

with the requirements in 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

An EA has been prepared to evaluate the environmental impacts of the proposed amendment to Dow Chemical Byproduct Material License to authorize the licensee to use a new incinerator for the disposal of radioactive waste at its facility in Midland, Michigan. The amendment would reflect that radioactive waste will be disposed of using a new 33 Incinerator instead of either the 703 or 830 Incinerators. Pursuant to 10 CFR 20.1302 and 10 CFR 20.2002, the license has been authorized since 1966 to dispose of licensed material by incineration, provided the gaseous effluents from incineration did not exceed ten percent of the limits specified in Appendix B, Table II, 10 CFR Part 20.

On October 28, 2002, Dow Chemical notified the NRC that, to meet U.S. Environmental Protection Agency (EPA) requirements, it was in the process of upgrading its Incineration Complex from two existing rotary kilns (703 Incinerator and 830 Incinerator) which are currently used to incinerate waste, to a single story rotary kiln. The new kiln is close to completion, and is expected to begin operation by October 1, 2003. Although both existing kilns are licensed to incinerate radioactive waste, only the 703 Incinerator has been used for that purpose. The 830 Incinerator had been licensed to burn radioactive waste in 1998 in anticipation of it being upgraded to meet the new EPA requirements, but Dow Chemical subsequently decided to build a new incinerator in place of upgrading the 830 Incinerator.

## III. Finding of No Significant Impact

The NRC staff has evaluated Dow Chemical's request in an EA (summarized above). On the basis of the EA, NRC has concluded that there will not be a significant effect on the quality of the human environment resulting from the incineration of radioactive waste in the 32 Incinerator at its facility in Midland, Michigan. Accordingly, NRC has concluded that a FONSI is appropriate and has determined not to prepare an Environmental Impact Statement for the proposed action.

## IV. Further Information

The Environmental Assessment and other 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 No. ML031470394 and ML031540803 for the licensee's letter requesting the amendment and ML031540819 for other documents related to this action). These documents are also available for inspection and copying for a fee at the Region III Office, 801 Warrenville Road, Lisle, Illinois 60532-4351. Any questions with respect to this action should be referred to William Snell, Health Physics Manager, Decommissioning Branch, Division of Nuclear Materials Safety (DNMS), Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351; telephone (630) 829-9871 or by email at [wgs@nrc.gov](mailto:wgs@nrc.gov).

Dated at Lisle, Illinois, this 10th day of June, 2003.

**Christopher G. Miller,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, RIII.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-8241, 34-48039, 35-27687, IC-26078; File No. S7-52-02]

**RIN 3235-AI26**

### Mandated Electronic Filing and Web Site Posting for Forms 3, 4 and 5

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Notice of OMB approval of collections of information.

**SUMMARY:** The Commission adopted, on May 7, 2003, rule and form amendments to mandate the electronic filing, and website posting by issuers with corporate websites, of beneficial ownership reports filed by officers, directors and principal security holders (collectively, "insiders") under section 16(a) of the Securities Exchange Act of 1934, generally as required by Section 403 of the Sarbanes-Oxley Act of 2002. The Commission has implemented changes to the EDGAR system in order to facilitate electronic filing. In addition, the Commission also adopted rule changes to eliminate magnetic cartridges as a means of electronic filing. The Commission expected certain provisions of the amendments, as proposed, to change existing "collection of information" requirements within the meaning of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) for Forms ID, SE, TH and ET. The Commission submitted its proposed

revisions to the collection of information requirements imposed by these forms to the Office of Management and Budget ("OMB") for review. OMB has approved the revised collection of information requirements.

**DATES:** The effective date of the amendments is June 30, 2003.

### FOR FURTHER INFORMATION CONTACT:

Mark W. Green, Senior Special Counsel (Regulatory Policy), at (202) 942-1940, Division of Corporation Finance, U.S. Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20459-0301.

### SUPPLEMENTARY INFORMATION:

#### I. Amendments to Rules and Forms Relating to Electronic Filing and Web Site Posting

On May 7, 2003,<sup>1</sup> the Commission adopted amendments that revise Rules 13,<sup>2</sup> 101,<sup>3</sup> 104<sup>4</sup> and 201<sup>5</sup> under Regulation S-T<sup>6</sup> and Rule 16a-3(h)<sup>7</sup> and Forms 3, 4 and 5<sup>8</sup> under the Securities Exchange Act of 1934 ("Exchange Act").<sup>9</sup> The Commission also adopted an amendment that adds new Rule 16a-3(k) under the Exchange Act. Finally, the Commission adopted amendments that rescind Form ET<sup>10</sup> and revise Rule 12 of Regulation S-T,<sup>11</sup> Rule 110<sup>12</sup> under the Securities Act of 1933 ("Securities Act"),<sup>13</sup> the description of Form 144 contained in the Code of Federal Regulations,<sup>14</sup> Rule 0-2<sup>15</sup> under the Exchange Act, Rule 21<sup>16</sup> under the Public Utility Holding Company Act of 1935 ("Public Utility Act"),<sup>17</sup> and Rule 0-5<sup>18</sup> under the Trust Indenture Act of 1939 ("Trust Indenture Act").<sup>19</sup> The amendments mandate the electronic filing, and website posting by issuers with corporate websites, of

<sup>1</sup> The Commission adopted the amendments in Release No. 33-8230 [68 FR 25788] (May 13, 2003) ("Adopting Release").

<sup>2</sup> 17 CFR 232.13.

<sup>3</sup> 17 CFR 232.101.

<sup>4</sup> 17 CFR 232.104.

<sup>5</sup> 17 CFR 232.201.

<sup>6</sup> 17 CFR 232.10 *et seq.*

<sup>7</sup> 17 CFR 240.16a-3(h).

<sup>8</sup> 17 CFR 249.103, 249.104 and 249.105. Forms 3 and 4 also are authorized under the Investment Company Act of 1940 ("Investment Company Act") [15 U.S.C. 80a-1 *et seq.*] under 17 CFR 274.202 and 274.203.

<sup>9</sup> 15 U.S.C. 78 *et seq.*

<sup>10</sup> 17 CFR 239.62, 249.445, 259.601, 269.6 and 274.401.

<sup>11</sup> 17 CFR 232.12.

<sup>12</sup> 17 CFR 230.110.

<sup>13</sup> 15 U.S.C. 77a *et seq.*

<sup>14</sup> 17 CFR 239.144.

<sup>15</sup> 17 CFR 240.0-2.

<sup>16</sup> 17 CFR 250.21.

<sup>17</sup> 15 U.S.C. 79a *et seq.*

<sup>18</sup> 17 CFR 260.0-5.

<sup>19</sup> 15 U.S.C. 77aaa *et seq.*