

(Contact for both parts: Roger Rihm, 301-415-7807.)

Both parts of this meeting will be webcast live at the Web address—<http://www.nrc.gov>.

Thursday, June 4, 2009

9:30 a.m.

Briefing on Digital Instrumentation and Control (Public Meeting). (Contact: Steve Arndt, 301-415-6502.)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>. 1:30 p.m.

Meeting with the Advisory Committee on Reactor Safeguards (Public Meeting). (Contact: Tanny Santos, 301-415-7270.)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

### Week of June 8, 2009—Tentative

There are no meetings scheduled for the week of June 8, 2009.

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\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: April 30, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-10552 Filed 5-4-09; 11:15 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0190]

### Withdrawal of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Withdrawal of Regulatory Guide 4.8.

#### FOR FURTHER INFORMATION CONTACT:

Robert G. Carpenter, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7483 or e-mail to [Robert.Carpenter@nrc.gov](mailto:Robert.Carpenter@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC or Commission) is withdrawing Regulatory Guide 4.8, "Environmental Technical Specifications for Nuclear Power Plants," published in December 1975. Regulatory Guide 4.8 provides guidance to applicants on the preparation of proposed environmental technical specifications and includes a standard format and an identification of their principal content. The NRC is withdrawing this regulatory guide because it is no longer needed.

Regulatory Guide 4.8 was an acceptable method of meeting the requirements of Title 10 of the *Code of Federal Regulations*, Part 50, "Domestic Licensing of Production and Utilization Facilities," which states that each operating license for a nuclear power plant issued by the NRC will contain such conditions and limitations as the Commission deems appropriate and necessary. Certain environmental conditions and limitations were incorporated into facility operating licenses as environmental technical specifications. Regulatory Guide 4.8 is no longer needed because environmental technical specifications are no longer used. The information is now contained in Environmental Protection Plans that generally appear in Appendix B to the operating license.

##### II. Further Information

The withdrawal of Regulatory Guide 4.8 does not alter any prior or existing licensing commitments based on its use. The guidance provided in this regulatory guide is no longer necessary. Regulatory guides may be withdrawn when their guidance is superseded by congressional action or no longer provides useful information.

Regulatory guides are available for inspection or downloading through the NRC's public Web site under "Regulatory Guides" in the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections>. Regulatory guides are also available for inspection at the NRC's Public Document Room (PDR), Room O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738. The PDR's mailing address is U.S. NRC PDR, Washington, DC 20555-0001. You can reach the staff by telephone at 301-415-4737 or 800-397-4209, by fax at 301-415-3548, and by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

Dated at Rockville, Maryland, this 23rd day of March 2009.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**

*Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. E9-10457 Filed 5-5-09; 8:45 am]

BILLING CODE 7590-01-P

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11726 and # 11727]

### Arkansas Disaster # AR-00029

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Arkansas (FEMA-1834-DR), dated 04/27/2009.

*Incident:* Severe storms and tornadoes.

*Incident Period:* 04/09/2009.

*Effective Date:* 04/27/2009.

*Physical Loan Application Deadline Date:* 06/26/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/27/2010.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 04/27/2009, applications for disaster loans may be filed at the address listed

above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties (Physical Damage and Economic Injury Loans):* Miller, Polk, Sevier.

*Contiguous Counties (Economic Injury Loans Only):*

Arkansas: Hempstead, Howard, Lafayette, Little River, Montgomery, Pike, Scott.

Louisiana: Bossier, Caddo.

Oklahoma: Le Flore, McCurtain.

Texas: Bowie, Cass.

The Interest Rates are:

For Physical Damage:	
Homeowners with Credit Available Elsewhere .....	4.375
Homeowners without Credit Available Elsewhere .....	2.187
Businesses with Credit Available Elsewhere .....	6.000
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	4.500
Businesses and Non-Profit Organizations without Credit Available Elsewhere .....	4.000
For Economic Injury:	
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 11726C and for economic injury is 117270.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E9-10473 Filed 5-5-09; 8:45 am]

BILLING CODE 8025-01-P

**SECURITIES AND EXCHANGE COMMISSION**

[Release Nos. 33-9030; 34-59850/April 30, 2009]

**Order Making Fiscal Year 2010 Annual Adjustments to the Fee Rates Applicable Under Section 6(b) of the Securities Act of 1933 and Sections 13(e), 14(g), 31(b), and 31(c) of the Securities Exchange Act of 1934**

**I. Background**

The Commission collects fees under various provisions of the securities laws. Section 6(b) of the Securities Act of 1933 (“Securities Act”) requires the Commission to collect fees from issuers on the registration of securities.<sup>1</sup> Section

13(e) of the Securities Exchange Act of 1934 (“Exchange Act”) requires the Commission to collect fees on specified repurchases of securities.<sup>2</sup> Section 14(g) of the Exchange Act requires the Commission to collect fees on proxy solicitations and statements in corporate control transactions.<sup>3</sup> Finally, Sections 31(b) and (c) of the Exchange Act require national securities exchanges and national securities associations, respectively, to pay fees to the Commission on transactions in specified securities.<sup>4</sup>

The Investor and Capital Markets Fee Relief Act (“Fee Relief Act”)<sup>5</sup> amended Section 6(b) of the Securities Act and Sections 13(e), 14(g), and 31 of the Exchange Act to require the Commission to make annual adjustments to the fee rates applicable under these sections for each of the fiscal years 2003 through 2011, and one final adjustment to fix the fee rates under these sections for fiscal year 2012 and beyond.<sup>6</sup>

**II. Fiscal Year 2010 Annual Adjustment to the Fee Rates Applicable Under Section 6(b) of the Securities Act and Sections 13(e) and 14(g) of the Exchange Act**

Section 6(b)(5) of the Securities Act requires the Commission to make an annual adjustment to the fee rate applicable under Section 6(b) of the Securities Act in each of the fiscal years 2003 through 2011.<sup>7</sup> In those same fiscal years, Sections 13(e)(5) and 14(g)(5) of the Exchange Act require the Commission to adjust the fee rates under Sections 13(e) and 14(g) to a rate that is equal to the rate that is applicable under Section 6(b). In other words, the annual adjustment to the fee rate under Section 6(b) of the Securities Act also sets the annual adjustment to the fee

rates under Sections 13(e) and 14(g) of the Exchange Act.

Section 6(b)(5) sets forth the method for determining the annual adjustment to the fee rate under Section 6(b) for fiscal year 2010. Specifically, the Commission must adjust the fee rate under Section 6(b) to a “rate that, when applied to the baseline estimate of the aggregate maximum offering prices for [fiscal year 2010], is reasonably likely to produce aggregate fee collections under [Section 6(b)] that are equal to the target offsetting collection amount for [fiscal year 2010].” That is, the adjusted rate is determined by dividing the “target offsetting collection amount” for fiscal year 2010 by the “baseline estimate of the aggregate maximum offering prices” for fiscal year 2010.

Section 6(b)(11)(A) specifies that the “target offsetting collection amount” for fiscal year 2010 is \$334,000,000. Section 6(b)(11)(B) defines the “baseline estimate of the aggregate maximum offering price” for fiscal year 2010 as “the baseline estimate of the aggregate maximum offering price at which securities are proposed to be offered pursuant to registration statements filed with the Commission during [fiscal year 2010] as determined by the Commission, after consultation with the Congressional Budget Office and the Office of Management and Budget.

\* \* \* \*

To make the baseline estimate of the aggregate maximum offering price for fiscal year 2010, the Commission is using the same methodology it developed in consultation with the Congressional Budget Office (“CBO”) and Office of Management and Budget (“OMB”) to project aggregate offering price for purposes of the fiscal year 2009 annual adjustment. Using this methodology, the Commission determines the “baseline estimate of the aggregate maximum offering price” for fiscal year 2010 to be \$4,683,504,368,794.<sup>8</sup> Based on this estimate, the Commission calculates the fee rate for fiscal 2010 to be \$71.30 per million. This adjusted fee rate applies to Section 6(b) of the Securities Act, as well as to Sections 13(e) and 14(g) of the Exchange Act.

<sup>8</sup> Appendix A explains how we determined the “baseline estimate of the aggregate maximum offering price” for fiscal year 2010 using our methodology, and then shows the purely arithmetical process of calculating the fiscal year 2010 annual adjustment based on that estimate. The appendix includes the data used by the Commission in making its “baseline estimate of the aggregate maximum offering price” for fiscal year 2010.

<sup>2</sup> 15 U.S.C. 78m(e).

<sup>3</sup> 15 U.S.C. 78n(g).

<sup>4</sup> 15 U.S.C. 78ee(b) and (c). In addition, Section 31(d) of the Exchange Act requires the Commission to collect assessments from national securities exchanges and national securities associations for round turn transactions on security futures. 15 U.S.C. 78ee(d).

<sup>5</sup> Public Law No. 107-123, 115 Stat. 2390 (2002).

<sup>6</sup> See 15 U.S.C. 77f(b)(5), 77f(b)(6), 78m(e)(5), 78m(e)(6), 78n(g)(5), 78n(g)(6), 78ee(j)(1), and 78ee(j)(3). Section 31(f)(2) of the Exchange Act, 15 U.S.C. 78ee(j)(2), also requires the Commission, in specified circumstances, to make a mid-year adjustment to the fee rates under Sections 31(b) and (c) of the Exchange Act in fiscal years 2002 through 2011.

<sup>7</sup> The annual adjustments are designed to adjust the fee rate in a given fiscal year so that, when applied to the aggregate maximum offering price at which securities are proposed to be offered for the fiscal year, it is reasonably likely to produce total fee collections under Section 6(b) equal to the “target offsetting collection amount” specified in Section 6(b)(11)(A) for that fiscal year.

<sup>1</sup> 15 U.S.C. 77f(b).