

information submitted in these forms, OGIS would be unable to fulfill its mission.

Dated: September 14, 2010.

**Charles K. Piercy,**

*Acting Assistant Archivist for Information Services.*

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## **NATIONAL CREDIT UNION ADMINISTRATION**

### **National Credit Union Administration Restoration Plan**

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Approval of National Credit Union Administration restoration plan.

On September 16, 2010, the National Credit Union Administration (NCUA) implemented a Restoration Plan for the National Credit Union Share Insurance Fund (NCUSIF). The Restoration Plan consists of the assessment of a premium of 0.1242 percent of insured shares that will increase the equity ratio of the NCUSIF to over 1.20 percent.

As of August 31, 2010, increased loss provisions resulted in a decline in the NCUSIF's equity ratio to 1.176 percent. Because the equity ratio of the NCUSIF declined below 1.20 percent, NCUA must establish and implement a plan to restore the equity ratio to 1.20 percent. Absent extraordinary circumstances, the equity ratio must be restored to 1.20 percent before the end of an 8-year period beginning upon the implementation of the plan. The premium will achieve this requirement.

The economy continues to present a challenge for the financial services sector. Housing remains a risk as foreclosures mount. While the credit cycle appears to have troughed, the level of delinquent loans, charge-offs, and foreclosed real estate in federally insured credit unions remains elevated.

The credit union CAMEL ratings reflect the risk of loss associated with individual credit unions.<sup>1</sup> As of June 30, 2010, there were 366 federally insured credit unions with total assets of \$48.8 billion designated as problem institutions for safety and soundness purposes (defined as those credit unions having a composite CAMEL rating of "4" or "5"), compared to 291 problem institutions with total assets of \$28

billion on June 30, 2009. The trend reflects both an increase in the total number of problem credit unions and the size of problem credit unions. Additionally, the number and asset size of CAMEL "3" rated credit unions increased. As of June 30, 2010, there were 1,739 CAMEL "3" rated credit unions with total assets of \$149.8 billion compared to 1,485 credit unions with total assets of \$86 billion on June 30, 2009. The reserve for insurance fund losses has increased as a direct result of the shift to more adverse CAMEL codes.

The premium of 0.1242 percent of insured shares will increase the equity of the NCUSIF to 0.30 percent of June 30, 2010 insured shares. Based on reasonable assumptions for losses, insured share growth, and expenses, the premium will maintain the NCUSIF's equity level well above the 1.20 percent minimum level through at least June 30, 2011.

NCUA will closely monitor the actual equity ratio and six month projections for the equity ratio. If needed to maintain the equity ratio of the NCUSIF above 1.20 percent, the NCUA Board will consider additional premiums after evaluation of the condition of the NCUSIF and federally insured credit unions.

By the National Credit Union Administration Board on September 16, 2010.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 2010-23661 Filed 9-21-10; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 52-034 and 52-035; NRC-2008-0594]**

### **Luminant Generation Company, LLC.; Combined License Application for Comanche Peak Nuclear Power Plant, Units 3 and 4; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR), § 50.71(e)(3)(iii) for the Comanche Peak Nuclear Power Plant (CPNPP), Units 3 and 4, Combined License (COL) Application, Docket Numbers 52-034 and 52-035, submitted by Luminant Generation Company, LLC. (Luminant) for the proposed facility to be located in Somervell County, Texas. In accordance with 10 CFR 51.21, the NRC is issuing

this environmental assessment and finding of no significant impact.

### **Environmental Assessment—Identification of the Proposed Action**

The proposed action is a one-time schedule exemption from the requirements of 10 CFR 50.71(e)(3)(iii). During the period from the docketing of a COL application until the NRC makes a finding under 10 CFR 52.103(g) pertaining to facility operation, Luminant must, pursuant to 10 CFR 50.71(e)(3)(iii), submit an annual update to the Final Safety Analysis Report (FSAR). The proposed exemption would allow Luminant to submit its COL application FSAR update, currently due in November 2010, on or before June 30, 2011, and to submit the subsequent FSAR update in June, 2012. The current FSAR update schedule could not be changed, absent the exemption. The NRC is authorized to grant the exemption pursuant to 10 CFR 50.12.

The proposed action is in accordance with Luminant's request dated July 28, 2010, and can be found in the Agencywide Documents Access and Management System (ADAMS) under accession number ML102110179.

### **Need for the Proposed Action**

The proposed action is needed to provide Luminant sufficient time to fully incorporate into the COL application FSAR update, Revision 3 of the United States—Advanced Pressurized Water Reactor (US-APWR) Design Control Document (DCD), which Mitsubishi Heavy Industries Ltd. plans to submit to the NRC on or before March 31, 2011. The CPNPP, Units 3 and 4, COL application references the US-APWR DCD. Luminant has requested a one-time exemption from the requirements specified in 10 CFR 50.71(e)(3)(iii) in order to reduce the burden associated with identifying all committed changes that were made to the DCD, since Revision 2 to the US-APWR DCD.

### **Environmental Impacts of the Proposed Action**

The NRC has completed its evaluation of the proposed action and concludes that there are no environmental impacts associated with the proposed exemption. The proposed exemption is solely administrative in nature in that it pertains to the schedule for submittal to the NRC of revisions to a COL application under 10 CFR Part 52.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no

<sup>1</sup> The CAMEL composite rating represents the adequacy of Capital, the quality of Assets, the capability of Management, the quality and level of Earnings, and the adequacy of Liquidity, and ranges from "1" (strongest) to "5" (weakest).

significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have any foreseeable impacts to land, air, or water resources, including impacts to biota. In addition, there are also no known socioeconomic or environmental justice impacts associated with the proposed action. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action. Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

### **Environmental Impacts of the Alternatives to the Proposed Action**

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.*, the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. Therefore, the environmental impacts of the proposed action and the alternative action are similar.

### **Alternative Use of Resources**

The proposed action does not involve the use of any different resources than those previously considered in the Draft Environmental Impact Statement related to the CPNPP, Units 3 and 4, COL Application dated August 6, 2010.

### **Agencies and Persons Consulted**

On August 25, 2010, the NRC staff consulted with officials from the Texas Department of State Health Services (DSHS) regarding the environmental impact of the proposed action. The representative from the Texas DSHS had no comments.

### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see Luminant’s letter dated July 28, 2010. Documents may be examined, and/or copied for a fee, at the NRC’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 ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.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 or 301–415–4737, or via e-mail at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 16th day of September 2010.

For the Nuclear Regulatory Commission.

**Stephen R. Monarque,**

*Project Manager, US–APWR Projects Branch, Division of New Reactor Licensing, Office of New Reactors.*

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## **SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34–62910; File No. SR–C2–2010–003]

### **Self-Regulatory Organizations; C2 Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Adopt Certain Application-Related Fees**

September 14, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on September 10, 2010, C2 Options Exchange, Incorporated (the “Exchange” or “C2”) filed with the Securities and Exchange Commission (the “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

### **I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change**

C2 proposes to adopt application fees. The text of the proposed rule change is available on the Exchange’s Web site (<http://www.cboe.org/legal>), at the Exchange’s Office of the Secretary, and at the Commission.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

## **II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

### **A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change**

#### **1. Purpose**

The purpose of the proposed rule change is to adopt application-related fees for C2 Options Exchange, Inc. C2 anticipates launching in mid/late October, 2010. In connection with the commencement of trading on C2, the Exchange intends to begin accepting applications for C2 trading permits in the very near future. As part of the application process, C2 intends to charge applicant organizations a \$4,000 application fee, and sole-proprietor applicants a \$2,500 application fee. Existing Chicago Board Options Exchange, Incorporated (“CBOE”) permit holders applying for C2 trading permits will not be charged an application fee since nearly all of the necessary application processing required by the Exchange has already been conducted with respect to those CBOE permit holders. In fact, existing CBOE permit holders, pursuant to C2 Rule 3.1(c)(1) are not required to complete and submit an Exchange application. C2 notes that costs associated with utilizing a C2 trading permit (*e.g.* a market-maker permit) would apply equally to CBOE permit holder [sic] and non-CBOE permit holders.

In connection with the application process, certain application-related fees that are in place at CBOE will also be adopted by C2. Specifically, fees for applicants seeking to conduct a public customer business (\$2,500), fees for associated persons (\$350), joint account applicant fees (\$1,000)<sup>3</sup>, permit renewal fees (\$2,000 for organizations and \$500 for sole proprietors), fees associated with statutory disqualification and Rule 19h-1 processing (\$2,750 and \$1,650

<sup>3</sup> This fee is payable for each application to establish a new joint account.