

Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Non-timely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted and/or the contentions should be admitted based on a balancing of the factors specified in 10 CFR Part 2.309(c)(1)(i)-(viii). In order to be considered timely, filings must be submitted no later than 11:59 p.m. Eastern Standard Time on the due date.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket, which is available to the public at [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp) unless excluded pursuant to an Order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include social security numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

The formal requirements for documents contained in 10 CFR Part 2.304(c)-(e) must be met. If the NRC grants an electronic document exemption in accordance with 10 CFR Part 2.302(g)(3), then the requirements for paper documents, set forth in 10 CFR Part 2.304(b), must be met.

In accordance with 10 CFR Part 2.309(b), a request for a hearing must be filed by April 20, 2009.

*In addition to meeting other applicable requirements of 10 CFR Part 2.309, the general requirements involving a request for a hearing filed by a person other than an applicant must state:*

1. The name, address, and telephone number of the requester;
2. The nature of the requester's right under the Act to be made a party to the proceeding;
3. The nature and extent of the requester's property, financial, or other interest in the proceeding;
4. The possible effect of any decision or order that may be issued in the proceeding on the requester's interest; and

5. The circumstances establishing that the request for a hearing is timely in accordance with 10 CFR Part 2.309(b).

In accordance with 10 CFR Part 2.309(f)(1), a request for hearing or petitions for leave to intervene must set forth with particularity the contentions sought to be raised. For each contention, the request or petition must:

1. Provide a specific statement of the issue of law or fact to be raised or controverted;
2. Provide a brief explanation of the basis for the contention;
3. Demonstrate that the issue raised in the contention is within the scope of the proceeding;
4. Demonstrate that the issue raised in the contention is material to the findings that the NRC must make to support the action that is involved in the proceeding;
5. Provide a concise statement of the alleged facts or expert opinions that support the requester's/petitioner's position on the issue and on which the requester/petitioner intends to rely to support its position on the issue; and
6. Provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. This information must include references to specific portions of the application (including the applicant's environmental report and safety report) that the requester/petitioner disputes and the supporting reasons for each dispute, or, if the requester/petitioner believes the application fails to contain information on a relevant matter as required by law, the identification of each failure and the supporting reasons for the requester's/petitioner's belief.

Requesters/petitioners should, when possible, consult with each other in preparing contentions and combine similar subject matter concerns into a joint contention, for which one of the co-sponsoring requesters/petitioners is designated the lead representative. Further, in accordance with 10 CFR Part 2.309(f)(3), any requester/petitioner that wishes to adopt a contention proposed by another requester/petitioner must do so, in accordance with the E-Filing rule, within ten days of the date that the contention is filed, and designate a representative who shall have the authority to act for the requester/petitioner.

In accordance with 10 CFR Part 2.309(g), a request for hearing and/or petition for leave to intervene may also address the selection of the hearing procedures, taking into account the provisions of 10 CFR Part 2.310.

### III. Further Information

Documents related to this action, including the application for amendment and supporting documentation, are 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 documents related to this action are listed below, along with their ADAMS accession numbers:

1. Building 200, Bay 4 Decommissioning Assessment, ADAMS Accession No. ML063340558; and
2. Building 200 Decommissioning Plan, ADMAS Accession No. ML080980180.

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The Public Document Room reproduction contractor will copy documents for a fee.

Dated at Region I, 475 Allendale Road, King of Prussia, PA, this 6th day of February, 2009.

For the Nuclear Regulatory Commission.

**Randolph C. Ragland, Jr.,**

*Chief, Decommissioning Branch, Division of Nuclear Materials Safety, Region I.*

[FR Doc. E9-3286 Filed 2-13-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Request To Amend a License for the Export of Radioactive Waste

Pursuant to 10 CFR 110.70 (b) "Public Notice of Receipt of an Application," please take notice that the Nuclear Regulatory Commission (NRC) has received the following request to amend an export license. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/reading-rm.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within thirty days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave

to intervene shall be served by the requestor or petitioner upon the applicant, the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

A request for a hearing or petition for leave to intervene may be filed with the NRC electronically in accordance with

NRC's E-Filing rule promulgated in August 2007, 72 FR 49139 (Aug. 28, 2007). Information about filing electronically is available on timely electronic filing, at least five days prior to the filing deadline, the petitioner/requestor should contact the Office of the Secretary by e-mail at *HEARINGDOCKET@NRC.GOV*, or by calling (301) 415-1677, to request a digital ID certificate and allow for the creation of an electronic docket.

In its review of the application for a license to export radioactive waste as defined in 10 CFR Part 110 and noticed herein, the Commission does not evaluate the health, safety or environmental effects in the recipient nation of the material to be exported. The information concerning the application follows.

**NRC Application To Amend License for the Export of Radioactive Waste**

DESCRIPTION OF MATERIAL

Name of applicant, Date of application, Date received, Application No. Docket No.	Material type	Total quantity (Qty)	End use	Country of destination
Diversified Scientific Services, Inc. (DSSI). January 20, 2009 and October 22, 2008. January 22, 2009 and October 23, 2008. XW002/05 ..... 11004983 .....	Class A Radioactive Mixed Waste—in solid form).	A maximum total quantity not to exceed 30 curies (and not more than 10 curies per year) of Class A radioactive mixed waste (primarily mixed fission product radionuclides) contained in baghouse salts and ash, which result from processing liquid waste received under NRC import license IW004.	Amendment to (1) add three new ultimate consignees for return of processed waste; and (2) extend the expiration date from 12/31/10 to 12/31/13.	Canada.

For the Nuclear Regulatory Commission.  
Dated this 11th day of February 2009 at Rockville, Maryland.

**Scott M. Moore,**  
*Deputy Director, Office of International Programs.*  
[FR Doc. E9-3389 Filed 2-13-09; 8:45 am]  
BILLING CODE 7590-01-P

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**Notice of Correction to U.S. Note 1 Subchapter XXI of Chapter 98 of the Harmonized Tariff Schedule of the United States**

**AGENCY:** Office of the United States Trade Representative.  
**ACTION:** Notice.

**SUMMARY:** This notice makes rectifications to the Harmonized Tariff Schedule of the United States (HTS) to reflect that Peru remains a designated beneficiary country for purposes of the Andean Trade Promotion and Drug Eradication Act (ATPDEA) and that the President has suspended Bolivia's designation as beneficiary country for the purposes of the ATPDEA.

**DATES:** Effective with respect to goods of Peru that are entered, or withdrawn from warehouse for consumption, on or

after February 1, 2009, and with respect to goods of Bolivia that are entered, or withdrawn from warehouse for consumption, on or after December 15, 2008. With respect to Peru, retroactive claims are allowed through existing CBP administrative avenues.

**FOR FURTHER INFORMATION CONTACT:** Mariña L. Pagán, Associate General Counsel, Office of the United States Trade Representative, (202) 395-7305, regarding issues related to Peru and Shubha Sastry, Assistant General Counsel Office of the United States Trade Representative, (202) 395-3150, for issues related to Bolivia designation under the ATPDEA.

**SUPPLEMENTARY INFORMATION:** In Proclamation 8341 (January 16, 2009) (74 FR 4105), the President proclaimed certain changes to the HTS in order to implement the United States-Peru Trade Promotion Agreement and for other purposes. Annex I of Publication 4058 of the United States International Trade Commission, incorporated by reference into Proclamation 8341, incorrectly deleted Peru from the enumeration of designated beneficiary countries in U.S. note 1 to subchapter XXI of Chapter 98 of the HTS.

In Proclamation 8323 (November 25, 2008), the President proclaimed that U.S. note 1 to subchapter XXII of

chapter 98 of the HTS was modified by removing "Bolivia" from the list of ATPDEA beneficiary countries. The list of ATPDEA beneficiary countries is in subchapter XXI and not XXII.

In Proclamation 6969 (January 27, 1997) (62 FR 4415), the President delegated to the United States Trade Representative (USTR) the authority under section 604 of the Trade Act of 1974 (19 U.S.C. 2483) to make rectifications, technical or conforming changes, or similar modifications to the HTS and to embody those changes in the HTS. Pursuant to the authority delegated to the USTR in Proclamation 6969, U.S. note 1 to subchapter XXI of chapter 98 of the HTS is rectified by inserting "Peru" in alphabetical sequence in the list of designated beneficiary countries and deleting "Bolivia" from that list.

**Peter F. Allgeier,**  
*Acting United States Trade Representative.*  
[FR Doc. E9-3395 Filed 2-13-09; 8:45 am]  
BILLING CODE 3190-W9-P