

since this action is for a name change only that (1) there is a reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

The details of the staff's safety evaluation will be provided in the license amendment that will be issued as part of the letter to the licensee approving the license amendment.

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 significant increase in the amount of any effluent released offsite. There is no significant increase in individual or cumulative occupational 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 a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. 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 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. The environmental impacts of the proposed action and the alternative action are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for the Seabrook Station, Unit No. 1, NUREG-0895, dated December 1982.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on July 16, 2009, the staff consulted with the New Hampshire and Massachusetts State officials, Messrs. M. Nawoj and J. Giarrusso, respectively,

regarding the environmental impact of the proposed action. Neither State official had any 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 the licensee's letter dated April 16, 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 Agencywide Documents Access and Management System (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 31st day of July 2009.

For the Nuclear Regulatory Commission.

**Dennis Egan,**

*Senior Project Manager, Plant Licensing Branch 1-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-19056 Filed 8-7-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **POSTAL REGULATORY COMMISSION**

**[Docket No. CP2009-57; Order No. 271]**

### **International Mail Product**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Postal Service recently filed with the Commission notice of changes in rates for Inbound International Expedited Services 2. This document establishes a docket for consideration of the filing, provides public notice of the filing, and invites public comment.

**DATES:** Comments are due August 12, 2009.

**ADDRESSES:** Submit comments electronically via the Commission's

Filing Online system at <http://www.prc.gov>.

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

Stephen L. Sharfman, General Counsel, at 202-789-6820 or [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

#### **SUPPLEMENTARY INFORMATION:**

- I. Introduction
- II. Background
- III. Notice of Filing
- IV. Supplemental Information
- V. Ordering Paragraphs

### **I. Introduction**

On July 28, 2009, the Postal Service filed a notice announcing changes in rates not of general applicability for Inbound International Expedited Services 2 effective January 1, 2010.<sup>1</sup> The Postal Service attached a redacted copy of the 2010 rates and a certified statement establishing compliance with 39 U.S.C. 3633 and 39 CFR 3015.5(c)(2) to the Notice as Attachments 1 and 2, respectively. *Id.* at 2. The Postal Service also submitted a listing of countries in each pricing tier and incorporated by reference the description of Inbound International Expedited Services 2 contained in its supporting documentation filed in Docket Nos. MC2009-10 and CP2009-12. The Postal Service submitted the rates, related financial information, and certified statement required by 39 CFR 3015.5(c)(2) under seal.

### **II. Background**

The Notice states that in Docket No. MC2009-10, the Governors established prices and classifications not of general applicability for Inbound Express Mail International (EMS). In Order No. 162, the Commission added Inbound International Expedited Services 2 to the Competitive Product List as a new product under Express Mail, Inbound International Expedited Services.<sup>2</sup> The rates took effect on January 1, 2009.

In accordance with the provisions of the EMS Cooperative of the Universal Postal Union (UPU), rates for the delivery of inbound Express Mail International must be communicated to the UPU by August 31 of the year before which they are to take effect. As a member of the EMS Cooperative, the Postal Service may not change its rates for the coming year after August 31. In Order No. 162, the Commission raised concerns with filing these rates with the

<sup>1</sup> Notice of the United States Postal Service of Filing of Changes in Rates Not of General Applicability, July 28, 2009 (Notice).

<sup>2</sup> See PRC Order No. 162, Docket Nos. MC2009-10, CP2009-12, Order Adding Inbound International Expedited Services 2 To Competitive Product List, December 31, 2008.

Commission after August 31, even though they do not take effect until January 1 of the following year. The Commission indicated that if a product is found to violate the Postal Accountability and Enhancement Act (PAEA), e.g., does not satisfy section 3633(a)(2), the Postal Service may be without a suitable remedy until the rate change is permitted for the following year. *Id.* at 9. The Commission, therefore, appreciates the Postal Service's filing the 2010 rates well in advance of the August 31, 2009 UPU deadline.

In its Notice, the Postal Service indicates that the rates to take effect in 2010 are divided into two tiers. Tier one applies to postal operators with a performance-level agreement, such as EMS Pay-for-performance Plan participants and Kahala Posts Group. Tier two applies to all other postal operators that transmit EMS to the United States. Notice at 2–3. The Postal Service provided a listing of countries in each tier, noting that this list may be subject to change on January 1, 2010. *Id.*; Attachment 3.

The Postal Service states that the China Post Group, whose inbound EMS rates were established by a bilateral agreement approved by the Commission in Docket Nos. CP2008–6 and CP2008–7, is expected to join Tier 1 grouping. *Id.* at 3. The parties have agreed to have the bilateral agreement expire at the end of the one-year term. *Id.* at 3.

The Postal Service maintains that the rates, related financial information, and certain portions of the certified statement required by 39 CFR 3015.5(c)(2), should remain under seal. *Id.* at 4.

### III. Notice of Filing

The Commission establishes Docket No. CP2009–57 for consideration of matters related to the issues identified in the Postal Service's Notice.

Interested persons may submit comments on whether the Postal Service's contract is consistent with the policies of 39 U.S.C. 3632, 3622 or 3642. Comments are due no later than August 12, 2009. The public portions of these filings can be accessed via the Commission's Web site (<http://www.prc.gov>).

The Commission appoints Paul L. Harrington as Public Representative in this proceeding.

### IV. Supplemental Information

Pursuant to 39 CFR 3015.6, the Commission requests the Postal Service to provide the following supplemental information by no later than August 10, 2009:

1. Please provide the 2010 EMS Pay for Performance Plan that will apply to EMS Cooperative members.

2. Please provide the Postal Service's EMS Cooperative Report Cards, including performance measurements, for calendar year 2008 and the first three quarters of 2009, if available.

3. In Excel file WP\_Inbound\_EMS\_2009.07.28, worksheet 02\_Narrative, cell C107, the Postal Service makes an assumption about arrival scan performance. Please explain this assumption further, its rationale, and how its application comports with the provisions of the 2010 EMS Pay for Performance Plan and the Postal Service's performance.

### V. Ordering Paragraphs

*It is ordered:*

1. The Commission establishes Docket No. CP2009–57 for consideration of the issues raised in this docket.

2. Comments by interested persons in these proceedings are due no later than August 12, 2009.

3. Pursuant to 39 U.S.C. 505, Paul L. Harrington is appointed to serve as officer of the Commission (Public Representative) to represent the interests of the general public in these proceedings.

4. The Secretary shall arrange for publication of this order in the **Federal Register**.

Issued: August 4, 2009.

By the Commission.

**Judith M. Grady,**

*Acting Secretary.*

[FR Doc. E9–19083 Filed 8–7–09; 8:45 am]

BILLING CODE 7710–FW–P

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, August 13, 2009 at 1 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the

scheduled matters at the Closed Meeting.

Commissioner Paredes, as duty officer, voted to consider the items listed for the Closed Meeting in a closed session.

The subject matter of the Closed Meeting scheduled for Thursday, August 13, 2009 will be:

Institution and settlement of injunctive actions;

institution and settlement of administrative proceedings; adjudicatory matters; and other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551–5400.

Dated: August 6, 2009.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. E9–19234 Filed 8–6–09; 4:15 pm]

BILLING CODE 8010–01–P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–60416; File No. SR–BX–2009–045]

### Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change To Amend the Fee Schedule of the Boston Options Exchange Group, LLC

July 31, 2009.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (“Act”)<sup>2</sup> and Rule 19b–4 thereunder,<sup>3</sup> notice is hereby given that on July 31, 2009, NASDAQ OMX BX, Inc. (“BX” or “Exchange”) 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 self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and grant accelerated approval of the proposed rule change.

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b–4.