

For further details with respect to the proposed action, see the licensee's letter dated February 6, 2009. 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 send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 10th day of July 2009.

For the Nuclear Regulatory Commission.

**James R. Hall,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-17050 Filed 7-16-09; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0315]

### Withdrawal of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Withdrawal of Regulatory Guide 6.3, "Design, Construction, and Use of Radioisotopic Power Generators for Certain Land and Sea Applications."

#### FOR FURTHER INFORMATION CONTACT:

Robert G. Carpenter, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone 301-251-7483 or e-mail

[Robert.Carpenter@nrc.gov](mailto:Robert.Carpenter@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide (RG) 6.3, "Design, Construction, and Use of Radioisotopic Power Generators for Certain Land and Sea Applications," published in March 1974. RG 6.3 provides guidance on the safe design, construction, and use of radioisotopic power generators. The NRC is withdrawing this regulatory guide because it is no longer required.

RG 6.3 supported activities requiring a license pursuant to Title 10 of the *Code of Federal Regulations*, Parts 30,

40, and 70. The guidance in RG 6.3 applies to types of devices that are no longer used and have been replaced by other technology. Therefore, no licensing actions for these devices are being submitted or reviewed by license reviewers and the guidance is no longer needed.

## II. Further Information

The withdrawal of RG 6.3 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 US NRC PDR, Washington, DC 20555-0001. The PDR staff can be reached 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 29th day of June 2009.

For the Nuclear Regulatory Commission.

**R.A. Jervey,**

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

[FR Doc. E9-17048 Filed 7-16-09; 8:45 am]

**BILLING CODE 7590-01-P**

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review, Request for Comments

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding three (3) Information Collection Requests (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB).

The RRB invites comments on the proposed ICR's to determine (1) the practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the

quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date

### 1. Employee Representative's Status and Compensation Reports; OMB 3220-0014

Under Section 1(b)(1) of the Railroad Retirement Act (RRA), the term "employee" includes an individual who is an employee representative. As defined in Section 1(c) of the RRA, an employee representative is an officer or official representative of a railway labor organization other than a labor organization included in the term "employer," as defined in the RRA, who before or after August 29, 1935, was in the service of an employer under the RRA and who is duly authorized and designated to represent employees in accordance with the Railway Labor Act, or, any individual who is regularly assigned to or regularly employed by such officer or official representative in connection with the duties of his or her office. The requirements relating to the application for employee representative status and the periodic reporting of the compensation resulting from such status is contained in 20 CFR 209.10.

The RRB utilizes Forms DC-2a, Employee Representative's Status Report, and DC-2, Employee Representative's Report of Compensation, to obtain the information needed to determine employee representative status and to maintain a record of creditable service and compensation resulting from such status. Completion is required to obtain or retain a benefit. One response is requested of each respondent.

No changes are proposed to Form DC-2a and Form DC-2. The completion time for Form DC-2 is estimated at 30 minutes per response. The RRB estimates that approximately 65 Form DC-2's are completed annually. The RRB estimates that less than 10 Form DC-2a's are completed annually.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74 FR 17895 on April 17, 2009) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

### Information Collection Request (ICR)

*Title:* Employee Representatives' Status and Compensation Reports.

*OMB Control Number:* OMB 3220–0014.

*Form(s) submitted:* DC–2a, DC–2.

*Expiration date of current OMB clearance:* 7/31/2009.

*Type of request:* Extension without change of a currently approved collection.

*Affected public:* Business or other-for-profit.

*Abstract:* Benefits are provided under the Railroad Retirement Act (RRA) for individuals who are employee representatives as defined in section 1 of the RRA. The collection obtains information regarding the status of such individuals and their compensation.

*Changes Proposed:* The RRB proposes no changes to the forms in the collection.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* 65.

*Total annual responses:* 65.

*Total annual reporting hours:* 33.

## 2. Employer's Deemed Service Month Questionnaire; OMB 3220–0156

Section 3 (i) of the Railroad Retirement Act (RRA), as amended by Public Law 98–76, provides that the Railroad Retirement Board (RRB), under certain circumstances, may deem additional months of service in cases where an employee does not actually work in every month of the year, provided the employee satisfies certain eligibility requirements, including the existence of an employment relation between the employee and his or her employer. The procedures pertaining to the deeming of additional months of service are found in the RRB's regulations at 20 CFR 210, Creditable Railroad Service.

The RRB utilizes Form GL–99, Employer's Deemed Service Months Questionnaire, to obtain service and compensation information from railroad employers needed to determine if an employee can be credited with additional deemed months of railroad service.

The RRB proposes non-burden impacting, editorial and formatting changes to Form GL–99. Completion is mandatory. One response is required for each RRB inquiry. The completion time for Form GL–99 is estimated at 2 minutes per response. The RRB estimates that approximately 4,000 responses are received annually.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74 FR 18409 on April 22, 2009) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

## Information Collection Request (ICR)

*Title:* Employer's Deemed Service Month Questionnaire.

*OMB Control Number:* OMB 3220–0156.

*Form(s) submitted:* GL–99.

*Expiration date of current OMB clearance:* 7/31/2009.

*Type of request:* Revision of a currently approved collection.

*Affected public:* Business or other-for-profit.

*Abstract:* Under Section 3(i) of the Railroad Retirement Act, the Railroad Retirement Board may deem months of service in cases where an employee does not actually work in every month of the year. The collection obtains service and compensation information from railroad employers needed to determine if an employee may be credited with additional months of railroad service.

*Changes Proposed:* The RRB proposes minor non-burden impacting editorial and formatting changes to Form GL–99.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* 150.

*Total annual responses:* 4,000.

*Total annual reporting hours:* 133.

## 3. Statement of Claimant or Other Person; OMB 3220–0183

To support an application for an annuity under Section 2 of the Railroad Retirement Act (RRA) or for unemployment benefits under Section 2 of the Railroad Unemployment Insurance Act (RUIA), pertinent information and proofs must be furnished for the RRB to determine benefit entitlement. Circumstances may require an applicant or other person(s) having knowledge of facts relevant to the applicant's eligibility for an annuity or benefits to provide written statements supplementing or changing statements previously provided by the applicant. Under the railroad retirement program these statements may relate to changes in annuity beginning date(s), dates for marriage(s), birth(s), prior railroad or non-railroad employment, an applicant's request for reconsideration of an unfavorable RRB eligibility determination for an annuity or various other matters. The statements may also be used by the RRB to secure a variety of information needed to determine eligibility to unemployment and sickness benefits. Procedures related to providing information needed for RRA annuity or RUIA benefit eligibility determinations are prescribed in 20 CFR 217 and 320 respectively.

The RRB utilizes Form G–93, Statement of Claimant or Other Person,

to obtain the supplemental or corrective information from applicants or other persons needed to determine applicant eligibility for an RRA annuity or RUIA benefits. The RRB proposes no changes to Form G–93. Completion is voluntary. One response is requested of each respondent. The completion time for Form G–93 is estimated at 15 minutes per response. The RRB estimates that approximately 900 responses are received annually.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74 FR 7274–7275 on February 13, 2009) required by 44 U.S.C. 3506(c)(2). That request solicited no comments.

## Information Collection Request (ICR)

*Title:* Statement of Claimant or Other Person.

*OMB Control Number:* OMB 3220–0183.

*Form(s) submitted:* G–93.

*Expiration date of current OMB clearance:* 7/31/2009.

*Type of request:* Extension with change of a currently approved collection.

*Affected public:* Individuals or households, Business or other for-profit.

*Abstract:* Under Section 2 of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, pertinent information and proofs must be submitted by an applicant so that the Railroad Retirement Board can determine his or her entitlement to benefits. The collection obtains information supplementing or changing information previously provided by an applicant.

*Changes Proposed:* The RRB proposes no changes to the forms in the collection.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* 900.

*Total annual responses:* 900.

*Total annual reporting hours:* 225.

*Additional Information or Comments:* Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312–751–3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@rrb.gov) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget,

Room 10230, New Executive Office Building, Washington, DC 20503.

Charles Mierzwa,  
Clearance Officer.

[FR Doc. E9-16968 Filed 7-16-09; 8:45 am]

BILLING CODE 7905-01-P

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11785 and # 11786]

### South Dakota Disaster Number SD-00023

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of South Dakota (FEMA-1844-DR), dated 06/16/2009.

*Incident:* Severe Storms and Flooding.

*Incident Period:* 03/11/2009 through 07/06/2009.

*Effective Date:* 07/06/2009.

*Physical Loan Application Deadline Date:* 08/17/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 03/16/2010.

**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:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of South Dakota, dated 06/16/2009, is hereby amended to establish the incident period for this disaster as beginning 03/11/2009 and continuing through 07/06/2009.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. E9-17120 Filed 7-16-09; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11787 and #11788]

### Arkansas Disaster Number AR-00032

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Arkansas (FEMA-1845-DR), dated 06/16/2009.

*Incident:* Severe Storms, Tornadoes, and Flooding.

*Incident Period:* 04/27/2009 through 05/23/2009.

*Effective Date:* 05/23/2009.

*Physical Loan Application Deadline Date:* 08/17/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 03/16/2010.

**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:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of Arkansas, dated 06/16/2009, is hereby amended to establish the incident period for this disaster as beginning 04/27/2009 and continuing through 05/23/2009.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Roger B. Garland,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. E9-17115 Filed 7-16-09; 8:45 am]

BILLING CODE 8025-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60270; File No. SR-BX-2009-037]

### Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Make Permanent the Quarterly Options Series Pilot Program on the Boston Options Exchange Facility

July 9, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934

(“Act”)<sup>1</sup>, and Rule 19b-4<sup>2</sup> thereunder, notice is hereby given that on July 9, 2009, NASDAQ OMX BX, Inc. (the “Exchange”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act,<sup>3</sup> and Rule 19b-4(f)(6) thereunder,<sup>4</sup> which renders the proposal effective upon filing with the Commission. 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

The Exchange proposes to amend the Rules of the Boston Options Exchange Group, LLC (“BOX”) to make permanent its Quarterly Option Series pilot program (“QOS Program”). The text of the proposed rule change is available from the principal office of the Exchange, at the Commission's Public Reference Room and also on the Exchange's Internet Web site at <http://nasdaqomxbx.cchwallstreet.com/NASDAQOMXBX/Filings/>.

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

In its filing with the Commission, Phlx 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 these statements may be examined at the places specified in Item IV below. Phlx has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

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

##### 1. Purpose

The Exchange is proposing to make the QOS Program permanent. On July 17, 2007, the Exchange filed with the Securities and Exchange Commission (“Commission”) SR-BSE-2007-36, which was effective on filing and established the QOS Program.<sup>5</sup> The QOS

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

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

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

<sup>4</sup> 17 CFR 240.19b-4(f)(6).

<sup>5</sup> See Securities Exchange Act Release No. 56086 (July 17, 2007), 72 FR 40182 (July 23, 2007) (SR-