

pursuant to 10 CFR 70.17, authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. On this basis of this EA, NRC concludes that there are no significant environmental impacts and the issuance of a modified Order does not warrant the preparation of an Environmental Impact Statement. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

Pursuant to 10 CFR 51.33(e), a final determination to prepare an environmental impact statement or a final FONSI for the proposed action will not be made until the last day of the public comment period has expired on November 6, 2009.

#### IV. Further Information

Documents related to this action, including the letter requesting the amendment and supporting documentation, will be available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are:

1. September 29, 2006 authorization request (ML063040029).
2. July 16, 2007 letter response to request for additional information (ML073520212).
3. September 13, 2007 letter response to request for additional information (ML073440260).

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 29th day of September 2009.

For the U.S. Nuclear Regulatory Commission.

**Patrice M. Bubar,**

*Deputy Director, Environmental Protection and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. E9-24208 Filed 10-6-09; 8:45 am]

**BILLING CODE 7590-01-P**

### NUCLEAR REGULATORY COMMISSION

[NRC-2009-0443]

#### Withdrawal of Regulatory Guide 7.1

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Withdrawal of Regulatory Guide 7.1.

#### FOR FURTHER INFORMATION CONTACT:

Thomas J. Herrity, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7447 or e-mail to [Thomas.Herrity@nrc.gov](mailto:Thomas.Herrity@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is withdrawing Regulatory Guide 7.1 (RG 7.1), "Administrative Guide for Packaging and Transporting Radioactive Material." This guide was published in June 1974 and provided guidance on which packaging and labeling regulations of the Department of Transportation (DOT) apply in a given case and what must be done to comply with those regulations. The NRC is withdrawing this regulatory guide because it is outdated.

Although DOT revised their regulations on packaging and shipment of radioactive material several times after issuance of RG 7.1, neither this RG nor the American National Standards Institute (ANSI) standard referenced in the RG have been revised. In addition, ANSI Subcommittee N14.10 withdrew ANSI Standard ANSI N14.10.1, "Administrative Guide for Packaging and Transporting Radioactive Materials," dated September 14, 1973.

DOT issued generic guidance, "Radioactive Material Regulations Review," on their hazardous materials regulations in December 2008, which includes radioactive material determination and appropriate packaging, labeling and placarding for a given material. Because DOT issued guidance on meeting their hazardous

materials regulations, this RG should be withdrawn instead of updated.

#### II. Further Information

The withdrawal of RG 7.1 does not alter any prior or existing licensing commitments based on its use. The guidance provided in this RG is neither necessary nor current. RGs may be withdrawn when their guidance is superseded by congressional action or no longer provides useful information.

RGs are available for inspection or downloading through the NRC's public Web site under "Regulatory Guides" in the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections>. Regulatory guides are not copyrighted and Commission approval is not required to reproduce these documents. RGs are also available for inspection at the NRC's Public Document Room (PDR), Room O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

The PDR's mailing address is US Nuclear Regulatory Commission, Public Document Room, Washington, DC 20555-0001. You can reach the PDR staff by telephone at 301-415-4737 or 800-397-4209, by fax at 301-415-3548, and by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 30th day of September 2009.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**

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

[FR Doc. E9-24212 Filed 10-6-09; 8:45 am]

**BILLING CODE 7590-01-P**

### SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11893 and #11894]

#### American Samoa Disaster # AS-00003

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

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the Territory of American Samoa (FEMA-1859-DR), dated 09/29/2009.

*Incident:* Earthquake, Tsunami, and Flooding.

*Incident Period:* 09/29/2009 and continuing.

**DATES:** *Effective Date:* 09/29/2009.

*Physical Loan Application Deadline Date:* 11/30/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 6/29/2010.

**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:** Notice is hereby given that as a result of the President's major disaster declaration on 09/29/2009, 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: The Territory of American Samoa.

*The Interest Rates are:  
For Physical Damage:*

	Percent
Homeowners With Credit Available Elsewhere; .....	5.500
Homeowners Without Credit Available Elsewhere; .....	2.750
Businesses With Credit Available Elsewhere; .....	6.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere; .....	4.500
Businesses And Non-Profit Organizations Without Credit Available Elsewhere; .....	4.000

*For Economic Injury:*

	Percent
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere; .....	4.000

The number assigned to this disaster for physical damage is 118932 and for economic injury is 118940.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. E9-24175 Filed 10-6-09; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration #11888 and #11889]

**Georgia Disaster Number GA-00028**

**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 Georgia (FEMA-1858-DR), dated 09/26/2009.

*Incident:* Severe storms and flooding.  
*Incident Period:* 09/18/2009 and continuing.

*Effective Date:* 09/28/2009.

*Physical Loan Application Deadline Date:* 11/25/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 06/28/2010.

**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 Georgia, dated 09/26/2009, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:*

Cherokee, Crawford, Dekalb, Fulton, Newton.

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. E9-24178 Filed 10-6-09; 8:45 am]

**BILLING CODE 8025-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 500-1]

**SpongeTech Delivery Systems, Inc.; Order of Suspension of Trading**

October 5, 2009.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of SpongeTech Delivery Systems, Inc. ("SpongeTech") because questions have arisen regarding the accuracy of assertions in press releases to investors and in periodic reports filed with the Commission concerning, among other things: (1) The amount of sales and customer orders received by the company; (2) the company's investment agreements; and (3) the company's revenues as reported in its financial statements. In addition, SpongeTech has not filed any periodic reports with the Commission since the period ended February 28, 2009.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of the above-listed company is suspended for the period from 9:30 a.m. EDT, on October 5, 2009 through 11:59 p.m. EDT, on October 16, 2009.

By the Commission.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. E9-24257 Filed 10-5-09; 4:15 pm]

**BILLING CODE P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-60746; File No. SR-CBOE-2009-070]

**Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing of Proposed Rule Change Related to Preferred Market Makers**

September 30, 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 September 28, 2009, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") 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 the CBOE. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The CBOE is proposing to amend its Preferred Market-Maker program to allow for the preferencing of complex orders entered into the complex order book ("COB") and the complex order RFR auction ("COA"). In addition, CBOE is proposing to make a clarification regarding the existing operation of the Preferred Market-Maker program for simple orders. The text of the proposed rule change is available on the Exchange's Web site at (<http://www.cboe.org/Legal>), at the Office of the Secretary, CBOE, and at the Commission's Public Reference Room.

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

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