

Documents Access and Management System accession number.

**FOR FURTHER INFORMATION CONTACT:**

Mark Orr, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 251-7495 or e-mail to [Mark.Orr@nrc.gov](mailto:Mark.Orr@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On page 18000, in the third column, in the first complete paragraph, the accession number is changed from "ML081690227," to read "ML082530230."

Dated at Rockville, Maryland, this 28th day of April 2009.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**

*Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. E9-10136 Filed 5-1-09; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[NRC-2009-0189]

**Interim Staff Guidance on Assessing the Consequences of an Accidental Release of Radioactive Materials From Liquid Waste Tanks**

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Solicitation of public comment.

**SUMMARY:** The NRC is soliciting public comment on its Proposed Interim Staff Guidance (ISG) DC/COL-ISG-013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090830488). The purpose of this ISG is to modify and provide Combined License (COL) and Design Certification (DC) applicants additional clarity and guidance for the application of Standard Review Plan (SRP) Sections 11.2 and 2.4.13 on the characterization of hydro geological properties of a site associated with the effects of accidental releases of radioactive liquid on existing or likely future uses of ground and surface water resources in meeting the requirements of Title 10 of the Code of Federal Regulations, Part 100 (10 CFR 100.10 or 100.20) and Appendix B to 10 CFR Part 20 on effluent concentration limits. This ISG would revise the staff guidance previously issued in March 2007 in the SRP NUREG-0080, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants,"

Sections 11.2 and 2.4.13. These two SRP sections are not internally consistent in identifying acceptable criteria for assessing the consequences of accidental releases of radioactive materials, or in providing guidance to the staff and applicants to establish conditions for such releases and define acceptable assumptions to describe exposure scenarios and pathways to members of the public. The NRC staff issues DC/COL-ISGs to facilitate timely implementation of current staff guidance and to facilitate activities associated with review of applications for DCs and COLs by the Office of New Reactors. The NRC staff will also incorporate the approved DC/COL-ISG-013 into the next revision of the SRP and related guidance documents.

**DATES:** Comments must be filed no later than 60 days from the date of publication of this notice in the **Federal Register**. Comments received after this date will be considered, if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted to: Chief, Rulemaking and Directives Branch, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of the **Federal Register** notice.

The NRC ADAMS provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <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 Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Timothy J. Frye, Chief, Health Physics Branch, Division of Construction Inspection and Operational Programs, Office of the New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-3900 or e-mail at [timothy.frye@nrc.gov](mailto:timothy.frye@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The agency posts its issued staff guidance in the agency's external Web page (<http://www.nrc.gov/reading-rm/doc-collections/isd/>).

The NRC staff is issuing this notice to solicit public comments on proposed DC/COL-ISG-013. After the NRC staff considers any public comments, it will

make a determination regarding proposed DC/COL-ISG-013.

Dated at Rockville, Maryland, this 24th day of April 2009.

For the Nuclear Regulatory Commission.

**William F. Burton,**

*Branch Chief, Rulemaking and Guidance Development Branch, Division of New Reactor Licensing, Office of New Reactors.*

[FR Doc. E9-10137 Filed 5-1-09; 8:45 am]

**BILLING CODE 7590-01-P**

**POSTAL REGULATORY COMMISSION**

[Docket Nos. MC2009-24 and CP2009-28 Order No. 207]

**New Competitive Postal Product**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add the Royal Mail Inbound Air Parcel Post Agreement to the Competitive Product List. The Postal Service has also filed a related contract. This notice addresses procedural steps associated with these filings.

**DATES:** Comments are due May 5, 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](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

On April 21, 2009, the Postal Service filed a formal request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.* to add the Royal Mail Inbound Air Parcel Post Agreement to the Competitive Product List.<sup>1</sup> The Postal Service asserts that the Governors have established a price and classification "not of general applicability" within the meaning of 39 U.S.C. 3632(b)(3). *Id.* at 1. The Request has been assigned Docket No. MC2009-24.

The Postal Service contemporaneously filed an agreement related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. The agreement has been assigned Docket No. CP2009-28.

*Request.* The Request incorporates (1) A statement of supporting justification

<sup>1</sup> Request of the United States Postal Service to Add Royal Mail Inbound Air Parcel Post Agreement to the Competitive Products List and Notice of Filing (Under Seal) Contract and Enabling Governors' Decision, April 21, 2009 (Request).

as required by 39 CFR 3020.32; (2) Governors' Decision No. 09-5 authorizing the new product which includes a certification of the vote, requested changes in the Mail Classification Schedule (MCS) product list, an analysis of the agreement and a certification of compliance with 39 U.S.C. 3633(a); (3) a redacted version of the agreement; and (4) an additional certification of compliance with 39 U.S.C. 3633(a).<sup>2</sup> Substantively, the Request seeks to add the Royal Mail Inbound Air Parcel Post Agreement to the Competitive Product List. *Id.* at 1-2.

In the statement of supporting justification, Giselle Valera, Executive Director, Global Finance and Business Analysis, asserts that the service to be provided under the agreement will cover its attributable costs, make a positive contribution to institutional costs, and increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. *Id.*, Attachment 1. Thus, Ms. Valera contends there will be no issue of subsidization of competitive products by market dominant products as a result of this agreement. *Id.*

*Related contract.* A redacted version of the bilateral Royal Mail Inbound Air Parcel Post agreement is included with the Request. The Postal Service represents that the agreement is consistent with 39 U.S.C. 3633(a) and 39 CFR 3015.7(c). *See id.*, Attachment 2 and Attachment 3. The agreement implements negotiated rates for Inbound Air Parcel Post from the United Kingdom. It becomes effective after the Postal Service notifies Royal Mail that it has received all required reviews and the Commission has provided all necessary regulatory approvals. The Postal Service states that the agreement is to remain in effect until terminated by the parties.

<sup>2</sup> Attachment 1 to the Request consists of the Statement of Supporting Justification. Attachment 2 is the Decision of the Governors of the United States Postal Service on Establishment of Prices and Classifications for Royal Mail Group Inbound Air Parcel Post Agreement (Governors' Decision No. 09-5). The Governors' Decision includes Attachment A, requested changes in the MCS product list; Attachment B, a redacted version of Management Analysis of Royal Mail Group Inbound Air Parcel Post Agreement; and Attachment C, a redacted version of Certification of Prices for the Royal Mail Group Inbound Air Parcel Post Agreement. Attachment 3 is a redacted version of the contract. Attachment 4 is an additional redacted certification of compliance with 39 U.S.C. 3633 (a) for the agreement. The Postal Service states that the additional certification "was effected to account for changes in the estimated amount of inward land rate payments in 2010 due to revisions to the payment structure under the [Universal Postal Union's] Parcel Post Regulations that will become effective on January 1, 2010." *Id.* at 2, n.3.

Currently, the Postal Service and Royal Mail apply the inward land rates for Air Parcel Post established by the Universal Postal Union's Postal Operations Council.<sup>3</sup> In the Postal Service's original proposed MCS language for Inbound Air Parcel Post, bilateral agreements were included as a price category within the Inbound Air Parcel Post product.<sup>4</sup> The Postal Service states it is proposing that the Royal Mail agreement be classified as a separate product as a practical matter and in conformity with the intent of the Commission's ruling in Order No. 43<sup>5</sup> which contemplates that each agreement or group of functionally equivalent agreements may be considered as one product. *Id.* at 4.

The Postal Service filed much of the supporting materials, including the analysis of the agreement, Governors' Decision, and the specific Royal Mail Inbound Air Parcel Post agreement in redacted versions and under seal. In its Request, the Postal Service maintains that the agreement and related financial information, including the customer's name and the accompanying analyses that provide prices, terms, conditions, and financial projections should remain under seal. *Id.* at 2-3.

## II. Notice of Filings

The Commission establishes Docket Nos. MC2009-24 and CP2009-28 for consideration of the Request pertaining to the proposed Royal Mail Inbound Air Parcel Post product and the related bilateral contractual agreement as a competitive product, respectively. In keeping with practice, these dockets are addressed on a consolidated basis for purposes of this order; however, future filings should be made in the specific docket in which issues being addressed pertain.

Interested persons may submit comments on whether the Postal Service's filings in the captioned dockets are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642 and 39 CFR part 3015 and 39 CFR 3020 subpart B. Comments are due no later than May 5, 2009. The public portions of these filings can be accessed via the Commission's Web site (<http://www.prc.gov>).

<sup>3</sup> *See* Universal Postal Union International Bureau Circular No. 241, "Parcel Post-Inward Land Rates Applicable from 1 January 2009," September 29, 2008.

<sup>4</sup> *See* United States Postal Service Submission of Additional Mail Classification Schedule Information in Response to Order No. 43, November 20, 2007.

<sup>5</sup> *See* PRC Order No. 43, Order Establishing Ratemaking Regulations for Market Dominant and Competitive Products, Docket No. MC 2007-1, October 29, 2007, at paras. 2177, 2198.

The Commission appoints Paul L. Harrington to serve as Public Representative in these dockets.

### *It is Ordered:*

1. The Commission establishes Docket Nos. MC2009-24 and CP2009-28 for consideration of the matters raised in each docket.

2. 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.

3. Comments by interested persons in these proceedings are due no later than May 5, 2009.

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

By the Commission.

**Judith M. Grady,**  
*Acting Secretary.*

[FR Doc. E9-10095 Filed 5-1-09; 8:45 am]

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## SMALL BUSINESS ADMINISTRATION

[License No. 09/79-0456]

### Horizon Ventures Fund II, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that Horizon Ventures Fund II, L.P., 4 Main Street, Suite 50, Los Altos, CA 94022, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730). Horizon Ventures Fund II, L.P. proposes to provide equity/debt security financing to Invivodata, Inc., 2100 Wharton Street, Suite 505, Pittsburgh, PA 15203.

The financing is brought within the purview of § 107.730(a)(1) of the Regulations because Horizon Ventures Fund I, L.P. and Horizon Ventures Advisors Fund I, L.P., both Associates of Horizon Ventures Fund II, L.P., own in the aggregate more than ten percent of Invivodata, Inc. Therefore this transaction is considered a financing of an Associate requiring prior SBA approval.

Notice is hereby given that any interested person may submit written comments on the transaction within fifteen days of the date of this publication to the Acting Administrator