

believes that the proposed extension of the compliance date for NASDAQ/NM securities to October 31, 2005 is reasonable in order to allow CHX participants and their layoff vendors additional time to implement system changes to comply with the proposal, while, at the same time, allows the Exchange to implement the proposal immediately, as of September 30, 2005, for Dual Trading System issues without further delay. Accordingly, the Commission believes that accelerated approval of Amendment No. 4 is appropriate.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether Amendment No. 4 to the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-CHX-2004-25 on the subject line.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number SR-CHX-2004-25. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does

not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CHX-2004-25 and should be submitted on or before October 27, 2005.

V. Conclusion

For the foregoing reasons, the Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,³⁴ that the proposed rule change (SR-CHX-2004-25) and Amendment Nos. 1, 2, and 3 thereto are approved, and that Amendment No. 4 thereto is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.³⁵

Jonathan G. Katz,
Secretary.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Generalized System of Preferences (GSP): Request For Public Comments

AGENCY: Office of the United States Trade Representative.

ACTION: Request for comments and notice of public hearing.

SUMMARY: Legislation authorizing the Generalized System of Preferences (GSP) program expires on December 31, 2006. As Congress considers reauthorization of the program, the Trade Policy Staff Committee (TPSC) is reviewing whether the Administration's operation of the program should be changed so that benefits are not focused on trade from a few countries and developing countries that traditionally have not been major traders under the program receive benefits. The TPSC will conduct a public hearing and is requesting public comment on this subject.

DATES: The schedule for the public hearing and solicitation of public comments follows:

October 21, 2005: Deadline for requests to appear at the Trade Policy Staff Committee Public Hearing and

deadline for written pre-hearing brief or statement. Request to include name, address, telephone, fax, e-mail address, and witness's organization, if any.

November 3, 2005: Public Hearing: Rooms 1 and 2, 1724 F Street, NW., Washington, DC (If necessary, the hearing will continue on the next day.)
November 14, 2005: Deadline for submission of written public comments and post-hearing and rebuttal briefs.

SUPPLEMENTARY INFORMATION: The TPSC is seeking written comments and testimony at a public hearing on the following issues: (1) Whether operation of the GSP program should be modified so that beneficiaries that have not previously been major traders under the program increase their participation, which will assist them in using trade to promote their economic development; and (2) Whether some beneficiaries are sufficiently competitive with respect to trade in eligible products and have expanded exports to the extent that they should no longer be designated as GSP beneficiaries.

The TPSC is also seeking comments on the period for which the Congress should reauthorize the GSP program. Note: the TPSC is not seeking information of the type provided in connection with its annual review of product coverage and competitive need limits under the GSP program.

In 2004, the top ten GSP beneficiary developing countries by trade volume (not including trade in petroleum products) were India, Brazil, Thailand, Indonesia, Turkey, Philippines, South Africa, Venezuela, Argentina, and Russia.

Notice of Public Hearing

The TPSC will hold a hearing on November 3, 2005, beginning at 10 a.m., in Rooms 1 and 2, 1724 F Street NW., Washington, DC. If necessary, the hearing will continue on the next day. The hearing will be open to the public and a transcript of the hearing will be made available for public inspection or can be purchased from the reporting company. No electronic media coverage will be allowed.

Each interested party wishing to make an oral presentation at the hearing must submit, following the "Requirements for Submissions" below, the name, address, telephone number, facsimile number, and e-mail address, if available, of the witness(es) representing the party to Marideth Sandler, Executive Director of the GSP Program and Chairman of the TPSC GSP Subcommittee, by 5 p.m., October 21, 2005. Requests to present oral testimony in connection with the public hearing must be accompanied by a written brief or statement, in English,

³⁴ 15 U.S.C. 78s(b)(2).

³⁵ 17 CFR 200.30-3(a)(12).

and also must be received by 5 p.m., October 21, 2005. Oral testimony before the GSP Subcommittee of the TPSC will be limited to five-minute presentations that summarize or supplement information contained in briefs or statements submitted for the record. Post-hearing briefs or statements will be accepted if they conform with the regulations cited below and are submitted, in English, by 5 p.m., November 14, 2005. Parties not wishing to appear at the public hearing may submit post-hearing written briefs or statements, in English, by 5 p.m., November 14, 2005.

Requirements for Submission

In order to facilitate prompt processing of submissions, USTR strongly urges and prefers electronic e-mail submissions only in response to this notice. Hand-delivered submissions will not be accepted. These submissions should be single-copy transmissions in English with the total submission not to exceed 20 single-spaced standard letter-size pages. E-mail submissions should use the following subject line: "2005 GSP Review" and, as appropriate "Notice of Intent to Testify" or Written Comments." Documents must be submitted in English in one of the following formats: MSWord (.DOC), WordPerfect (.WPD), or text (.TXT) files. Documents may not be submitted as electronic image files or contain imbedded images (for example, ".JPG," ".TIF," ".PDF," ".BMP," or ".GIF"). Supporting documentation submitted as spreadsheets are acceptable as Excel files, formatted for printing on 8½ x 11 inch paper. To the extent possible, any data attachments to the submission should be included in the same file as the submission itself, and not as separate files.

If the submission contains business confidential information, a non-confidential version of the submission must also be submitted that indicates where confidential information was redacted by inserting asterisks where material was deleted. In addition, the confidential submission must be clearly marked "BUSINESS CONFIDENTIAL" at the top and bottom of each page of the document. The non-confidential version must also be clearly marked at the top and bottom of each page (either "PUBLIC VERSION" or "NON-CONFIDENTIAL"). Documents that are submitted without any marking will be considered public documents. For any document containing business confidential information submitted as an electronic attached file to an e-mail transmission, the file name of the business confidential version should

begin with the characters "BC-", and the file name of the public version should begin with the characters "P-". The "P-" or "BC-" should be followed by the name of the party (government, company, union, association, etc.) making the submission.

E-mail submissions should not include separate cover letters or messages in the message area of the e-mail; information that might appear in any cover letter should be included directly in the attached file containing the submission itself, including the sender's e-mail address and other identifying information.

The e-mail address for these submissions is FR0052@USTR.EOP.GOV. Documents not submitted in accordance with these instructions might not be considered in this review. If unable to provide submissions by e-mail, please contact the GSP Subcommittee to arrange for an alternative method of transmission.

Public versions of all documents relating to this review will be available for review approximately two weeks after the relevant due date by appointment in the USTR public reading room, 1724 F Street NW., Washington, DC. Appointments may be made from 9:30 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday, by calling (202) 395-6186.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning written comments or participation in the public hearing, contact Regina Teeter, (202) 395-9681. All other questions should be directed to Marideth Sandler, Executive Director of the GSP Program, Office of the United States Trade Representative, 1724 F Street, NW., Room F-220, Washington, DC 20508, (202) 395-6971.

Carmen Suro-Bredie,

Chairman, Trade Policy Staff Committee.

[FR Doc. 05-20089 Filed 10-5-05; 8:45 am]

BILLING CODE 3190-W5-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Safety Advisory 2005-04

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Notice of Safety Advisory 2005-04.

SUMMARY: FRA is issuing Safety Advisory 2005-04 advising shippers, consignees, and railroads of the dangers of allowing cars of "time-sensitive" chemicals to remain undelivered beyond their anticipated date of

placement and to recommend enhanced procedures to avoid such occurrences. This action is being taken to improve the safety and reliability of hazardous materials shipments by railroad.

FOR FURTHER INFORMATION CONTACT:

Thomas A. Phemister, Railroad Safety Specialist (Hazardous Materials), Hazardous Materials Division, Office of Safety Assurance and Compliance, Federal Railroad Administration, U.S. Department of Transportation, 1120 Vermont Avenue, NW., Washington, DC 20590-0001 (telephone: (202) 493-6050; e-mail: tom.phemister@fra.dot.gov).

SUPPLEMENTARY INFORMATION:

Background

At 6:40 p.m. EDT on August 28, 2005, in Cincinnati, OH, fire department personnel responded to a report of smoke coming from a tank car in a railroad yard (Linwood Yard¹) operated by the Indiana and Ohio Railway Company (IORY). As shipped, tank car PLCX 224841 contained 23,543.97 gallons of styrene monomer, stabilized (170,966.7 pounds at the loading temperature of 60° F.). Styrene monomer, stabilized, is a class 3 (flammable liquid) material. As a result of the release residents were evacuated within a 1 mile radius, later reduced to a ½ mile radius and, by the end of the fourth day, the exclusion zone was reduced further to the immediate area around the car. The Environmental Protection Agency's Pollution Report indicates that, initially, 800 people were evacuated. In addition, four schools closed, and the Ohio River was closed to traffic for a short time. The incident lasted approximately 5 days.

FRA's preliminary investigation indicates that the cause of the incident was a polymerization of the styrene monomer in the tank car due to the deterioration of the inhibiting agent (para-tertiary butylcatechol) as a result of the extended time in transportation. The shipment consisted of 99.91% Styrene Monomer and .09% of other components (the largest identifiable component was the inhibiting agent) and was offered into transportation on December 30, 2004 by Westlake Styrene, Sulphur, LA, and consigned to Queen City Terminals, Cincinnati, OH, under bill of lading number 80435877. Movement records show that the car made a normal trip to the IORY, arriving at interchange between the Norfolk Southern Railway Company and the IORY (at Sharonville, OH) on January 21, 2005. IORY records show the car was moved from the interchange yard to

¹ Linwood Yard on the Indiana & Ohio Railway is also known as Undercliff Yard.