

of the proposal review panel and the time, date, place, and any information on changes, corrections, or cancellations, please visit the NSF Web-site: <http://www.nsf.gov/home/pubinfo/advisory.htm>. This information may also be requested by telephoning (703) 292-8182.

Dated: November 29, 2004.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 04-26582 Filed 12-2-04; 8:45 am]

BILLING CODE 7555-01-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-33923]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Termination for ViroPharma, Incorporated's Facility in Exton, PA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

#### FOR FURTHER INFORMATION CONTACT:

Marjorie McLaughlin, Decommissioning Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, telephone (610) 337-5240, fax (610) 337-5269; or by e-mail: [mmm3@nrc.gov](mailto:mmm3@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The Nuclear Regulatory Commission (NRC) is terminating Materials License No. 37-30241-01 issued to ViroPharma, Incorporated and authorizing release of its facility in Exton, Pennsylvania for unrestricted use. NRC 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. The license will be terminated following the publication of this Notice.

#### II. EA Summary

The purpose of the action is to authorize the release of the licensee's Exton, Pennsylvania facility for unrestricted use. ViroPharma, Incorporated was authorized by NRC from December 17, 1997, to use radioactive materials for research and development purposes at the site. On July 28, 2004, ViroPharma, Incorporated requested that NRC terminate the license and release the facility for unrestricted use. ViroPharma,

Incorporated has conducted surveys of the facility and provided information to the NRC to demonstrate that the site meets the license termination criteria in subpart E of 10 CFR part 20 for unrestricted use.

The NRC staff has prepared an EA in support of the license termination. The facility was remediated and surveyed prior to the licensee requesting the license amendment. The NRC staff has reviewed the information and final status survey submitted by ViroPharma, Incorporated. Based on its review, the staff has determined that there are no additional remediation activities necessary to complete the proposed action. Therefore, the staff considered the impact of the residual radioactivity at the facility and concluded that since the residual radioactivity meets the requirements in subpart E of 10 CFR part 20, a Finding of No Significant Impact is appropriate.

#### III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the request to terminate the license and release the facility for unrestricted use. The NRC staff has evaluated ViroPharma, Incorporated'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 found that the environmental impacts from the action are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). On the basis of the EA, the NRC has concluded that the environmental impacts from the action are expected to be insignificant and has determined not to prepare an environmental impact statement for the action.

#### IV. Further Information

Documents related to this action, including the application for the license amendment and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this Notice are: The Environmental Assessment (ML043310216), and the letter dated July 28, 2004, requesting

termination of the license (ML042230034). Please note that on October 25, 2004, the NRC terminated public access to ADAMS and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's Web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the Public Document Room pending resumption of public access to ADAMS. The NRC Public Documents Room is located at NRC Headquarters in Rockville, MD, and can be contacted at (800) 397-4209, (301) 415-4737 or by e-mail to: [pdr@nrc.gov](mailto:pdr@nrc.gov).

These documents may be viewed electronically at the NRC Public Document Room (PDR), 0 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee. The PDR is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays.

Dated at King of Prussia, Pennsylvania this 26th day of November, 2004.

For the Nuclear Regulatory Commission.

**James P. Dwyer,**

*Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I.*

[FR Doc. 04-26607 Filed 12-2-04; 8:45 am]

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## 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 December 6, 2004:

A Closed Meeting will be held on Thursday, December 9, 2004 at 2:30 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 Glassman, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the Closed Meeting scheduled for Thursday, December 9, 2004 will be:

Formal orders of investigations;  
Institution and settlement of  
injunctive actions;  
Institution and settlement of  
administrative proceedings of an  
enforcement nature; and  
Amicus consideration.

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) 942-7070.

Dated: November 29, 2004.

**Jonathan G. Katz,**

Secretary.

[FR Doc. 04-26777 Filed 12-1-04; 3:53 pm]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 50754]

### Securities Exchange Act of 1934; Order Under Section 36 of the Securities Exchange Act of 1934 Granting an Exemption From Specified Provisions of Exchange Act Rules 13a-1 and 15d-1

November 30, 2004.

Starting with fiscal years ending on or after November 15, 2004, Commission rules require accelerated filers to include in their annual reports both a management report and auditor report on the effectiveness of a company's internal control over financial reporting. The Commission has become increasingly concerned that many smaller accelerated filers may not be in a position to meet that deadline. Accordingly, to ensure that there is a continuing and orderly flow of annual report information to investors and the U.S. capital markets, and to ensure that certain annual report filers and their registered public accounting firms are able to file complete and accurate reports regarding the effectiveness of the filers' internal control over financial reporting, the Commission has determined that the exemptions set forth below are necessary and appropriate in the public interest and consistent with the protection of investors.

Accordingly, *it is ordered*, pursuant to Section 36 of the Securities Exchange Act of 1934 (the "Exchange Act"), that, under the conditions below, an accelerated filer (as defined in Exchange Act Rule 12b-2) that has a fiscal year ending between and including November 15, 2004 and February 28, 2005 is exempt from, and will therefore be in compliance with, the Exchange Act Rule 13a-1 or Rule 15d-1 requirement, as applicable, to include in its annual report within the 75 day period specified in Form 10-K both *Management's annual report on internal control over financial reporting*, required by Item 308(a) of Regulation S-K, and the related Attestation report of the registered public accounting firm, required by Item 308(b) of Regulation S-K.

#### Conditions

(a) The market value of the accelerated filer's outstanding common equity held by non-affiliates was less than \$700 million at the end of its second fiscal quarter in 2004;<sup>1</sup>

(b) The accelerated filer files all of the information required to be included in the Form 10-K report within the 75 day period specified in the form (or within the extended period permitted by Exchange Act Rule 12b-25 if the accelerated filer has satisfied the conditions of that rule), including all of the information required by *Item 9A. Controls and Procedures*, except that: *Management's annual report on internal control over financial reporting*, required by Item 308(a) of Regulation S-K, and the related *Attestation report of the registered public accounting firm*, required by Item 308(b) of Regulation S-K, are not required to be filed;

(c) The accelerated filer identifies the information that it has not filed as permitted by paragraph (b) of these conditions;

(d) If the accelerated filer has identified a material weakness in its internal control over financial reporting, or the accelerated filer's registered public accounting firm has identified such a material weakness and communicated this finding to the accelerated filer, before the Form 10-K is filed as required by paragraph (b) of these conditions, the accelerated filer must disclose this information in the

<sup>1</sup> This threshold is designed to ensure that the largest companies with the most active market following comply with the current deadline and to provide needed relief to smaller companies. We believe that the accelerated filers with the relevant fiscal year ends and public equity float thresholds exceeding \$700 million, representing approximately 96% of the U.S. equity market capitalization, will be able to complete their internal control work by the existing Form 10-K deadline.

filing required by paragraph (b) of these conditions;

(e) The accelerated filer completes its Form 10-K by filing an amendment to the information required by paragraph (b) of these conditions not later than 45 days after the end of the 75 day filing period specified in Form 10-K (regardless of whether the accelerated filer relied on Exchange Act Rule 12b-25 to extend the 75 day filing period), to include the information that it did not file as permitted by paragraph (b) of these conditions;

(f) The accelerated filer may not rely on Exchange Act Rule 12b-25 to extend the deadline for the Form 10-K amendment described in paragraph (e) of these conditions; and

(g) For purposes of the Form S-2 and S-3 eligibility requirements, an accelerated filer relying on this exemption will not be considered to have timely filed its Form 10-K report until it has filed the Form 10-K amendment referenced in paragraph (e) of these conditions.

By the Commission.

**Margaret H. McFarland,**  
Deputy Secretary.

[FR Doc. E4-3455 Filed 12-2-04; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

### Order of Suspension of Trading

In the Matter of Asset Equity Group, Inc., GEMZ Corp., Household Direct, Inc., International Brands, Inc., Interspace Enterprises, Inc., Mega Micro Technologies Group, Inc., and Vertical Computer Systems, Inc.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of:

(1) Asset Equity Group, Inc. because the company has been delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934 since the period ending December 31, 2001;

(2) GEMZ Corp.;

(3) Household Direct, Inc. because the company has been delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934 since the period ending March 31, 2002;

(4) International Brands, Inc. because the company has been delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934 since the period ending December 31, 2000;