncertainty in the parameters of seismic sources; (4) conducting a probabilistic seismic hazard analysis for the site; and (5) determining the design earthquake ground motion for the site to satisfy the requirements of NRC's regulations.

Comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time. Written comments may be submitted to the Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington DC 20555. Questions on the content of this guide may be directed to Mr. M. Shah, (301) 415-8537; email [MJS3@NRC.GOV](mailto:MJS3@NRC.GOV).

Regulatory guides are available for inspection or downloading at the NRC's Web site at <http://www.nrc.gov> under Regulatory Guides and in NRC's Electronic Reading Room (ADAMS System) at the same site. Single copies of regulatory guides may be obtained free of charge by writing the Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to (301) 415-2289, or by e-mail to [distribution@nrc.gov](mailto:distribution@nrc.gov). Issued guides may also be purchased from the National Technical Information Service (NTIS) on a standing order basis. Details on this service may be obtained by writing NTIS at 5285 Port Royal Road, Springfield, VA 22161; telephone 1-800-553-6847; <http://www.ntis.gov/>. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them. (5 U.S.C. 552(a))

Dated at Rockville, MD this 22nd day of October 2003.

For the Nuclear Regulatory Commission.

**Ashok C. Thadani,**

*Director, Office of Nuclear Regulatory Research.*

[FR Doc. 03-27944 Filed 11-5-03; 8:45 am]

**BILLING CODE 7590-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Proposed Collection; Comment Request for Review of a Revised Information Collection: SF 2802 and SF 2802A

**AGENCY:** Office of Personnel Management.