

For further details with respect to the proposed action, see the licensee's letter dated October 5, 2007, as supplemented on May 1 and December 11, 2008 (ADAMS Accession Numbers ML072820129, ML081220873 and ML083470170, respectively). 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@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 22nd day of January 2009.

For the Nuclear Regulatory Commission.

**John D. Hughey,**

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

[FR Doc. E9-1903 Filed 1-28-09; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0013]

### Safety Culture Policy Statement Development: Public Meeting and Request for Public Comments; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on January 23, 2009 (74 FR 4260), that informs the public of the public meeting and Request for Comments on topics relating to the development of the policy statement. In addition to announcing the public meeting, the NRC is using this notice to request comments on the topics discussed in this notice. These topics can be found in section D (Topics for Discussion of the Supplementary Information).

**FOR FURTHER INFORMATION CONTACT:** June Cai at (301) 415-5192; [june.cai@nrc.gov](mailto:june.cai@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On page 4262, column 1, in the fourth complete paragraph, in the 17th line, is corrected to delete "Some of the questions use

terminology such as 'your organization,' but input from individual stakeholders who may not be part of a specific organization in the topic area are requested as well."

On page 4262, column 1, in the seventh paragraph, in the 46th line, is corrected to read: "How do you generally view the relationship or hierarchy between safety and security functions and decision making"?

On page 4262, column 1, in the eighth paragraph, in the 61st line, is corrected to read: "Are there any other examples where efforts to maintain safety and security require different approaches or result in competing outcomes that need to be addressed to achieve the desired outcome or goal"?

Dated at Rockville, Maryland, this 23rd day of January 2009.

For the Nuclear Regulatory Commission.

**Stewart L. Magruder,**

*Deputy Director, Office of Enforcement.*

[FR Doc. E9-1902 Filed 1-28-09; 8:45 am]

**BILLING CODE 7590-01-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Determination of Trade Surplus in Certain Sugar Goods of Peru

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** In accordance with relevant provisions of the Harmonized Tariff Schedule of the United States (HTS), the Office of the United States Trade Representative (USTR) is providing notice of its determination of the trade surplus in certain sugar goods of Peru. As described below, the level of Peru's trade surplus in these goods relates to the quantity of sugar goods for which the United States grants duty-free tariff treatment under the United States—Peru Trade Promotion Agreement (Peru TPA).

**DATES:** *Effective Date:* February 1, 2009.

**ADDRESSES:** Inquiries may be mailed or delivered to Leslie O'Connor, Director of Agricultural Affairs, Office of Agricultural Affairs, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:** Leslie O'Connor, Office of Agricultural Affairs, 202-395-6127.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 101 of the United States—Peru Trade Promotion Agreement Implementation Act (Pub. L. 110-138; 19 U.S.C. 3805 note), Presidential Proclamation No. 8341 of January 16,

2009 (74 FR 4105) implemented the Peru TPA on behalf of the United States and modified the HTS to reflect the tariff and rules of origin treatment provided for in the Peru TPA.

U.S. Note 28(c) to subchapter XXII of HTS chapter 98 provides that USTR is required to publish annually in the **Federal Register** a determination of the amount of Peru's trade surplus, by volume, with all sources for goods in Harmonized System (HS) subheadings 1701.11, 1701.12, 1701.91, 1701.99, 1702.20, 1702.40, and 1702.60, except that Peru's imports of U.S. goods classified under HS subheadings 1702.40 and 1702.60 that are originating goods under the Peru TPA and Peru's exports to the United States of goods classified under HS subheadings 1701.11, 1701.12, 1701.91, and 1701.99 are not included in the calculation of Peru's trade surplus.

U.S. Note 28(d) to subchapter XXII of HTS chapter 98 provides duty-free treatment for certain sugar goods of Peru entered under subheading 9822.06.10 in an amount equal to the lesser of Peru's trade surplus or the specific quantity set out in that note for that calendar year.

During calendar year (CY) 2007, the most recent year for which data is available, Peru's imports of the sugar goods described above exceeded its exports of those goods by 245,132 metric tons according to data published by its customs authority, the *Superintendencia Nacional de Administracion Tributaria*. Based on this data, USTR determines that Peru's trade surplus is negative. Therefore, in accordance with U.S. Note 28(d) to subchapter XXII of HTS chapter 98, goods of Peru are not eligible to enter the United States duty-free under subheading 9822.06.10 in CY2009.

**James Murphy,**

*Assistant United States Trade Representative.*

[FR Doc. E9-1830 Filed 1-28-09; 8:45 am]

**BILLING CODE 3190-W9-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, January 29, 2009 at 2 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. 552b(c)(3), (5), (6), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (6), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Acting Chairman Walter, as duty officer, voted to consider the items listed for the Closed Meeting in closed session, and determined that no earlier notice thereof was possible.

The subject matter of the Closed Meeting scheduled for Thursday, January 29, 2009 will be:

Formal orders of investigation;  
Institution and settlement of injunctive actions;  
Institution and settlement of administrative proceedings of an enforcement nature;  
A litigation matter;  
A collection matter;  
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: January 23, 2009.

**Elizabeth M. Murphy,**

Secretary.

[FR Doc. E9-1883 Filed 1-28-09; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59199; File No. SR-DTC-2008-14]

### Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify Existing Operational Arrangements

#### Correction

In notice document E9-349 beginning on page 1266 in the issue of Monday January 12, 2009 make the following correction:

On page 1268, in the second column, in the last line of the first paragraph, "January 29, 2009" should read "February 2, 2009".

[FR Doc. Z9-349 Filed 1-28-09; 8:45 am]

BILLING CODE 1505-01-D

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59171; File No. SR-ISE-2008-98]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Fee Changes

#### Correction

In notice document E8-31351 beginning on page 482 in the issue of Tuesday, January 6, 2009 make the following corrections:

1. On page 482, the department docket number is corrected to read as set forth above.

2. On page 483, in the second column, in the last line of the last paragraph, "January 26, 2009" should read "January 27, 2009".

[FR Doc. Z8-31351 Filed 1-28-09; 8:45 am]

BILLING CODE 1505-01-D

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59275; File No. SR-NASDAQ-2008-104]

### Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Proposed Rule Change To Adopt a Modified Sponsored Access Rule

January 22, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on December 30, 2008, The NASDAQ Stock Market LLC ("Nasdaq") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. On January 8, 2009, Nasdaq filed Amendment No. 1 to the proposed rule change. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Nasdaq proposes to adopt a proposed rule change to modify the requirements for members that provide "Sponsored Access" to Nasdaq's execution system.

The text of the proposed rule change is below. Proposed new language is

italicized; proposed deletions are in brackets.<sup>3</sup>

\* \* \* \* \*

4611. Nasdaq Market Center Participant Registration

(a)-(c) No change.

(d) *Members may provide "Sponsored Access" to the Nasdaq Market Center in accordance with the provisions below:* [Sponsored Participants. A Sponsored Participant may obtain authorized access to the Nasdaq Market Center only if such access is authorized in advance by one or more Nasdaq members as follows:]

[(1) Sponsored Participants must enter into and maintain customer agreements with one or more Sponsoring Members establishing proper relationship(s) and account(s) through which the Sponsored Participant may trade on the Nasdaq Market Center. Such customer agreement(s) must incorporate the Sponsorship Provisions set forth in paragraph (2) below.]

[(2) For a Sponsored Participant to obtain and maintain authorized access to the Nasdaq Market Center, a Sponsored Participant and its Sponsoring Member must agree in writing to the following Sponsorship Provisions:

(A) Sponsored Participant and its Sponsoring Member must have entered into and maintained a User Agreement with The NASDAQ Stock Market LLC. The Sponsoring Member must designate the Sponsored Participant by name in its User Agreement as such.

(B) Sponsoring Member acknowledges and agrees that

(i) All orders entered by the Sponsored Participants and any person acting on behalf of or in the name of such Sponsored Participant and any executions occurring as a result of such orders are binding in all respects on the Sponsoring Member and

(ii) Sponsoring Member is responsible for any and all actions taken by such Sponsored Participant and any person acting on behalf of or in the name of such Sponsored Participant.

(C) Sponsoring Member shall comply with the Nasdaq Certificate of Incorporation, Bylaws, Rules and procedures with regard to the Nasdaq Market Center and Sponsored Participant shall comply with Nasdaq Certificate of Incorporation, Bylaws, Rules and procedures with regard to the Nasdaq Market Center, as if Sponsored Participant were a Nasdaq Member.

(D) Sponsored Participant shall maintain, keep current and provide to

<sup>3</sup> Changes are marked to the rule text that appears in the electronic manual of Nasdaq found at <http://nasdaq.complinet.com>.

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

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