

Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards (NMSS), U.S. Nuclear Regulatory Commission (NRC), Rockville, MD 20852. Telephone: (301) 492-3284; fax number: (301) 492-3348; e-mail: shana.helton@nrc.gov.

SUPPLEMENTARY INFORMATION:

I

Foster Wheeler Environmental Corporation (FWENC) is the holder of Special Nuclear Materials License No. 2512 (SNM-2512), issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR part 72. SNM-2512 authorizes FWENC to construct and operate the Idaho Spent Fuel (ISF) Facility in accordance with the terms and conditions specified therein. The yet-to-be constructed ISF Facility is an independent spent fuel storage installation (ISFSI) which, if constructed, will be located adjacent to the U.S. Department of Energy's (DOE's) Idaho Nuclear Technology and Engineering Center site on the Idaho National Laboratory grounds in Idaho.

II

By application dated May 30, 2008, as supplemented by letter dated June 8, 2009 (Agencywide Documents Access and Management System [ADAMS] Accession Nos. ML081630246 and ML091660593, respectively), DOE submitted a request, to NRC, for approval of a proposed direct transfer of SNM-2512, under section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 72.50.

SNM-2512 was issued to FWENC to construct and operate the ISF Facility ISFSI. As of this date, no facility has been constructed, but FWENC continues to hold SNM-2512. The proposed license transfer would result in DOE holding SNM-2512. The application also requested a conforming license amendment to reflect the proposed transfer of SNM License No. 2512 to DOE. No physical changes to the ISF Facility ISFSI design or operational changes were proposed in the application.

Approval of the application was requested pursuant to section 184 of the AEA, and 10 CFR 72.50. Notice of consideration of approval of the application and an opportunity for a hearing was published in the **Federal Register** on, February 25, 2009 (74 FR 8587). No hearing requests or written comments were received. The June 8, 2009, supplement, which was not identified in the **Federal Register** notice, provided a revision to Chapter 9 of the Safety Analysis Report. The revision delineates a full construction/

operating organization, pending a decision by DOE to proceed with the deployment of the ISF Facility ISFSI. This revision to the organizational description has been determined to be administrative in nature and not to present any safety issue.

The Commission's approval of this direct transfer of SNM-2512, and any related, conforming license amendments to SNM-2512, are categorically excluded from further environmental review, pursuant to 10 CFR 51.22(c)(21).

Under 10 CFR 72.50, no license nor any part included in a license issued under 10 CFR part 72 for an ISFSI shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing. Upon review of the information submitted in the application and other information before the Commission, the NRC staff has determined that the direct transfer of control of SNM-2512, as described above, is consistent with applicable provisions of the law, and the regulations and orders issued by the Commission. These findings are supported by a Safety Evaluation dated July 17, 2009 (ADAMS No. ML091940481).

III

Accordingly, pursuant to sections 161b, 161i, and 184 of the AEA, 42 USC 2201(b), 2201(i), and 2234, and 10 CFR 72.50, the Commission gives notice that it has issued an order (Order) approving DOE's application dated May 30, 2008, as supplemented by letter dated June 8, 2009, for the direct transfer of SNM-2512 from FWENC to DOE, and for conforming license amendments.

The Order is effective upon issuance.

For further details, see the application dated May 30, 2008, as supplemented by letter dated June 8, 2009; the safety evaluation report; and the Order (ADAMS Nos. ML081630246, ML091660593, ML091940481, and ML091940453, respectively). These documents are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland, and 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, 301-415-4737, or, by e-mail, to pdr@nrc.gov.

Dated at Rockville, Maryland, this 17th day of July 2009.

For the Nuclear Regulatory Commission.

Michael F. Weber,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. E9-17901 Filed 7-27-09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Sunshine Federal Register Notice

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission.

DATE: Weeks of July 27, August 3, 10, 17, 24, 31, 2009.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of July 27, 2009

There are no meetings scheduled for the week of July 27, 2009.

Week of August 3, 2009—Tentative

There are no meetings scheduled for the week of August 3, 2009.

Week of August 10, 2009—Tentative

There are no meetings scheduled for the week of August 10, 2009.

Week of August 17, 2009—Tentative

There are no meetings scheduled for the week of August 17, 2009.

Week of August 24, 2009—Tentative

There are no meetings scheduled for the week of August 24, 2009.

Week of August 31, 2009—Tentative

Thursday, September 3, 2009

9:30 a.m.—Meeting with Organization of Agreement States (OAS) and Conference of Radiation Control Program Directors (CRCPD) (Public Meeting) (Contact: Andrea Jones, 301 415-2309).

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

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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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Additional Information

Affirmation of Southern Nuclear Operating Co. (Vogtle Electric

Generating Plant, Units 3 and 4), LBP-09-3 (Ruling on Standing and Contention Admissibility); Virginia Electric and Power Co. (North Anna Unit 3), LBP-08-15 (Ruling on Standing and Contention Admissibility) tentatively scheduled on July 23, 2009, has been postponed.

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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. 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.

Dated: July 23, 2009.

Rochelle C. Baval,

Office of the Secretary.

[FR Doc. E9-17997 Filed 7-24-09; 4:15 pm]

BILLING CODE 7590-01-P

POSTAL REGULATORY COMMISSION

[Docket No. CP2009-52; Order No. 253]

Global Expedited Package Services Contract

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to add a Global Expedited Package Services 1 contract to the Competitive Product List. This notice addresses procedural steps associated with these filings.

DATES: Comments are due July 31, 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, 202-789-6820 and stephen.sharfman@prc.gov.

SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Notice of Filing
- III. Ordering Paragraphs

I. Introduction

On July 21, 2009, the Postal Service filed a notice announcing that it has entered into an additional Global Expedited Package Services 1 (GEPS 1) contract.¹ GEPS 1 provides volume-based incentives for mailers that send large volumes of Express Mail International (EMI) and/or Priority Mail International (PMI). The Postal Service believes the instant contract is functionally equivalent to previously submitted GEPS 1 contracts, and is supported by the Governors' Decision filed in Docket No. CP2008-4.² Notice at 1. It further notes that in Order No. 86, which established GEPS 1 as a product, the Commission held that additional contracts may be included as part of the GEPS 1 product if they meet the requirements of 39 U.S.C. 3633, and if they are functionally equivalent to the initial GEPS 1 contract filed in Docket No. CP2008-5.³ Notice at 1.

The instant contract. The Postal Service filed the instant contract pursuant to 39 CFR 3015.5. In addition, the Postal Service contends that the contract is in accordance with Order No. 86. The Postal Service states that the instant contract replaces the contract for the customer in Docket No. CP2008-13, which will end on August 31, 2009. *Id.* at 2. It submitted the contract and supporting material under seal, and attached a redacted copy of the contract and certified statement required by 39 CFR 3015.5(c)(2) to the Notice as Attachments 1 and 2, respectively. *Id.* at 1-2. The term of the instant contract is 1 year from the date the Postal Service notifies the customer that all necessary regulatory approvals have been received.

The Notice advances reasons why the instant GEPS 1 contract fits within the Mail Classification Schedule language for GEPS 1. The Postal Service asserts

¹ Notice of United States Postal Service Filing of Functionally Equivalent Global Expedited Package Services 1 Negotiated Service Agreement, July 16, 2009 (Notice).

² See Docket No. CP2008-4, Notice of United States Postal Service of Governors' Decision Establishing Prices and Classifications for Global Expedited Package Services Contents, May 20, 2008.

³ See Docket No. CP2008-5, Order Concerning Global Expedited Package Services Contracts, June 27, 2008, at 7 (Order No. 86).

that the instant contract is functionally equivalent to the GEPS 1 contracts filed previously. It states that in Governors' Decision No. 08-7, a pricing formula and classification system were established to ensure that each contract meets the statutory and regulatory requirements of 39 U.S.C. 3633. The Postal Service contends that the instant contract demonstrates its functional equivalence with the previous GEPS 1 contracts because of several factors: The customers are small or medium-sized businesses that mail directly to foreign destinations using EMI and/or PMI, the contract term of 1 year applies to all GEPS 1 contracts, the contracts have similar cost and market characteristics, and each requires payment through permit imprint. *Id.* at 4. It asserts that even though prices may be different based on volume or postage commitments made by the customers, or updated costing information, these differences do not affect the contracts' functional equivalency because the GEPS 1 contracts share similar cost attributes and methodology. *Id.* at 4-5.

The Postal Service also identifies several other contractual differences including provisions that clarify the availability of other Postal Service products and services, exclude certain flat rate products from the mail qualifying for discounts, simplify mailing notice requirements, modify mail tender locations, clarify the mailer's volume and revenue commitment in the event of early termination, and modify the original GEPS 1 agreement to reflect changes unrelated to the mailers or negotiations of either party's obligations under the agreement. *Id.* at 5-6.

The Postal Service states that these differences related to a particular mailer are "incidental differences" and do not change the conclusion that these agreements are functionally equivalent in all substantive aspects. *Id.* at 6.

The Postal Service requests that this contract be included within the GEPS 1 product. *Id.* at 7.

The Postal Service maintains that certain portions of the contract and certified statement required by 39 CFR 3015.5(c)(2), names of GEPS 1 customers, related financial information, portions of the certified statement which contain costs and pricing as well as the accompanying analyses that provide prices, terms, conditions, and financial projections should remain under seal. *Id.* at 3.

II. Notice of Filing

The Commission establishes Docket No. CP2009-52 for consideration of