

(1) NEI's first comment addresses the proposed revision to RIS 2007-16. The NRC staff is addressing this comment in the revision to RIS 2007-16, which is planned to be issued separately.

(2) NEI commented that it agrees with the NRC staff's proposed change to RIS 2007-16 to include a backfit review of all LR-ISG documents under 10 CFR 50.109. However, NEI further commented, this addition of backfit review for LR-ISGs should have no impact on implementation or interpretation of 10 CFR 54.37(b). The NRC staff agrees with NEI's comment and no changes have been made from the proposed LR-ISG process revision. The revised LR-ISG process contains the framework for developing and implementing LR-ISGs, including provisions for determining whether 10 CFR 54.37(b) and 10 CFR 50.109 apply to an LR-ISG, and according documentation. The LR-ISG process references RIS 2007-16, which provides guidance on interpretation and licensee implementation of 10 CFR 54.37(b).

NEI also commented that it agrees with the NRC staff's proposed change to extend the LR-ISG process to include environmental review issues. As such, the NRC staff has made no changes to the proposed LR-ISG process revision.

(3) NEI recommended that the NRC consider splitting RIS 2007-16 into two separate documents, one on implementation of 10 CFR 54.37(b) and the other on the LR-ISG process, including the requirement for backfit analysis for proposed LR-ISGs. The NRC staff agrees with NEI's recommendation that the documents are separate. The two documents are the revised LR-ISG process and RIS 2007-16. The NRC staff intends for the focus of these two documents to be as described in the response to the previous comment.

In its comments, NEI also suggested that the NRC include the requirement for "backfit analysis" for LR-ISGs. The NRC staff would like to clarify that, as described in the proposed LR-ISG process revision, the NRC staff will perform a backfitting review of LR-ISGs; however, the NRC staff will only prepare a backfitting analysis in certain cases, which is consistent with the requirements of 10 CFR 50.109. If, as a result of its backfitting review, the NRC staff determines that an LR-ISG constitutes backfitting, as defined in 10 CFR 50.109(a)(1), then a backfitting analysis is required to demonstrate that backfitting is necessary because it constitutes a substantial increase in protection to public health and safety or the common defense and security, and the cost is justified in light of the

substantial increase. If an LR-ISG constitutes backfitting, but one or more of the exceptions in 10 CFR 50.109(a)(4)(i) through (iii) apply, then a backfitting analysis is not required, but the NRC staff is required to prepare a documented backfitting evaluation.

(4) NEI commented that the NRC deleted from RIS 2007-16, Revision 0, NRC's agreement to inform renewed license holders of new LR-ISGs and to inform the industry of "newly identified" SSCs. NEI suggested that this information could be added to Section 4.2.4 of the LR-ISG process. NEI indicated that this information is valuable to licensees and requested that the NRC staff retain the expectation to communicate it.

The NRC staff agrees with NEI's comment to include this information in Section 4.2.4 of the LR-ISG process. Accordingly, the revised LR-ISG process states that when an LR-ISG constitutes backfitting under 10 CFR 50.109, or communicates "newly-identified" SSCs under the provisions of 10 CFR 54.37(b), the NRC staff will notify applicable renewed license holders as appropriate, for example, by issuing letters or a generic communication. The NRC staff will continue to make draft and final LR-ISGs publicly available, and notices of availability or the opportunity to provide comments will be published in the **Federal Register**. Electronic copies of draft and final LR-ISGs will be made available on the NRC's public Web site.

Dated at Rockville, Maryland, this 7th day of August, 2009.

For the Nuclear Regulatory Commission,  
**Samson S. Lee,**  
*Deputy Director, Division of License Renewal,  
Office of Nuclear Reactor Regulation.*  
[FR Doc. E9-19646 Filed 8-14-09; 8:45 am]  
**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Week of August 10, 2009.

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

**STATUS:** Public and closed.

Additional Items to be considered:

**Week of August 10, 2009**

*Thursday, August 13, 2009*

1:25 p.m.

Affirmation Session (Public Meeting) (Tentative).

Pa'ina Hawaii, LLC (Materials License Application)—Applicant's Motion to Transfer Case to the Commission (Tentative).

\*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.

### Additional Information

By a vote of 3-0 on August 11, 2009, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that Affirmation of Pa'ina Hawaii, LLC (Materials License Application)—Applicant's Motion to Transfer Case to the Commission (Tentative) be held August 13, 2009, and on less than one week's notice to the public.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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](mailto:darlene.wright@nrc.gov).

Dated: August 12, 2009.

**Rochelle C. Baval,**  
*Office of the Secretary.*  
[FR Doc. E9-19746 Filed 8-13-09; 4:15 pm]  
**BILLING CODE 7590-01-P**

## SMALL BUSINESS ADMINISTRATION

### Disaster Declaration #11694 and #11695; North Dakota Disaster Number ND-00015

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 3.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for

the State of North Dakota (FEMA-1829-DR), dated 03/24/2009.

*Incident:* Severe storms and flooding.  
*Incident Period:* 03/13/2009 through 08/10/2009.

*Effective Date:* 08/10/2009.

*Physical Loan Application Deadline Date:* 05/26/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 12/24/2009.

**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 North Dakota, dated 03/24/2009, is hereby amended to establish the incident period for this disaster as beginning 03/13/2009 and continuing through 08/10/2009.

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. E9-19629 Filed 8-14-09; 8:45 am]

**BILLING CODE 8025-01-P**

## **SMALL BUSINESS ADMINISTRATION** **[Disaster Declaration #11837 and #11838]**

### **Nebraska Disaster Number NE-00027**

**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 Nebraska (FEMA-1853-DR), dated 07/31/2009.

*Incident:* Severe storms, tornadoes, and flooding.

*Incident Period:* 06/05/2009 through 06/26/2009.

*Effective Date:* 08/10/2009.

*Physical Loan Application Deadline Date:* 09/29/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 05/03/2010.

**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 Nebraska, dated 07/31/2009, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Chase, Deuel, Lincoln, Perkins.

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. E9-19631 Filed 8-14-09; 8:45 am]

**BILLING CODE 8025-01-P**

## **SMALL BUSINESS ADMINISTRATION** **[Disaster Declaration #11707 and #11708]**

### **North Dakota Disaster Number ND-00016**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 5.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for the State of North Dakota (FEMA-1829-DR), dated 04/10/2009.

*Incident:* Severe storms and flooding.  
*Incident Period:* 03/13/2009 and continuing through 08/10/2009.

**DATES:** *Effective Date:* 08/10/2009.

*Physical Loan Application Deadline Date:* 08/10/2009.

*EIDL Loan Application Deadline Date:* 01/11/2010.

**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 the State of North Dakota, dated 04/10/2009 is hereby amended to establish the incident period for this disaster as beginning 03/13/2009 and continuing through 08/10/2009.

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. E9-19632 Filed 8-14-09; 8:45 am]

**BILLING CODE 8025-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

**[Release No. IC-28845; File No. 812-13680]**

### **GE Asset Management Incorporated and GE Investment Distributors, Inc.; Notice of Application and Temporary Order**

August 11, 2009.

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

**ACTION:** Temporary order and notice of application for a permanent order under section 9(c) of the Investment Company Act of 1940 ("Act").

*Summary of Application:* Applicants have received a temporary order exempting them from section 9(a) of the Act, with respect to an injunction entered against General Electric Company ("GE") on August 11, 2009 by the United States District Court for the District of Connecticut ("Injunction"), until the Commission takes final action on an application for a permanent order. Applicants also have applied for a permanent order.

*Applicants:* GE Asset Management Incorporated ("GEAM") and GE Investment Distributors, Inc. ("GEID", collectively with GEAM, the "Applicants").<sup>1</sup>

*Filing Date:* The application was filed on August 4, 2009, and amended on August 11, 2009.

*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 September 8, 2009, 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

<sup>1</sup> Applicants request that any relief granted pursuant to the application also apply to any other company of which GE is or may become an affiliated person (together with the Applicants, the "Covered Persons").