

The Material Modification of Consent Decree changes the performances standard for the work that will be done pursuant to the Consent Decree. In addition, the Material Modification of Consent Decree provides that defendant Wolin-Levin, Inc. establish a \$300,000 letter of credit to guarantee certain of its obligation under the modified Consent Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication, comments relating to the Material Modification of Consent Decree. Comments should be addressed to the Assistant Attorney General, Environmental and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, DC 20044-7611, and should refer to *United States v. Wolin-Levin, Inc.*, D.J. Ref. 90-11-2-06829/1.

The Consent Decree may be examined at the Office of the United States Attorney, Jonathan Haile, Assistant U.S. Attorney, 5th Floor, 219 S. Dearborn St., Chicago, Illinois 60604. During the public comment period, the Consent Decree may also be examined on the following Department of Justice Website, <http://www.usdoj.gov/enrd/open.html>. A copy of the Consent Decree may also be obtained by mail from Consent Decree Library, P.O. Box 76121, U.S. Department of Justice, Washington, DC 20044-7611, or by faxing or e-mailing a request to Tonia Fleetwood ([tonia.fleetwood@usdoj.gov](mailto:tonia.fleetwood@usdoj.gov)), fax no. (202) 616-6584, phone confirmation number (202) 514-1547. In requesting a copy, please enclose a check in the amount of \$12.00 (48 pages at 48 cents per page reproduction cost) payable to the U.S. Treasury.

**Ellen Mahan,**

*Assistant Section Chief, Environmental Enforcement Section, Environmental and Natural Resources Division.*

[FR Doc. 03-21922 Filed 8-26-03; 8:45 am]

BILLING CODE 4410-15-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-143]

### Nuclear Fuel Services, Inc.; Correction of Amendment 39 Authorizing Operations in the Uranyl Nitrate Building

**ACTION:** Notice of availability; Corrected Amendment 39 to Materials License SNM-124.

#### FOR FURTHER INFORMATION CONTACT:

Mary Adams, Fuel Cycle and Safety Branch, Office of Nuclear Materials,

Safety and Safeguards, 11554 Rockville Pike, Rockville, MD 20852; telephone (301) 415-7249; or by e-mail at [mta@nrc.gov](mailto:mta@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

Amendment 39 to Materials License SNM-124 was issued on July 7, 2003. Safety Condition S-1 in Amendment 39 failed to reference the supplement to the Nuclear Fuel Services (NFS) license application dated April 16, 2003. NRC staff used the commitments in this supplement as the basis for approving management measures for items relied on for safety at the Uranyl Nitrate Building. Safety Condition S-1 has been corrected to add the date of April 16, 2003.

The corrected Amendment 39 is available electronically for public inspection and copying for a fee in the NRC Public Document Room, One White Flint North Building, 11555 Rockville, MD 20852, or from the Publicly Available Records (PARS) component of NRC's Agency-wide Documents Access and Management System (ADAMS) under accession number ML031890762. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). If you do not have access to ADAMS, or if there are problems accessing the documents located in ADAMS, contact the NRC Public Document Room Reference staff at 1(800) 397-4209 or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 13th day of August, 2003.

For the U.S. Nuclear Regulatory Commission.

**Mary T. Adams,**

*Project Manager, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 03-21881 Filed 8-26-03; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-272 and 50-311]

### PSEG Nuclear, LLC, Salem Nuclear Generating Station, Unit Nos. 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of amendments to Facility Operating License Nos. DPR-70 and DPR-75, issued to PSEG Nuclear, LLC (the licensee), for operation of the Salem Nuclear Generating Station (Salem),

Unit Nos. 1 and 2, located in Salem County, New Jersey. Therefore, as required by Title 10 of the Code of Federal Regulations (10 CFR) Section 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

#### Environmental Assessment

**Identification of the Proposed Action:** The proposed action would allow the licensee to make an editorial change to the Salem Technical Specifications (TSs) by revising the description of the P-7 permissive interlock defined in TS Table 3.3-1, "Reactor Trip System Instrumentation," in accordance with the licensee's application dated April 10, 2003.

**The Need for the Proposed Action:** The proposed action would revise the description of the P-7 permissive interlock defined in TS Table 3.3-1 due to changes in the design of the high pressure turbine. As part of this design change, the pressure taps for transmitters PT505 and PT506 will be relocated. Consequently, the description for the "Turbine impulse chamber pressure" will be changed to "Turbine steam line inlet pressure." The proposed action is considered an editorial change.

**Environmental Impacts of the Proposed Action:** The NRC has completed its evaluation of the proposed action and concludes, as set forth below, that there are no significant environmental impacts associated with the administrative and editorial changes to the Salem TSs.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

**Environmental Impacts of the Alternatives to the Proposed Action:** As an alternative to the proposed action, the staff considered denial of the

proposed action (*i.e.*, the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

*Alternative Use of Resources:* The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement related to operation of Salem Nuclear Generating Station, Unit Nos. 1 and 2, dated April 1973.

*Agencies and Persons Consulted:* On June 10, 2003, the staff consulted with the New Jersey State official, Mr. Rich Pinney of the New Jersey Department of Environmental Protection, regarding the environmental impact of the proposed action. The State official had no comments.

### Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated April 10, 2003. Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC’s PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 30th day of June, 2003.

For the Nuclear Regulatory Commission.

**Richard B. Ennis,**

*Acting Chief, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-21882 Filed 8-26-03; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08976]

### Notice of Finding of No Significant Impact and Availability of Environmental Assessment for License Amendment of Source Material License No. SMB-1527, Viacom, Incorporated, Bloomfield, New Jersey

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Viacom, Incorporated (Viacom) for Source Material License No. SMB-1527, to authorize release of the former lamp manufacturing plant located at One Westinghouse Plaza, Bloomfield, New Jersey for unrestricted use and has prepared an Environmental Assessment (EA) in support of this action in accordance with the requirements of 10 CFR part 51. Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate.

#### II. Environmental Assessment

The purpose of the proposed action is to allow for the release of the licensee’s Bloomfield, New Jersey facility for unrestricted use. Viacom, Incorporated in Bloomfield, New Jersey (formerly Westinghouse Electric Corporation and CBS Corporation) was authorized by NRC since February 3, 1989, to possess radioactive materials for decommissioning purposes at the site. On August 21, 2002, Viacom requested that NRC release the Bloomfield, New Jersey facility for unrestricted use. Viacom has conducted surveys of the facility and determined that the facility meets the license termination criteria in Subpart E of 10 CFR part 20.

#### III. Finding of No Significant Impact

The NRC staff has evaluated Viacom’s request and the results of the surveys and has concluded that the completed action complies with the criteria in subpart E of 10 CFR part 20. The staff has prepared the EA (summarized above) in support of the proposed license amendment to terminate the license and release the facility for unrestricted use. On the basis of the EA, NRC has concluded that the environmental impacts from the proposed action are not expected to be significant and has determined not to prepare an environmental impact statement for the proposed action.

#### IV. Further Information

The EA and the documents related to this proposed action, including the application for the license amendment and supporting documentation, are available for inspection at NRC’s Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> (ADAMS Accession No. ML032250208). These documents are also available for inspection and copying for a fee at the Region I Office, 475 Allendale Road, King of Prussia, Pennsylvania, 19406. Any questions with respect to this action should be referred to Mark C. Roberts, Decommissioning and Laboratory Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406, telephone (610) 337-5094, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania this 13th day of August, 2003.

For The Nuclear Regulatory Commission.

**Francis Costello,**

*Deputy Division Director, Division of Nuclear Materials Safety, Region I.*

[FR Doc. 03-21883 Filed 8-26-03; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release Number IC-26166; 812-12997]

### Fidelity Commonwealth Trust, et al.; Notice of Application

August 22, 2003.

**AGENCY:** Securities and Exchange Commission (“Commission”).

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from sections 2(a)(32), 5(a)(1), 22(d) and 24(d) of the Act and rule 22c-1 under the Act, and under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and (a)(2) of the Act.

*Summary of Application:* Applicants request an order that would permit (a) series of an open-end management investment company, whose portfolios will consist of the component securities of certain equity securities indexes, to issue shares of limited redeemability; (b) secondary market transactions in the shares of the series to occur at negotiated prices on The Nasdaq Stock Market (“Nasdaq”) or a national securities exchange (each, a “Listing Market”); (c) dealers to sell shares of the series to purchasers in the secondary market unaccompanied by a prospectus, when prospectus delivery is not required by the Securities Act of 1933