

requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner/requestor is aware and on which the petitioner/requestor intends to rely to establish those facts or expert opinion. The petitioner/requestor must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner/requestor to relief. A petitioner/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the

Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) e-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov); or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415-1101, verification number is (301) 415-1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). A copy of the request for hearing and petition for leave to intervene should also be sent to Mary O'Reilly, FirstEnergy Nuclear Operating Company, FirstEnergy Corporation, 76 South Main Street, Akron, OH 44308, attorney for the licensee.

For further details with respect to this action, see the application for amendments dated June 1, 2004, as supplemented July 23, 2004, and February 18, 2005, which are available for public inspection at the Commission'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's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site <http://www.nrc.gov/reading-rm.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, (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated in Rockville, Maryland, this 22nd day of February 2005.

For the Nuclear Regulatory Commission.

**Timothy G. Colburn,**

*Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

### Draft Regulatory Guide; Issuance, Availability

The U.S. Nuclear Regulatory Commission (NRC) has issued for public comment a draft of a new guide in the agency's Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft Regulatory Guide, entitled "Guidelines for Lightning Protection for Nuclear Power Plants," is temporarily identified by its task number, DG-1137, which should be mentioned in all related correspondence. This proposed regulatory guide offers guidance for NRC licensees and applicants to use in developing and implementing practices that the staff finds acceptable for complying with the agency's regulatory requirements in Criterion 2, "Design Bases for Protection Against Natural Phenomena," as it appears in Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, of the *Code of Federal Regulations* (10 CFR Part 50). Specifically, Criterion 2 requires, in part, that nuclear power plant (NPP) structures, systems, and components (SSCs) that are important to safety must be designed to withstand the effects of natural phenomena without losing their capability to perform their respective safety functions.

While the regulations address lightning protection for safety-related electrical equipment, they do not explicitly provide guidance concerning the design and installation of lightning protection systems (LPSs) to ensure that electrical transients resulting from lightning phenomena do not cause spurious operation safety-related systems or render them inoperable. As proposed, DG-1137 would augment the regulations by establishing explicit guidance that is consistent with LPS

design and installation practices that are currently applied throughout the commercial power industry.

Toward that end, the NRC staff has selected for endorsement a total of four standards issued by the Institute of Electrical and Electronics Engineers (IEEE), which taken together, provide comprehensive lightning protection guidance for nuclear power plants. Specifically, the four standards are IEEE Std. 665–1995 (2001 revision), IEEE Guide for Generating Station Grounding, IEEE Std. 666–1991, IEEE Design Guide for Electrical Power Service Systems for Generating Stations, IEEE Std. 1050–1996, IEEE Guide for Instrumentation and Control Equipment Grounding in Generating Stations, and IEEE Std. C62.23–1995 (2001 revision), IEEE Application Guide for Surge Protection of Electric Generating Plants.

The NRC staff is soliciting comments on Draft Regulatory Guide DG–1137, and comments may be accompanied by relevant information or supporting data. Please mention DG–1137 in the subject line of your comments. Comments on this draft regulatory guide submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS). Personal information will not be removed from your comments. You may submit comments by any of the following methods.

Mail comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

E-mail comments to: [NRCREP@nrc.gov](mailto:NRCREP@nrc.gov). You may also submit comments via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol A. Gallagher (301) 415–5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

Hand-deliver comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

Fax comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 415–5144.

Requests for technical information about Draft Regulatory Guide DG–1137 may be directed to Christina E. Antonescu at (301) 415–6792 or via e-mail to [CEA1@nrc.gov](mailto:CEA1@nrc.gov).

Comments would be most helpful if received by April 20, 2005. Comments received after that date will be considered if it is practical to do so, but

the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Electronic copies of the draft regulatory guide are available through the NRC's public Web site under Draft Regulatory Guides in the Regulatory Guides document collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, under Accession #ML050480101. Note, however, that the NRC has temporarily suspended public access to ADAMS so that the agency can complete security reviews of publicly available documents and remove potentially sensitive information. Please check the NRC's Web site for updates concerning the resumption of public access to ADAMS.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland; the PDR's mailing address is USNRC PDR, Washington, DC 20555–0001. The PDR can also be reached by telephone at (301) 415–4737 or (800) 397–4205, by fax at (301) 415–3548, and by e-mail to [PDR@nrc.gov](mailto:PDR@nrc.gov). Requests for single copies of draft or final guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Reproduction and Distribution Services Section; by email to [DISTRIBUTION@nrc.gov](mailto:DISTRIBUTION@nrc.gov); or by fax to (301) 415–2289. Telephone requests cannot be accommodated.

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Dated at Rockville, Maryland, this 17th day of February, 2005.

For the Nuclear Regulatory Commission.

**Michael E. Mayfield,**

*Director, Division of Engineering Technology,  
Office of Nuclear Regulatory Research.*

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**BILLING CODE 7590–01–P**

## OFFICE OF MANAGEMENT AND BUDGET

### Improving Government Charge Card Management

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Office of Management and Budget (OMB) requests comments on a draft guidance document entitled *Improving Government Charge Card Management*. The draft guidance, located at [http://www.whitehouse.gov/omb/financial/fia\\_travel.html](http://www.whitehouse.gov/omb/financial/fia_travel.html), consolidates and updates current government charge card program guidance previously issued by OMB, the General Services Administration, the Department of the Treasury, and other Federal agencies. The draft guidance applies to all Executive Branch departments and agencies, establishing standard minimum requirements and suggested best practices in areas of charge card management such as planning, training, risk management, data collection, credit worthiness, and strategic buying. When this guidance is finalized, it will be issued as either a new OMB Circular or as an addendum to an existing OMB Circular.

**DATES:** To ensure consideration of comments, interested parties should submit comments in writing to the Office of Federal Financial Management (OFFM), Office of Management and Budget, on or before March 28, 2005.

**ADDRESSES:** We are still experiencing delays in receiving regular mail, including first class and express mail. To ensure that your comments are received, we recommend that comments on this draft guidance be electronically mailed to [FIAREports@omb.eop.gov](mailto:FIAREports@omb.eop.gov), or faxed to (202) 395–3952. You may also submit written comments to Sally Clark Beecroft, Office of Federal Financial Management, Office of Management and Budget, NEOB Room 6025, 725 17th Street, NW., Washington, DC 20503, (202) 395–3993.

**SUPPLEMENTARY INFORMATION:** In coordinating and overseeing the Administration's financial management and procurement policies, the Office of Management and Budget (OMB) is authorized by 31 U.S.C. 1111; Reorganization Plan No. 2 of 1970; Executive Order 11541; the Chief Financial Officers Act of 1990 (31 U.S.C. 501–506); and the Office of Federal Procurement Policy Act (41 U.S.C. 405), to establish rules, regulations, circulars, bulletins, or other forms administrative