

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