

operative delay based upon CBOE's representation to the Commission that Lehman Brothers Inc. is seeking to transfer its trading operations on CBOE to Barclays Capital Inc. on an expeditious basis and that the waiver of the foregoing time period will help to facilitate the orderly transfer of these operations and avoid the disruption to those operations and to CBOE's market that would result if those operations needed to be curtailed because Barclays Capital Inc. would not have immediate use of the Interim Trading Permits used to support those operations. Although the foregoing is the impetus for this rule change, going forward any other Interim Trading Permit holder would also be able to avail themselves of the proposed transfer provision if desired. Based on these reasons, the Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest, and thus designates the proposal effective upon filing.<sup>11</sup>

At any time within sixty days of the filing of the proposed rule change, the Commission may summarily abrogate the rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-CBOE-2008-99 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2008-99. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your

<sup>11</sup> For purposes only of waiving the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the CBOE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CBOE-2008-99 and should be submitted on or before October 20, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>12</sup>

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-22748 Filed 9-26-08; 8:45 am]

**BILLING CODE 8010-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #11437 and #11438]**

**West Virginia Disaster #WV-00010**

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

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of West Virginia dated 09/22/2008.

*Incident:* Flea Market Fire.

*Incident Period:* 09/10/2008.

*Effective Date:* 09/22/2008.

*Physical Loan Application Deadline Date:* 11/21/2008.

*Economic Injury (EIDL) Loan Application Deadline Date:* 06/22/2009.

**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:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Cabell.

*Contiguous Counties:*

West Virginia: Lincoln, Mason, Putnam, Wayne.

Ohio: Gallia, Lawrence.

*The Interest Rates are:*

	Percent
Homeowners with Credit Available Elsewhere .....	5.750
Homeowners without Credit Available Elsewhere .....	2.875
Businesses with Credit Available Elsewhere .....	8.000
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	5.250
Businesses and Non-Profit Organizations without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 11437 5 and for economic injury is 11438 0.

The States which received an EIDL Declaration # are West Virginia; Ohio.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: September 22, 2008.

**Sandy K. Baruah,**

*Acting Administrator.*

[FR Doc. E8-22774 Filed 9-26-08; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Suspension of Applications for the Small Disadvantaged Business Program**

*Correction*

In notice document E8-22388 appearing on page 54881 in the issue of Tuesday, September 23, 2008, make the following correction:

<sup>12</sup> 17 CFR 200.30-3(a)(12).