

protected by issue finality provisions in 10 CFR part 52 with respect to the matters addressed in this regulatory guide. Although part 52 combined license applicants and holders may apply for specific ISFSI licenses, the guidance in this regulatory guide is directed to ISFSI applicants and does not make a distinction between, and presents no more onerous guidance for, ISFSI applicants who are also combined license applicants or holders, than for ISFSI applicants who are not combined license applicants and holders.

Accordingly, the NRC concludes that this draft regulatory guide, if finalized, would not be inconsistent with any part 52 issue finality provision.

Dated at Rockville, Maryland, this 18th day of November, 2013.

For the Nuclear Regulatory Commission.

**Thomas H. Boyce,**

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

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**BILLING CODE 7590-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Senior Executive Service-Performance Review Board

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the appointment of members of the OPM Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** Carmen Garcia, Employee Services—OPM Human Resources, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, (202) 606-4999.

**SUPPLEMENTARY INFORMATION:** Section 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES performance review boards. The board reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and considers recommendations to the appointing authority regarding the performance of the senior executive.

Office of Personnel Management.

**Katherine Archuleta,**  
*Director.*

The following have been designated as members of the Performance Review Board of the U.S. Office of Personnel Management:

Ann Marie Habershaw, Chief of Staff  
Angela Bailey, Chief Operating Officer  
Elizabeth Montoya, Senior Advisor to  
the Director

Jonathan Foley, Director—Office of  
Planning and Policy Analysis  
Dennis Coleman, Chief Financial Officer  
Joseph Kennedy, Associate Director for  
Human Resources Solutions  
Mark Reinhold, Chief Human Capital  
Officer and Acting Associate Director  
for Employee Services

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**BILLING CODE 6325-45-P**

## SECURITIES AND EXCHANGE COMMISSION

**[Investment Company Act Release No.  
30815; 812-14201]**

### VTL Associates, LLC, et al.; Notice of Application

December 2, 2013.

**AGENCY:** Securities and Exchange Commission (“Commission”).

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from sections 2(a)(32), 5(a)(1), 22(d), and 22(e) of the Act and rule 22c-1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act, and under section 12(d)(1)(J) for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act.

**SUMMARY:** *Summary of Application:* Applicants request an order that would permit (a) series of certain open-end management investment companies to issue shares (“Shares”) redeemable in large aggregations only (“Creation Units”); (b) secondary market transactions in Shares to occur at negotiated market prices rather than at net asset value (“NAV”); (c) certain series to pay redemption proceeds, under certain circumstances, more than seven days after the tender of Shares for redemption; (d) certain affiliated persons of the series to deposit securities into, and receive securities from, the series in connection with the purchase and redemption of Creation Units; and (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the series to acquire Shares. The order would supersede a prior order.<sup>1</sup>

<sup>1</sup> Applicants previously received an order of exemption from the Commission with respect to the offering of funds based on indexes of domestic equity securities. See Investment Company Act Rel.

*Applicants:* RevenueShares ETF Trust (the “Trust”), VTL Associates, LLC (“Current Adviser”), and Foreside Fund Services, LLC (the “Distributor”).

**DATES:** *Filing Dates:* The application was filed on August 12, 2013, and amended on October 18, 2013 and November 29, 2013.

*Hearing or Notification of Hearing:* An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on December 27, 2013, and should be accompanied by proof of service on applicants, in the form of an affidavit, or for lawyers, a certificate of service. Hearing requests should state the nature of the writer’s interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission’s Secretary.

**ADDRESSES:** Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090; Applicants: VTL Associates, LLC and RevenueShares ETF Trust, One Commerce Square, 2005 Market Street, Suite 2020, Philadelphia, PA 19103; Foreside Fund Services, LLC, Three Canal Plaza, Suite 100, Portland, ME 04101.

**FOR FURTHER INFORMATION CONTACT:** Jill Ehrlich, Senior Counsel, at (202) 551-6819, or David P. Bartels, Branch Chief, at (202) 551-6821 (Division of Investment Management, Chief Counsel’s Office).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission’s Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### Applicants’ Representations

1. The Trust is a Delaware statutory trust registered under the Act as an open-end management investment company with multiple series. Applicants state that the Trust currently offers a number of Funds (as defined below), each of which has a distinct investment objective, tracks a particular index and utilizes either a replication or