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Dated in Rockville, Maryland this 20th day of April 2004.

For the Nuclear Regulatory Commission.

**Michael E. Mayfield,**

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

[FR Doc. 04-17612 Filed 8-2-04; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### **Proposed Generic Communication; Draft Revision to NRC Inspection Manual Chapter 9900, "Technical Guidance," Operability Determinations and Resolution of Nonconformances of Structures, Systems, and Components" ("Regulatory Issue Summary 2004-XX")—(MC2262)**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of opportunity for public comment and notice of public meeting.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is proposing to issue a Regulatory Issue Summary (RIS) to provide the nuclear power industry with updated staff guidance on operability determinations and resolution of degraded and nonconforming conditions of Structures, Systems, and Components (SSCs). This proposed RIS updates the previous guidance in NRC Inspection Manual Chapter (IMC) 9900, "Technical Guidance," and endorsed by the NRC in Generic Letter 91-18, "Information to Licensees Regarding Two NRC Inspection Manual Sections on Resolution of Degraded and Nonconforming Conditions and on Operability." The guidance is being updated to reflect relevant changes in the NRC regulatory process and regulations contained in 10 CFR 50.59, "Changes, Tests, and Experiments," and 10 CFR 50.65, "Requirements for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants;" and to clarify the guidance for selected issues based on operating experience, and; to consolidate and streamline the

guidance in two previously separate NRC IMC 9900 sections.

Earlier guidance on these subjects was provided to the industry in two sections of IMC 9900 as an attachment to GL 91-18, issued on November 7, 1991. An update of guidance on degraded and nonconforming conditions was issued as Revision 1 on October 8, 1997. In addition, on September 13, 2001, the NRC issued for public comment an earlier draft revision of the guidance on degraded and nonconforming conditions. The NRC also held a public workshop on August 14, 2003, as part of the development of the proposed revision. The staff has addressed the comments received in the present revision.

The NRC is seeking comment from interested parties on the clarity and utility of the proposed RIS and the draft updated IMC 9900 guidance, as outlined under the Supplementary Information heading. The NRC will consider the comments received in its final evaluation of the proposed RIS and updated guidance. Comments should address the contents of the guidance but not the associated regulations.

The NRC will hold a public workshop on August 25, 2004, in the Two White Flint North Auditorium at the NRC offices in Rockville, Maryland, at 8:30 a.m.—4:30 p.m., for discussion of the proposed revision to the guidance. Comments provided during this workshop will be considered by the NRC when it finalizes the proposed RIS and IMC guidance. Written comments may also be provided as discussed below.

**DATES:** The comment period expires 60 days after this notice is published. Comments submitted after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except for comments received on or before this date. Interested parties are also encouraged to provide comments by August 18, 2004, to be discussed during the public workshop on August 25, 2004.

**ADDRESSES:** Submit written comments to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Mail Stop T6-D59, Washington, DC 20555-0001, and cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to NRC Headquarters, 11545 Rockville Pike (Room T-6D59), Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

### **FOR FURTHER INFORMATION, CONTACT:**

Kerri Kavanagh at (301) 415-3743 or by e-mail to [kak@nrc.gov](mailto:kak@nrc.gov).

### **SUPPLEMENTARY INFORMATION:**

Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. The NRC's Agencywide Documents Access and Management System (ADAMS) provides text and image files of NRC's public documents. The proposed RIS and the draft updated IMC 9900 guidance are available under ADAMS accession number ML042080035. These documents may be accessed through the NRC's Public Electronic Reading Room (PERR) on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. If you do not have access to ADAMS or if you have problems in accessing documents in ADAMS, contact the NRC Public Document Room (PDR) reference staff by phone at 1-800-397-4209 or 301-415-4737, by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov), or by fax to 301-415-3548.

Dated at Rockville, Maryland, this 27th day of July 2004.

For the Nuclear Regulatory Commission.

**Terrence Reis,**

*Acting Chief, Reactor Operations Branch,  
Division of Inspection Program Management,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 04-17608 Filed 8-2-04; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### **Issuer Delisting; Notice of Application of Morgan's Foods, Inc. To Withdraw Its Common Stock, No Par Value, From Listing and Registration on the American Stock Exchange LLC File No. 1-08395**

July 28, 2004.

On June 30, 2004, Morgan's Foods, Inc., an Ohio corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its common stock, no par value ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Board of Directors ("Board") of the Issuer unanimously approved a resolution on June 29, 2004 to withdraw the Issuer's Security from listing on the

<sup>1</sup> 15 U.S.C. 78j(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

Amex. The Board states that the reasons it is taking such action are as follows:

(i) The Issuer's revenues and income over more than the last two fiscal years have decreased as a result of continuing ineffective and inadequate product promotions and a lack of relevant menu additions by the Issuer's KFC franchisor; (ii) the Issuer's efforts to re-establish compliance with the Amex's listing standards have not been successful; and (iii) the Issuer discussed, with Amex representatives, the expectations for a further year-over-year decline in revenues and income for the first fiscal quarter of 2005, again, primarily as a result of ineffective and inadequate product promotions and a lack of relevant menu additions by the Issuer's KFC franchisor. In light of the foregoing, the Board states that it is in the best interest of the Issuer to withdraw the Issuer's Security from listing and registration on the Amex. The Issuer states that it is currently seeking to make a market for the Security in the OTC Pink Sheets.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in the State of Ohio, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Issuer's application relates solely to the withdrawal of the Security from listing on the Amex and from registration under Section 12(b) of the Act,<sup>3</sup> and shall not affect its obligation to be registered under Section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before August 20, 2004, comment on the facts bearing upon whether the application has been made in accordance with the rules of the Amex, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

#### *Electronic Comments*

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-08395 or;

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number 1-08395. This file number

should be included on the subject line if e-mail is used. To help us 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/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, DC 20549. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 04-17648 Filed 8-2-04; 8:45 am]

**BILLING CODE 8010-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

### **Issuer Delisting; Notice of Application of VI Group, plc, To Withdraw Its American Depositary Shares Evidenced by American Depositary Receipts (Each American Depositary Share Evidencing Ordinary Shares), 0.50 Pence Par Value Per Registrant, From Listing and Registration on the American Stock Exchange LLC File No. 1-31469**

July 28, 2004.

On July 23, 2004, VI Group, plc, an England and Wales corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its american depositary shares evidenced by american depositary receipts (each american depositary share evidencing ordinary shares), 0.50 pence par value per registrant ("Security"), from listing and registration on the American Stock Exchange LLC ("Amex" or "Exchange").

The Board of Directors ("Board") of the Issuer unanimously approved a resolution on April 21, 2004 to

withdraw the Issuer's Security from listing on the Amex. The Board states that the reasons it is taking such action are as follows: Although the Security has been listed since October 2002, the number of United States shareholders who had bought the Security was disappointingly small, and the costs of maintaining the listing, including the Commission's registration cost, were significant. The Issuer states that Security has been listed on the Amex for over a year and despite considerable efforts to generate liquidity in the Security, the trading volume and number of shareholders remains exceptionally low. In addition, the costs of regulatory compliance have escalated dramatically. The Issuer also states that the Security will continue to be traded in the United States on the over-the-counter-market. Further, the ordinary shares of the Issuer will continue to be traded on the London Stock Exchanges' Alternative Investment Market.

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in effect in England and Wales, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Issuer's application relates solely to the withdrawal of the Security from listing on the Amex and from registration under Section 12(b) of the Act,<sup>3</sup> and shall not affect its obligation to be registered under Section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before August 20, 2004, comment on the facts bearing upon whether the application has been made in accordance with the rules of the Amex, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

#### *Electronic Comments*

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-31469 or;

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number 1-31469. This file number should be included on the subject line if e-mail is used. To help us process and

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).