

For the Nuclear Regulatory Commission.

**L. Raghavan,**

*Chief, Special Projects Branch, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-4441 Filed 3-2-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-315 and 50-316; NRC-2009-0094]

### Indiana Michigan Power Company; Donald C. Cook Nuclear Plant, Units 1 and 2, Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 36a(a)(2) [10 CFR 50.36a(a)(2)], for Facility Operating License Nos. DPR-58 and DPR-74, issued to Indiana Michigan Power Company (the licensee), for operation of the Donald C. Cook Nuclear Plant, Unit 1 and Unit 2, located in Berrien County. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

#### Environmental Assessment

##### *Identification of the Proposed Action*

The regulation 10 CFR 50.36(a)(2) specifies that the Radioactive Effluent Release Report submittal interval must not exceed 12 months. By application dated October 21, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML082970187), the licensee proposed an amendment to Technical Specification 5.6.3 which would change the submittal date from "within 90 days of January 1 of each year" (*i.e.*, prior to April 1, 2009) to "prior to May 1 of each year."

In the October 21, 2008, application, the licensee also requested a one-time exemption from the requirements of 10 CFR 50.36a(a)(2) to support the implementation of the proposed amendment which results in the 2008 Radioactive Effluent Release Report submittal exceeding the 12-month requirement.

##### *The Need for the Proposed Action*

The proposed action is required to support the implementation of the proposed amendment to Technical Specification 5.6.3. This amendment eliminates an undue administrative burden by extending the required submittal date for the Radioactive

Effluent Release Report one additional month. As specified in 10 CFR 50.36a(a)(2), the interval between submittals must not exceed 12 months. A one-time exemption is required because the proposed amendment would result in the 2008 Radioactive Effluent Release Report submittal exceeding the 12-month requirement.

##### *Environmental Impacts of the Proposed Action*

The NRC has completed its safety evaluation of the proposed action and concludes that there are no environmental impacts associated with the proposed exemption. The details of the staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent released offsite. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

##### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (*i.e.*, the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

##### *Alternative Use of Resources*

The action does not involve the use of any different resources other than those previously considered in the Final Environmental Statement for the Donald C. Cook Nuclear Plant, Units 1 and 2, dated August 1973, and the Generic Environmental Impact Statement for License Renewal of the Donald C. Cook

Nuclear Plant, Units 1 and 2 (NUREG-1437, Supplement 20), dated May 2005.

#### *Agencies and Persons Consulted*

On February 9, 2009, the staff consulted with the Michigan State official, Mr. Ken Yale, of the Michigan Department of Environmental Quality, regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated October 21, 2008. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 24th day of February 2009.

For the Nuclear Regulatory Commission.

**Terry A. Beltz,**

*Senior Project Manager, Plant Licensing Branch III-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-4438 Filed 3-2-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Weeks of March 2, 9, 16, 23, 30, April 6, 2009.

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

**STATUS:** Public and Closed.

**Week of March 2, 2009***Wednesday, March 4, 2009*

2:45 p.m. Discussion of Security Issues  
(Closed—Ex. 1).

*Thursday, March 5, 2009*

- 2:25 p.m. Affirmation Session (Public Meeting) (Tentative).
- Dominion Nuclear Connecticut, Inc. (Millstone Power Station, Unit 3) (License Amendment for Power Uprate) (Tentative).
  - Entergy Nuclear Operations, Inc. Docket Nos. 50–247–LR and 50–286–LR. Entergy's Petition for Interlocutory Review of the Licensing Board's December 18, 2008 Memorandum and Order (Tentative).

*Friday, March 6, 2009*

9:30 a.m. Briefing on Guidance for Implementation of Security Rulemaking (Public Meeting) (Contact: Rich Correia, 301–415–7674).

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

1:30 p.m. Briefing on Guidance for Implementation of Security Rulemaking (Closed—Ex. 3).

**Week of March 9, 2009—Tentative**

There are no meetings scheduled for the week of March 9, 2009.

**Week of March 16, 2009—Tentative***Monday, March 16, 2009*

9:30 a.m. Briefing on State of Nuclear Materials and Waste Programs (Public Meeting) (Contact: Tammy Bloomer, 301–415–1725).

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

*Tuesday, March 17, 2009*

1:30 p.m. Briefing on State of Nuclear Reactor Safety Programs (Public Meeting) (Contact: Tammy Bloomer, 301–415–1725).

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

*Friday, March 20, 2009*

9:30 a.m. Briefing on the Nuclear Education Program (Public Meeting) (Contact: John Gutteridge, 301–492–2313).

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

**Week of March 23, 2009—Tentative**

There are no meetings scheduled for the week of March 23, 2009.

**Week of March 30, 2009—Tentative**

There are no meetings scheduled for the week of March 30, 2009.

**Week of April 6, 2009—Tentative**

There are no meetings scheduled for the week of April 6, 2009.

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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 Bavol, (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 the NRC's Disability Program Coordinator, Rohn Brown, at 301–492–2279, TDD: 301–415–2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@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 by mail to several hundred 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). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: February 26, 2009.

**Rochelle C. Bavol,***Office of the Secretary.*

[FR Doc. E9–4559 Filed 2–27–09; 11:15 am]

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**POSTAL REGULATORY COMMISSION**

**[Docket Nos. MC2009–17 and CP2009–24; Order No. 184]**

**New Competitive Postal Product****AGENCY:** Postal Regulatory Commission.**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add Express Mail & Priority Mail Contract Mail 4 to the Competitive Product List. The Postal Service has also filed a related contract. This notice

addresses procedural steps associated with these filings.

**DATES:** Comments are due March 4, 2009.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, 202–789–6820 and [stephen.sharfman@prc.gov](mailto:stephen.sharfman@prc.gov).

**SUPPLEMENTARY INFORMATION:****I. Introduction**

On February 20, 2009, the Postal Service filed a formal request pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.* to add Express Mail & Priority Mail Contract 4 to the Competitive Product List.<sup>1</sup> The Postal Service asserts that the Express Mail & Priority Mail Contract 4 product is a competitive product “not of general applicability” within the meaning of 39 U.S.C. 3632(b)(3). Request at 1. The Request has been assigned Docket No. MC2009–17.

The Postal Service contemporaneously filed a contract related to the proposed new product pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. The contract has been assigned Docket No. CP2009–24.

*Request.* The Request incorporates (1) A redacted version of the Governors' Decision authorizing the new product; (2) a redacted version of the contract; (3) requested changes in the Mail Classification Schedule product list; (4) a statement of supporting justification as required by 39 CFR 3020.32; and (5) certification of compliance with 39 U.S.C. 3633(a).<sup>2</sup> Substantively, the Request seeks to add Express Mail & Priority Mail Contract 4 to the Competitive Product List. Request at 1–2.

In the statement of supporting justification, Kim Parks, Manager, Sales

<sup>1</sup> Request of the United States Postal Service to Add Express Mail & Priority Mail Contract 4 to Competitive Product List and Notice of Establishment of Rates and Class Not of General Applicability, February 20, 2009 (Request).

<sup>2</sup> Attachment A to the Request consists of the redacted Decision of the Governors of the United States Postal Service on Establishment of Rate and Class Not of General Applicability for Express Mail and Priority Mail Services (Governors' Decision No. 09–2). The Governors' Decision includes an attachment which provides an analysis of the proposed Express Mail and Priority Mail Contract 4 and certification of the Governors' vote. Attachment B is the redacted version of the contract. Attachment C shows the requested changes to the Mail Classification Schedule product list. Attachment D provides a statement of supporting justification for the Request. Attachment E provides the certification of compliance with 39 U.S.C. 3633(a).