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For the U.S. Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 1st day of August, 2003.

**Kevin M. Ramsey,**

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

[FR Doc. 03-20146 Filed 8-6-03; 8:45 am]

BILLING CODE 7950-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-34730]

### Notice of Finding of No Significant Impact and Availability of Environmental Assessment for License Amendment of Materials License No. 07-00445-40, Bristol-Meyers Squibb Pharma Company, Newark, DE

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Bristol-Meyers Squibb Pharma Company (Squibb) for Materials License No. 07-00445-40, to authorize release of its facility in Newark, Delaware 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. EA Summary

The purpose of the proposed action is to allow for the release of the licensee's Newark, Delaware facility for unrestricted use. Squibb was authorized by NRC since October 9, 2001, to use radioactive materials for research and development purposes at the site. On October 23, 2002, Squibb requested that NRC release the facility for unrestricted use. Squibb 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 Squibb'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 expected to be insignificant 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 Nos. ML022980441, ML030380296, ML030500216, ML031410751, ML032090243, ML031490539, and ML032110460). These documents are also available for inspection and copying for a fee at the Region I Office, 475 Allendale Road, King of Prussia, PA 19406. Any questions with respect to this action should be referred to Judy Joustra, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5355, fax (610) 337-5269.

Dated at King of Prussia, Pennsylvania, this 30th day of July, 2003.

For the Nuclear Regulatory Commission.

**John D. Kinneman,**

*Chief, Nuclear Materials Safety Branch 2, Division of Nuclear Materials Safety, Region I.*

[FR Doc. 03-20147 Filed 8-6-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards Subcommittee Meeting on Thermal-Hydraulic Phenomena; Notice of Meeting

The ACRS Subcommittee on Thermal-Hydraulic Phenomena will hold a meeting on August 19 and 20, 2003, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows: *Tuesday, August 19,*

*2003—8:30 a.m. until the conclusion of business:*

The Subcommittee will discuss the "Review Standard for Extended Power Uprates." *Wednesday, August 20, 2003—8:30 a.m. until the conclusion of business:*

The Subcommittee will review the staff's resolution of public comments associated with the Draft Regulatory Guide DG-1107, "Water Sources for Long-Term Recirculation Cooling Following a Loss-of-Coolant Accident." The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding these matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Ralph Caruso (Telephone: 301-415-1813), five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: July 31, 2003.

**Sher Bahadur,**

*Associate Director for Technical Support, ACRS/ACNW.*

[FR Doc. 03-20143 Filed 8-6-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

### Duke Energy Corporation, McGuire Nuclear Station, Units 1 and 2; Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance; Correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on July 22, 2003, (68 FR 43399), that

incorrectly referenced the McGuire, Unit 2, amendment number. This action is necessary to correct an erroneous amendment number.

**FOR FURTHER INFORMATION CONTACT:** Robert Martin, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-1493, e-mail: REM@NRC.GOV.

**SUPPLEMENTARY INFORMATION:** On page 43399, in the second column, in the sixth complete paragraph, it is corrected to read from “[Amendment Nos.: 215 & 195]” to “[Amendment Nos.: 215 & 196]”.

Dated in Rockville, Maryland, this 29th day of July, 2003.

For the Nuclear Regulatory Commission.

**Ledyard B. Marsh,**

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

[FR Doc. 03-20148 Filed 8-6-03; 8:45 am]

**BILLING CODE 7950-01-P**

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## POSTAL RATE COMMISSION

### Sunshine Act Meetings

**NAME OF AGENCY:** Postal Rate Commission.

**TIME AND DATE:** August 11, 2003 at 10:30 a.m.

**PLACE:** Commission conference room, 1333 H Street, NW., Suite 300, Washington, DC 20268-0001.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** Discussion and vote on the Postal Rate Commission's fiscal year 2004 budget.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, Postal Rate Commission, Suite 300, 1333 H Street, NW., Washington, DC 20268-0001, 202-789-6820.

Dated: August 5, 2003.

**Garry J. Sikora,**

*Acting Secretary.*

[FR Doc. 03-20333 Filed 8-5-03; 3:56 pm]

**BILLING CODE 7710-FW-M**

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## SECURITIES AND EXCHANGE COMMISSION

[Securities Act of 1933 Release No. 8263/ August 1, 2003 and Securities Exchange Act of 1934 Release No. 48277/August 1, 2003]

### Order Regarding Review of FASB Accounting Support Fee Under Section 109 of the Sarbanes-Oxley Act of 2002

The Sarbanes-Oxley Act of 2002 (the “Act”) establishes criteria that must be

met in order for the accounting standards established by an accounting standard-setting body to be recognized as “generally accepted” for purposes of the federal securities laws. Section 109 of the Act provides that all of the budget of an accounting standard-setting body satisfying these criteria shall be payable from an annual accounting support fee assessed and collected against each issuer, as may be necessary or appropriate to pay for the budget and provide for the expenses of the standard setting body, and to provide for an independent, stable source of funding, subject to review by the Commission. Under Section 109(f), the annual accounting support fee shall not exceed the amount of the standard setter's “recoverable budget expenses.” Section 109(h) amends Section 13(b)(2) of the Securities Exchange Act of 1934 to require issuers to pay the allocable share of a reasonable annual accounting support fee or fees, determined in accordance with Section 109 of the Act.

On April 25, 2003, the Commission issued a policy statement concluding that the Financial Accounting Standards Board (“FASB”) and its parent organization, the Financial Accounting Foundation (“FAF”), satisfied the criteria for an accounting standard-setting body under the Act, and recognizing the FASB's financial accounting and reporting standards as “generally accepted” under section 108 of the Act.<sup>1</sup> As a consequence of that recognition, the Commission undertook a review of the FASB's proposed accounting support fee for calendar year 2003. In connection with its review, the Commission also reviewed the proposed budget for the FAF and the FASB for calendar year 2003.

Section 109 of the Act also provides that the standard setting body can have additional sources of revenue for its activities, such as earnings from sales of publications, provided that each additional source of revenue shall not jeopardize the actual or perceived independence of the standard setter. In this regard, the Commission also considered the interrelation of the operating budgets of the FAF, the FASB and the Government Accounting Standards Board (“GASB”), the FASB's sister organization, which sets accounting standards to be used by state and local government entities. The Commission has been advised by the FAF that neither the FAF, the FASB nor the GASB will accept contributions from the accounting profession.

After its review, the Commission determined that the 2003 annual

accounting support fee for the FASB is consistent with section 109 of the Act. Accordingly,

It is ordered that the FASB may act in accordance with this determination of the Commission.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-20133 Filed 8-6-03; 8:45 am]

**BILLING CODE 8010-01-P**

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## SECURITIES AND EXCHANGE COMMISSION

[Securities Act of 1933 Release No. 8262/ August 1, 2003 and Securities Exchange Act of 1934, Release No. 48276/August 1, 2003]

### Order Approving Public Company Accounting Oversight Board Budget and Annual Accounting Support Fee for Calendar Year 2003

The Sarbanes-Oxley Act of 2002 (the “Act”) established the Public Company Accounting Oversight Board (“PCAOB”) to oversee the audits of public companies and related matters, to protect investors, and to further the public interest in the preparation of informative, accurate and independent audit reports. The PCAOB is to accomplish these goals through registration of public accounting firms, standard setting, inspection, and disciplinary programs. Section 109 of the Act provides that the PCAOB shall establish a reasonable annual accounting support fee, as may be necessary or appropriate to establish and maintain the PCAOB. Section 109(h) amends section 13(b)(2) of the Securities Exchange Act of 1934 to require issuers to pay the allocable share of a reasonable annual accounting support fee or fees, determined in accordance with section 109 of the Act. The aggregate annual accounting support fee may not exceed the PCAOB's aggregate “recoverable budget expenses.” section 109(f) of the Act provides that “recoverable budget expenses” may include operating, capital and accrued items. Section 109(b) of the Act directs the PCAOB to establish a budget for each fiscal year in accordance with the PCAOB's internal procedures. Section 109(b) of the Act also provides that the PCAOB's budget is subject to approval by the Commission.

The PCAOB adopted a budget for calendar year 2003 at an open meeting on April 23, 2003, and submitted that budget to the Commission for approval on May 14, 2003. In accordance with its

<sup>1</sup> Financial Reporting Release No. 70.