

### *The Need for the Proposed Action*

The proposed action would extend the current CR-3 requalification program from December 31, 2002, to February 28, 2003. The proposed action is needed to allow for minimal interruption of the licensed personnel operating the plant during a potential labor action. Specifically, should such a labor action occur, the licensee has stated that CR-3 will be operated by personnel with current NRC licenses not affected by the labor action. The licensee deems it prudent to allow the licensed personnel operating the plant to remain fully available to stand watch on operating crews and not be distracted by completing the licensed operator requalification program by December 31, 2002.

### *Environmental Impacts of the Proposed Action*

The NRC has completed its evaluation of the proposed action and concludes that there are no significant environmental impacts associated with the extension of the operator requalification examinations from December 31, 2002, to February 28, 2002.

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 off site, 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 non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological 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 resources than those previously considered in the Final Environmental Statement for CR-3.

### *Agencies and Persons Consulted*

On November 22, 2002, the staff consulted with the Florida State official, William Passetti of the Florida Department of Health Bureau of Radiation Control, 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 November 18, 2002. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 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 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 4th day of December 2002.

For the Nuclear Regulatory Commission.

**Allen G. Howe,**

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

[FR Doc. 02-31215 Filed 12-10-02; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Nuclear Waste; Notice of Meeting**

The Advisory Committee on Nuclear Waste (ACNW) will hold its 139th meeting on December 17-19, 2002, at 11545 Rockville Pike, Rockville, Maryland, Room T-2B3.

The entire meeting will be open to public attendance.

The schedule for this meeting is as follows:

#### **Tuesday, December 17, 2002**

**A. 10:30-10:40 a.m.: Opening Statement (Open)**—The Chairman will open the meeting with brief opening remarks, outline the topics to be discussed, and indicate several items of interest.

**B. 10:40-12:15 p.m.: Staff Analyses for Understanding Repository Performance (Open)**—The Committee will hear presentations by and hold discussions with representatives of the NRC staff on its analyses development on the use of risk information for the proposed Yucca Mountain repository.

**C. 1:30-3:30 p.m.: Preparation of ACNW Reports (Open)**—The Committee will discuss proposed reports on the following topics:

- Staff Analyses for Understanding Repository Performance
- Conclusions Regarding the Safety of Spent Nuclear Fuel Transportation
- Trip Report: October Visit to Swedish Waste Management Facilities and Participation in Berlin Quadripartite Meeting

**D. 3:45-6 p.m.: Preparation for Meeting with the NRC Commissioners (Open)**—The next meeting with the NRC Commissioners is scheduled to be held at 9:30 a.m. in the Commissioners' Conference Room, One White Flint North on December 18, 2002. The Committee will review its proposed presentations.

#### **Wednesday, December 18, 2002**

**E. 8:30-8:35 a.m.: Opening Remarks by the ACNW Chairman (Open)**—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

**F. 8:35-9:10 a.m.: Discussion of Topics for Meeting with the NRC Commissioners (Open)**—The Committee will discuss topics scheduled for the ACNW meeting with the NRC Commissioners at 9:30 a.m.

**G. 9:30-11:30 a.m.: Meeting with the NRC Commissioners (Open)**—The Committee will meet with the NRC Commissioners in the Commissioners' Conference Room, One White Flint North to discuss the following:

- HLW Program Risk Insights Initiative
- Yucca Mountain Review Plan
- Spent Fuel Transportation
- Igneous Activity at Yucca Mountain
- Container Life and Source Term KTI

**H. 1-3:30 p.m.: NRC Nuclear Waste Safety Research and Technical Assistance Programs (Open)**—The

Committee will hear from representatives of the NRC staff and the Center for Nuclear Waste Regulatory Analyses on the NRC's Waste Safety Technical Assistance and Research programs.

I. 3:45–6 p.m.: *Preparation of ACNW Reports* (Open)—The Committee will discuss proposed reports listed under Item C.

#### Thursday, December 19, 2002

J. 8–8:05 a.m.: *Opening Remarks by the ACNW Chairman* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of the meeting.

K. 8:05–10:45 a.m.: *ACNW Action Plan* (Open)—The Committee members will discuss the ACNW 2002/2003 Action Plan and outline plans for sessions to assess Committee performance and update its priorities.

L. 10:45–11 a.m.: *Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 11, 2002 (67 FR 63459). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. Howard J. Larson, ACNW (Telephone 301/415–6805), between 8 a.m. and 4 p.m. EST, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Howard J. Larson as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the

opportunity to present oral statements and the time allotted therefore can be obtained by contacting Mr. Howard J. Larson.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at [pdr@nrc.gov](mailto:pdr@nrc.gov), or by calling the PDR at 1–800–397–4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS & ACNW meeting schedules/agendas).

Videoteleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301/415–8066), between 7:30 a.m. and 3:45 p.m. EST at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

The ACNW meeting dates for Calendar Year 2003 are provided below:

ACNW meeting No.	Meeting dates
	January 2003—no meeting.
140 .....	February 18–20, 2003.
141 .....	March 25–27, 2003.
142 .....	April 22–24, 2003.
143 .....	May 28–30, 2003.
144 .....	June 24–26, 2003.
145 .....	July 29–31, 2003.
	August 2003—no meeting.
146 .....	September 16–18, 2003 (Nevada).
147 .....	October 21–23, 2003.
148 .....	November 18–20, 2003.
	December 2003—no meeting.

Dated: December 5, 2002.

**J. Samuel Walker,**

*Acting Secretary of the Commission.*

[FR Doc. 02–31213 Filed 12–10–02; 8:45 am]

**BILLING CODE 7590–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–46946; File No. SR–NASD–2002–172]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the National Association of Securities Dealers, Inc. To Delay the Imposition of Distributor Fees for SuperMontage View Suite Data Feeds Under NASD Rule 7010(q)

December 4, 2002.

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 November 29, 2002, the National Association of Securities Dealers, Inc. (“NASD”) through its subsidiary, The Nasdaq Stock Market, Inc. (“Nasdaq”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change.

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

Nasdaq proposes to delay charging the distributor fees for any SuperMontage View Suite data feeds under NASD Rule 7010(q) until January 1, 2003.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Nasdaq 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. Nasdaq 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

Nasdaq believes that the new SuperMontage data feeds approved by the Commission vastly expand the ability of market participants to see and

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

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