

meaningful enforcement action toward Indian Point.

- The petitioner focused on the exemptions to Appendix R to 10 CFR Part 50 that the licensee submitted in March 2009. The exemptions include operator manual actions in a large number of fire areas at Indian Point. The petitioner stated that the regulations do not authorize operator manual actions as a means for protecting a redundant system from fire. The petitioner referenced the ongoing situation in Japan and questioned whether plant operators would be physically able to perform these duties.

- The petitioner stated that (1) the NRC should reserve exemptions for extraordinary circumstances, (2) the NRC should not approve the exemptions, and (3) Entergy has not made a serious effort to comply with Federal regulations.

The NRC is treating the request under 10 CFR 2.206, "Requests for Action under This Subpart," and has referred the request to the Director of the Office of Nuclear Reactor Regulation (NRR). In accordance with 10 CFR 2.206, the NRC will take appropriate action on this petition within a reasonable period of time. The petitioner met with the NRR Petition Review Board on May 9, 2011, to discuss the petition. The Petition Review Board considered the results of that discussion in its determination of the petitioner's request for immediate action and in the establishment of the schedule for the review of the petition. A copy of the petition is available for inspection 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, MD. Publicly available documents created or received at the NRC are accessible electronically through the Agencywide Documents Access and Management System (ADAMS) in the NRC Library at <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 by e-mail at [PDR.Resources@nrc.gov](mailto:PDR.Resources@nrc.gov).

Dated at Rockville, Maryland, this 30th day of June 2011.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## RAILROAD RETIREMENT BOARD

### Sunshine Act; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on July 20, 2011, 10 a.m. at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois 60611. The agenda for this meeting follows:

### Executive Committee Reports

The entire meeting will be open to the public. The person to contact for more information is Martha P. Rico, Secretary to the Board, Phone No. 312-751-4920.

Dated: July 5, 2011.

**Martha P. Rico,**

*Secretary to the Board.*

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## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29715; 812-13885]

### WNC Tax Credits 40, LLC, WNC Tax Credits 41, LLC, WNC Housing Tax Credits Manager 2, LLC, WNC National Partners, LLC and WNC & Associates, Inc.; Notice of Application

July 6, 2011.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of an application for an order under sections 6(c) and 6(e) of the Investment Company Act of 1940 (the "Act") granting relief from all provisions of the Act, except sections 37 through 53 of the Act and the rules and regulations under those sections other than rule 38a-1 under the Act.

*Applicants:* WNC Tax Credits 40, LLC ("Fund 40") and WNC Tax Credits 41, LLC ("Fund 41") (each a "Fund," and collectively, the "Funds"), WNC Housing Tax Credits Manager 2, LLC (the "Manager"), WNC National Partners, LLC ("WNC National Partners") and WNC & Associates, Inc. ("WNC & Associates").

*Summary of the Application:* Applicants request an order to permit each Fund to invest in limited liability companies that engage in the ownership and operation of apartment complexes for low and moderate income persons ("Apartment Complexes").

**DATES: Filing Date:** The application was filed on April 4, 2011.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the Commission orders a

hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 1, 2011, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicants, 17782 Sky Park Circle, Irvine, CA 92614.

### FOR FURTHER INFORMATION CONTACT:

Emerson S. Davis, Sr., Senior Counsel, (202) 551-6868, or Daniele Marchesani, Branch Chief, (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant by using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### Applicants' Representations

1. Fund 40 and Fund 41 each was formed as a California limited company in 2011. Each Fund will operate as a "two-tier" partnership, *i.e.*, each Fund will invest as a limited partner or member in other limited partnerships or limited liability companies that are characterized as partnerships for Federal income tax purposes ("Local Limited Partnerships"). The Local Limited Partnerships in turn will engage in the ownership and operation of Apartment Complexes expected to be qualified for the low income housing tax credit under the Internal Revenue Code of 1986, as amended. The Manager is a California limited liability company whose sole member is WNC National Partners. WNC National Partners is a California limited liability company whose sole member is WNC & Associates, a California corporation. The objectives of each Fund are to provide current tax benefits in the form of (a) A predictable stream of low income housing credits which investors may use to offset their Federal income tax liabilities, and (b) tax losses.