

consultant will discuss his views on how this potentially disruptive event might be modeled for the purposes of a Yucca Mountain performance assessment.

**2:15 p.m.–3:15 p.m.: ACNW Summer Intern Project: Modeling a Volcanic Ash Plume (Open)** The Committee will receive a briefing on how the HYSPLIT (Hybrid-Particle Lagrangian Integrated Trajectory) atmospheric dispersion model, developed by the National Oceanographic and Atmospheric Administration, was used to develop an alternative ash plume dispersion analysis for the Yucca Mountain site.

**3:30 p.m.–4:30 p.m.: ACNW Subcommittee Report on August 2005 Savannah River and Barnwell LLW Disposal Site Visit (Open)**—The Committee will hear a report from those Members who participated in the aforementioned visits.

**4:30 p.m.–5 p.m.: Continuation of Discussion of Possible Letter/Reports (Open)**—The Committee will continue its discussion of proposed ACNW reports.

**5 p.m.–5:30 p.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.

**6 p.m.–8 p.m.: ACNW Public Outreach Meeting (Open)**—The purpose of meeting is to develop information to advise the Commission on concerns of Yucca Mountain stakeholders, and to advise the NRC Commission on opportunities to provide better involvement of the stakeholders in NRC's precicensing process.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 5, 2004 (69 FR 59620). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting. Persons desiring to make oral statements should notify the Cognizant ACNW staff named below five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman.

Information regarding the time to be set aside for this purpose may be obtained by contacting the Cognizant ACNW staff 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 check with the Cognizant ACNW staff if such rescheduling would result in major inconvenience.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, as well as the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Ms. Sharon Steele, ACNW Senior Staff Engineer (301-415-8065), between 8 a.m. and 5 p.m., ET.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) 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 Audio Visual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m., ET, 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.

#### Notes:

- Presentation time should not exceed 50 percent of the total time allocated for a specific item. The remaining 50 percent of the time is reserved for discussion.
- Fifty (50) hard copies and one (1) electronic copy of the presentation materials should be provided to the ACNW.
- ACNW meeting schedules are subject to change. Presentations may be canceled or rescheduled to another day. If such a change would result in significant inconvenience or hardship, be sure to verify the schedule with Ms. Sharon Steele at 301-415-6805 between 8 a.m. and 4 p.m. prior to the meeting.
- Special instructions concerning the meeting facility:
  - Attendees at this meeting will be subject to security screening prior to entering the meeting facility.
  - Attendees should plan to arrive approximately 45 minutes prior to the meeting.

- No food or drink other than bottled water will be allowed in the meeting facility.
- Access to the parking lot in front of the meeting facility is restricted to participants to the meeting and not available to the general public. Ample street parking for the public is available nearby on Pepper Lane and Sagebrush Lane.

Dated: September 2, 2005.

**Annette Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E5-4901 Filed 9-8-05; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Nuclear Waste Meeting on Planning and Procedures; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold Planning and Procedures meetings on September 20 and 22, 2005, in Las Vegas, Nevada. The meetings will be open to public attendance, with the exception of portions that will be closed pursuant to 5 U.S.C. 552b (c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACNW, and information the release of which would constitute a clearly unwarranted invasion of personal privacy. The agenda for the subject meetings shall be as follows:

#### Tuesday, September 20, 2005, 8 a.m.–9:30 a.m. (Open)

The Committee will discuss proposed ACNW activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

#### Thursday, September 22, 2005, 8:30 a.m.–12 Noon (Closed)

The Committee will discuss current and future challenges, and future needs (e.g., staffing, qualification).

#### Thursday, September 22, 2005, 1:30 p.m.–5 p.m. (Open)

The Committee will (1) evaluate ACNW's progress against the 2005–2006 Action Plan, (2) determine a path forward and action items to keep the Committee on track to successfully accomplish Action Plan items not yet completed, and (3) determine whether changes are needed to the Action Plan.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Ms. Sharon A. Steele (Telephone: 301/415-6805) between 8

a.m. and 5:15 p.m. (ET) 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 8:30 a.m. and 5:15 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 in the agenda.

Dated: September 1, 2005.

**Sharon A. Steele,**

*Acting Branch Chief, ACRS/ACNW.*

[FR Doc. E5-4902 Filed 9-8-05; 8:45 am]

**BILLING CODE 7590-01-P**

## PRESIDIO TRUST

### Notice of Receipt of and Availability for Public Comment on an Application for Wireless Telecommunications Facilities Site; The Presidio of San Francisco, California

**AGENCY:** The Presidio Trust.

**ACTION:** Public notice.

**SUMMARY:** This notice announces the Presidio Trust's receipt of and availability for public comment on an application from New Cingular Wireless PCS, LLC for installation of a wireless telecommunications facilities site ("Project") in The Presidio of San Francisco. The proposed location of the Project is the south side of the MacArthur Tunnel.

The Project involves (i) installing a 32-foot pole with two sets of antennae panels and power and telecommunications panels, (ii) placing the associated telecommunications equipment within three cabinets on a concrete pad, and (iii) mounting two antennae on the south face of the MacArthur Tunnel wall. Power and telecommunications service will be brought to the site via underground trench.

**Comments:** Comments on the proposed project must be sent to Steve Carp, Presidio Trust, 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052, and be received by October 12, 2005. A copy of Cingular's application is available upon request to the Presidio Trust.

#### FOR FURTHER INFORMATION CONTACT:

Steve Carp, Presidio Trust, 34 Graham Street, P.O. Box 29052, San Francisco, CA 94129-0052. E-mail: [scarp@presidiotrust.gov](mailto:scarp@presidiotrust.gov). Telephone: 415-561-5300.

Dated: September 2, 2005.

**Steve Carp,**

*Legal Analyst.*

[FR Doc. 05-17899 Filed 9-8-05; 8:45 am]

**BILLING CODE 4310-4R-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of September 12, 2005:

A closed meeting will be held on Thursday, September 15, 2005 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10) permit consideration of the scheduled matters at the closed meeting.

Commissioner Campos, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matters of the closed meeting scheduled for Thursday, September 15, 2005, will be:

Formal orders of investigations;

Institution and settlement of injunctive actions; and

Institution and settlement of administrative proceedings of an enforcement nature.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551-5400.

Dated: September 7, 2005.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 05-17996 Filed 9-7-05; 11 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-52382]

### Order Pursuant to Section 11A of the Securities Exchange Act of 1934 and Rule 608(e) Thereunder Extending a *De Minimis* Exemption for Transactions in Certain Exchange-Traded Funds from the Trade-Through Provisions of the Intermarket Trading System

September 6, 2005.

This order extends, through June 28, 2006, a *de minimis* exemption to the provisions of the Intermarket Trading System Plan ("ITS Plan"),<sup>1</sup> a national market system plan,<sup>2</sup> governing intermarket trade-throughs that expired on September 4, 2005. The *de minimis* exemption was originally issued by the Commission on August 28, 2002<sup>3</sup> and extended on May 30, 2003,<sup>4</sup> on March 3, 2004,<sup>5</sup> and on December 3, 2004.<sup>6</sup>

Specifically, this order continues the *de minimis* exemption from compliance with Section 8(d)(i) of the ITS Plan with respect to two specific exchange-traded

<sup>1</sup> The self-regulatory organizations ("SROs") participating in the ITS Plan include the American Stock Exchange LLC, the Boston Stock Exchange, Inc., the Chicago Board Options Exchange, Inc., the Chicago Stock Exchange, Inc., the National Stock Exchange, Inc. (formerly the Cincinnati Stock Exchange, Inc.), the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc., the Pacific Exchange, Inc., and the Philadelphia Stock Exchange, Inc. (collectively, the "participants"). See Securities Exchange Act Release No. 19456 (January 27, 1983), 48 FR 4938 (February 3, 1983).

<sup>2</sup> Securities Exchange Act of 1934 ("Act") Rule 11Aa3-2(d), 17 CFR 240.11Aa3-2(d), promulgated under Section 11A, 15 U.S.C. 78k-1, of the Act requires each SRO to comply with, and enforce compliance by its members and their associated persons with, the terms of any effective national market system plan of which it is a sponsor or participant. Rule 608(e) (formerly Rule 11Aa3-2(f)), 17 CFR 242.608(e), under the Act authorizes the Commission to exempt, either unconditionally or on specified terms and conditions, any SRO, member of an SRO, or specified security from the requirement of the rule if the Commission determines that such exemption is consistent with the public interest, the protection of investors, the maintenance of fair and orderly markets and the removal of impediments to, and perfection of the mechanisms of, a national market system.

<sup>3</sup> See Securities Exchange Act Release No. 46428 (August 28, 2002), 67 FR 56607 (September 4, 2002) (the "August 2002 Order"). The August 2002 Order granted relief through June 4, 2003.

<sup>4</sup> See Securities Exchange Act Release No. 47950 (May 30, 2003), 68 FR 33748 (June 5, 2003) (the "May 2003 Order"). The May 2003 Order granted relief through March 4, 2004.

<sup>5</sup> See Securities Exchange Act Release No. 49356 (March 3, 2004), 69 FR 11057 (March 9, 2004) (the "March 2004 Order"). The March 2004 Order granted relief through December 4, 2004.

<sup>6</sup> See Securities Exchange Act Release No. 50795 (December 3, 2004), 69 FR 71445 (December 9, 2004) (the "December 2004 Order"). The December 2004 Order granted relief through September 4, 2005.