NATIONAL SCIENCE FOUNDATION

Notice of Permit Modification Request Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.

ACTION: Notice of permit modification request received under the Antarctic Conservation Act of 1978, Public Law 95–541.

SUMMARY: Notice is hereby given that the National Science Foundation (NSF) has received a request to modify a permit issued to conduct activities regulated under the Antarctic Conservation Act of 1978 (Pub. L. 95–541; Code of Federal Regulations Title 45, Part 670).

DATES: Interested parties are invited to submit written data, comments, or views with respect to the permit modification by March 9, 2009. The permit modification request may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT: Polly A. Penhale or Nadene G. Kennedy at the above address or (703) 292–8030.

Description of Permit Modification Requested

On October 1, 2008, the National Science Foundation issued a waste management permit (2009 WM–001) to Erica Wikander, Environmental Officer, Quark Expeditions, Inc. after posting a notice in the June 9, 2008 **Federal Register**. Public comments were not received. The issued permit was for the operation of remote field support and emergency provisions for the expedition vessels, AKADEMIK SERGEY VAVILOV, AKADEMIK IOFFEE and CLIPPER ADVENTURER. The permit holder requests to take 4 ATV's and two 10 gallon plastic containers of regular gasoline ashore, which will be housed in the garage overnight at Bellingshausen Station. The ATV's will be used during the course of a marathon that will be run on King George Island. The ATV's will be used primarily for safety reasons should anyone need to return to the beach or ship, due to an accident or a collapse. The ATV's will be used to conduct a thorough cleanup after the marathon.

In addition the permit holder proposes to take 3 portable toilets ashore and set them up in small tents. After the marathon everything will be removed back to the ship and no human waste will be left ashore. The waste from the portable toilets will be put into the storage tank for sewage on the ships.

The duration of the requested modification is coincident with the current permit which expires on March 31, 2013.

Nadene G. Kennedy,

Permit Officer.

[FR Doc. E9–2551 Filed 2–5–09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–277 and 50–278]

Exelon Generation Company, LLC, and PSEG Nuclear, LLC; Environmental Assessment and Finding of No Significant Impact; Correction NRC–2009–0033

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental Assessment and Finding of No Significant Impact; Correction.

SUMMARY: This document corrects a notice appearing in the **Federal Register** on January 29, 2009 (74 FR 5191), that notified the public of the Environmental Assessment and Finding of No Significant Impact for issuance of an Exemption from Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Appendix R, Section III.G, ''Fire Protection of Safe Shutdown Capability,'' for the use of operator manual actions in lieu of the requirements specified in Section III.G.2 as requested by Exelon Generation Company, LLC for operation of Peach Bottom Atomic Power Station, Units 2 and 3 located in York and Lancaster Counties, Pennsylvania. This action is necessary to correct the Licensee's name as stated in the subject heading of the original notice.

FOR FURTHER INFORMATION CONTACT: John D. Hughey, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone (301) 415–3204, e-mail: *John.Hughey@nrc.gov.*

SUPPLEMENTARY INFORMATION: On page 5191, in the first column, 11th line, the subject heading is corrected to read from ''Entergy Nuclear Operations, Inc.;'' to ''Exelon Generation Company, LLC, and PSEG Nuclear, LLC;.''

Dated in Rockville, Maryland, this 29th day of January 2009.

For the Nuclear Regulatory Commission.

John D. Hughey,

Project Manager, Plant Licensing Branch I–2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E9–2546 Filed 2–5–09; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–59336; File No. SR–CBOE–2008–127]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Order Approving Proposal To Eliminate the $3 Underlying Price Requirement for Continued Listing and Listing of Additional Series

February 2, 2009.

On December 18, 2008, the Chicago Board Options Exchange, Incorporated (''Exchange'' or ''CBOE'') 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 eliminate the $3 underlying price requirement for continued listing and for the listing of additional series. The proposed rule change was published for comment in the **Federal Register** on January 2, 2009.[3] The Commission received one comment letter on the proposed rule change.[4] This order approves the proposed rule change.

The proposed rule change amends CBOE Rule 5.4.01 to eliminate the $3 market price per share requirement from the Exchange's requirements for continued approval for an underlying security and amends CBOE Rule 5.4.02 to eliminate the prohibition against listing additional series of options on an underlying security at any time when the price per share of such underlying security is less than $3.

The Exchange believes that the $3 market price per share requirement is no longer necessary or appropriate, and states that only those underlying securities meeting the remaining maintenance listing criteria set forth in Rule 5.4.01 will be eligible for

[1] 15 U.S.C. 78s(b)(l).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 59152 (December 23, 2008), 74 FR 149 (January 2, 2009) (''Notice'').

[4] *See* letter to Florence E. Harmon, Acting Secretary, Commission, from Janet M. Kissane, Senior Vice President—Legal and Corporate Secretary, Office of the General Counsel, NYSE Euronext dated January 9, 2009 (''NYSE Euronext Letter'').