

NRC staff, as part of its review of Powertech's application, is preparing a draft SEIS for public comment that will tier off of the ISR GEIS (NUREG-1910). While NRC's Part 51 regulations do not require scoping for SEISs, the NRC staff is planning to place ads in newspapers serving communities near the proposed site, requesting information and comments from the public regarding the proposed action. NRC staff may also use relevant information gathered during scoping for the GEIS to define the scope of the SEIS. In preparing the SEIS, the NRC staff is consulting with Bureau of Land Management; Region 8 Environmental Protection Agency; U.S. Fish & Wildlife Service; U.S. Army Corps of Engineers; South Dakota Department of Environment and Natural Resources; South Dakota State Historic Preservation Office; potentially interested Tribes and public interest groups; South Dakota Game and Fish Department; and the Forest Service.

The NRC has begun evaluating the potential environmental impacts associated with the proposed ISR facility in parallel with the ongoing safety review of the license application. The environmental evaluation will be documented in draft and final SEISs in accordance with NEPA and NRC's implementing regulations contained in 10 CFR Part 51.

2.0 Dewey-Burdock ISR Facilities

The facilities, if licensed, would include a central processing plant, satellite facility, accompanying wellfields (including injection and production wells), and ion exchange columns. The ISR process involves the dissolution of the water-soluble uranium from the mineralized host sandstone rock by pumping oxidants (oxygen or hydrogen peroxide) and chemical compounds (sodium bicarbonate) through a series of injection wells. The uranium-rich solution is transferred from production wells to either the central processing plant or satellite facility for uranium concentration using ion exchange columns. Final processing is conducted in the central processing plant to produce yellowcake, which would be sold to offsite facilities for further processing and eventual use as commercial fuel in nuclear power reactors.

3.0 Alternatives To Be Evaluated

No-Action—The no-action alternative would be to deny the license application. Under this alternative, the NRC would not issue the license. This serves as a baseline for comparison.

Proposed action—The proposed federal action is to issue a license authorizing the possession and use of source material at the proposed ISR facilities. The license review process analyzes the safety and environmental issues related to the construction, operation, and decommissioning of the ISR facilities, and the restoration of the aquifer from which the uranium would be extracted. The ISR facilities would be located near Edgemont, South Dakota in Custer and Fall River Counties. The applicant would be issued an NRC license under the provisions of 10 CFR Part 40.

Other alternatives not listed here may be identified through the environmental review process.

4.0 Environmental Impact Areas To Be Analyzed

The following areas have been tentatively identified for analysis in the SEIS:

- *Land Use*: Plans, policies, and controls;
- *Transportation*: Transportation modes, routes, quantities, and risk estimates;
- *Geology and Soils*: Physical geography, topography, geology, and soil characteristics;
- *Water Resources*: Surface and groundwater hydrology, water use and quality, and the potential for degradation;
- *Ecology*: Wetlands, aquatic, terrestrial, economically and recreationally; important species, and threatened and endangered species;
- *Air Quality*: Meteorological conditions, ambient background, pollutant sources, and the potential for degradation;
- *Noise*: Ambient, sources, and sensitive receptors;
- *Historical and Cultural Resources*: Historical, archaeological, and traditional cultural resources;
- *Visual and Scenic Resources*: Landscape characteristics, manmade features and viewshed;
- *Socioeconomics*: Demography, economic base, labor pool, housing, transportation, utilities, public services/facilities, and education;
- *Environmental Justice*: Potential disproportionately high and adverse impacts to minority and low-income populations;
- *Public and Occupational Health*: Potential public and occupational consequences from construction, routine operation, transportation, and credible accident scenarios (including natural events);
- *Waste Management*: Types of wastes expected to be generated, handled, and stored; and

- *Cumulative Effects*: Impacts from past, present, and reasonably foreseeable actions at and near the site(s).

This list is not intended to be all inclusive, nor is it a predetermination of potential environmental impacts.

5.0 The NEPA Process

The SEIS for the Dewey-Burdock Uranium Project will be prepared pursuant to the NRC's NEPA regulations at 10 CFR Part 51. The NRC will conduct its environmental review of the application and as soon as practicable, the NRC and its contractor will prepare and publish a draft SEIS. The NRC currently plans to have a 45-day public comment period for the draft SEIS. Availability of the draft SEIS and the dates of the public comment period will be announced in the **Federal Register** and the NRC Web site: <http://www.nrc.gov>. The final SEIS will include responses to public comments received on the draft SEIS.

Dated at Rockville, Maryland, this 12th day of January, 2010.

For the 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. 2010-955 Filed 1-19-10; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting of the ACRS Subcommittee on AP1000; Revision to February 2-3, 2010 ACRS Meeting Federal Register Notice

The **Federal Register** Notice for the ACRS Subcommittee Meeting on AP1000 scheduled to be held on February 2-3, 2010, is being revised to notify the following:

The meeting will be open to public attendance with exception of portions that may be closed to protect unclassified safeguards information or information that is proprietary to Westinghouse Electric Company and its contractors, pursuant to 5 U.S.C. 552b(c)(3) and (4).

The notice of this meeting was previously published in the **Federal Register** on Wednesday, January 13, 2010 [75 FR 1831]. All other items remain the same as previously published.

Further information regarding this meeting can be obtained by contacting

Peter Wen, Designated Federal Official (Telephone: 301-415-2832, E-mail: Peter.Wen@nrc.gov) between 7:30 a.m. and 5:15 p.m. (ET).

Dated: January 13, 2010.

Antonio F. Dias,

Chief, Reactor Safety Branch B, Advisory Committee on Reactor Safeguards.

[FR Doc. 2010-952 Filed 1-19-10; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2010-0002]

Sunshine Act; Meeting Notice

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission

DATE: Weeks of January 18, 25, and February 1, 8, 15, 22, 2010.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of January 18, 2010

Tuesday, January 19, 2010

9:30 a.m.—Briefing on the NRC Enforcement and Allegations Programs (Public Meeting) (Contact: Shahram Ghasemian, 301-415-3591)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

Week of January 25, 2010—Tentative

Tuesday, January 26, 2010

9:30 a.m.—Briefing on Office of Nuclear Reactor Regulation—Programs, Performance, and Future Plans (Public Meeting) (Contact: Quynh Nguyen, 301-415-5844)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

Week of February 1, 2010—Tentative

There are no meetings scheduled for the week of February 1, 2010.

Week of February 8, 2010—Tentative

Tuesday, February 9, 2010

9:30 a.m.—Briefing on Regional Programs—Programs, Performance, and Future Plans (Public Meeting) (Contact: Richard Barkley, 610-337-5065)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

Week of February 15, 2010—Tentative

Thursday, February 18, 2010

9:30 a.m.—Briefing on Office of Nuclear Regulatory Research—Programs,

Performance, and Future Plans (Public Meeting) (Contact: Patricia Santiago, 301-251-7982)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

Week of February 22, 2010—Tentative

Tuesday, February 23, 2010

9:30 a.m.—Briefing on Decommissioning Funding (Public Meeting) (Contact: Thomas Fredrichs, 301-415-5971)

This meeting will be webcast live at the Web address—<http://www.nrc.gov>

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*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., Braille, large print), please notify Angela Bolduc, Chief, Employee/Labor Relations and Work Life Branch, at 301-492-2230, TDD: 301-415-2100, or by e-mail at angela.bolduc@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to darlene.wright@nrc.gov.

Dated: January 14, 2010.

Rochelle C. Baval,

Office of the Secretary.

[FR Doc. 2010-1042 Filed 1-15-10; 4:15 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-61345; File No. SR-NASDAQ-2008-104]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing of Amendment Nos. 2 and 3 and Order Granting Accelerated Approval to Proposed Rule Change, as Modified by Amendment Nos. 1, 2, and 3 Thereto, To Adopt a Modified Sponsored Access Rule

January 13, 2010.

I. Introduction

On December 30, 2008, The NASDAQ Stock Market LLC (“Nasdaq” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) ¹ and Rule 19b-4 thereunder,² a proposed rule change to modify its rule governing electronic access to the Exchange’s order execution systems. On January 28, 2009, Nasdaq filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on January 29, 2009.³ The Commission received thirteen comment letters on the proposal.⁴ On October 19,

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 59275 (January 22, 2009), 74 FR 5193.

⁴ Letters to Elizabeth M. Murphy, Secretary, Commission, from Harvey Cloyd, Chief Executive Officer, Electronic Transaction Clearing, Inc., dated February 5, 2009 (“ETC Letter”); John Jacobs, Director of Operations, Lime Brokerage LLC, dated February 17, 2009 (“Lime I Letter”); Manisha Kimmel, Executive Director, Financial Information Forum, dated February 19, 2009 (“FIF Letter”); Ted Myerson, President, FTEN, Inc., dated February 19, 2009 (“FTEN I Letter”); Michael A. Barth, Executive Vice President, OES Market Group, dated February 23, 2009 (“OES Letter”); Jeff Bell, Executive Vice President, Clearing and Technology Group, Wedbush Morgan Securities, dated February 23, 2009 (“Wedbush Letter”); Stuart J. Kaswell, Executive Vice President & General Counsel, Managed Funds Association, dated February 24, 2009 (“MFA Letter”); Ann Vlcek, Managing Director and Associate General Counsel, Securities Industry and Financial Markets Association (“SIFMA”), dated February 26, 2009 (“SIFMA I Letter”); Nicole Harner Williams, Vice President, Associate General Counsel, Penson Financial Services, Inc., dated February 27, 2009 (“Penson Letter”); Samuel F. Lek, Chief Executive Officer, Lek Securities Corporation, dated June 15, 2009 (“Lek Letter”); letter to David S. Shillman, Associate Director, Division of Trading and Markets (“Division”), James A. Brigagliano, Associate Director, Division, and A. Duer, Meehan, Associate Director, Office of Compliance Inspections and Examinations, Commission, from Gary LaFever, Chief Corporate Development Officer, FTEN, Inc., dated April 29, 2009 (“FTEN II Letter”); letter to James Brigagliano, Co-Acting Director, David Shillman, Associate Director, John Roeser,

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