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*Florida Power and Light Company, Docket Nos. 50-250 and 50-251, Turkey Point Plant, Units 3 and 4, Miami-Dade County, Florida*

*Date of amendment request:* April 15, 2009.

*Description of amendment request:* The amendments revised Technical Specification (TS) 3.9.10, Water Level—Reactor Vessel by eliminating control rods from the Applicability, Action and surveillance requirement during refueling operations. The change is consistent with Standard Technical Specifications—Westinghouse Plants, NUREG-1431, Revision 3.

*Date of issuance:* April 15, 2009.

*Effective date:* As of the date of issuance and shall be implemented prior to lifting the Unit 3 reactor vessel closure head.

*Amendment Nos.:* 239 and 234.

*Facility Operating License Nos. (DPR-31 and DPR-41):* Amendments revised the technical specifications.

*Public comments requested as to proposed no significant hazards consideration (NSHC):* No.

The Commission's related evaluation of the amendment, finding of emergency circumstances, state consultation, and final NSHC determination are contained in a safety evaluation dated April 15, 2009.

*Attorney for licensee:* M.S. Ross, Attorney, Florida Power & Light, P.O. Box 14000, Juno Beach, Florida 33408-0420.

*NRC Branch Chief:* Thomas H. Boyce.

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

For the Nuclear Regulatory Commission.

**Joseph G. Giitter,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-10039 Filed 5-4-09; 8:45 am]

**BILLING CODE P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0191]

[Docket No. 030-35869]

### Notice of Availability of Environmental Assessment and Finding of No Significant Impact for License Amendment to Byproduct Nuclear Materials License No. 06-28699-03, for Termination of the License and Unrestricted Release of the Swiss Army Brand, Incorporated Facility Located in Shelton, CT

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of Environmental Assessment and Finding of No Significant Impact for License Amendment.

#### FOR FURTHER INFORMATION CONTACT:

Thomas K. Thompson, Sr. Health Physicist, Commercial and R&D Branch, Division of Nuclear Materials Safety, Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406; telephone (610) 337-5303; fax number (610) 337-5269; or by *e-mail*: [thomas.thompson@nrc.gov](mailto:thomas.thompson@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an amendment to byproduct materials License No. 06-28699-03. This license is held by Swiss Army Brands, Inc. (the licensee) for its facility located at 65 Trap Falls Road, Shelton, Connecticut (the Facility). Issuance of the amendment would authorize release of the Facility for unrestricted use and termination of the NRC license. The Licensee requested this action in a letter dated March 19, 2008. The NRC has prepared an Environmental Assessment (EA) in support of this proposed action in accordance with the requirements of Title 10, *Code of Federal Regulations* (CFR), Part 51 (10 CFR Part 51). Based on the EA, the NRC has concluded that a Finding of No Significant Impact (FONSI) is appropriate with respect to the proposed action. The amendment will be issued to the Licensee following the publication of this FONSI and EA in the **Federal Register**.

#### II. Environmental Assessment

##### Identification of Proposed Action

The proposed action would approve the Licensee's March 19, 2008, license amendment request, resulting in release of the Facility for unrestricted use and the termination of its NRC materials

license. License No. 06-28699-03 was issued on November 20, 2001, pursuant to 10 CFR Part 30, and has been amended periodically since that time. This license authorized the Licensee to use tritiated (containing hydrogen-3) luminous painted dials for assembly on watches and alarm clocks.

The Facility is a one-story building of approximately 82,550 square feet, containing warehouse spaces, office spaces and laboratories. Within the Facility, use of licensed materials was largely confined to the 3,520 square foot watch repair area. The Facility is located in a mixed residential/commercial area. Within the Facility, the radionuclide of concern was hydrogen-3 because the half-life of this isotope is greater than 120 days.

In September 2007, the Licensee last handled watches containing tritium, ceased licensed activities and initiated a survey of the affected areas of the Facility. Based on the Licensee's historical knowledge of the site and the conditions of the Facility, the Licensee determined that only routine decontamination activities, in accordance with the NRC-approved operating radiation safety procedures, would be required. The Licensee was not required to submit a decommissioning plan to the NRC because worker cleanup activities and procedures are consistent with those approved for routine operations. The Licensee conducted surveys of the Facility and provided information to the NRC to demonstrate that it meets the criteria in Subpart E of 10 CFR Part 20 for unrestricted release and for license termination.

##### Need for the Proposed Action

The Licensee has ceased conducting licensed activities at the Facility, and seeks the unrestricted use of its Facility and the termination of its NRC materials license. Termination of its license would end the Licensee's obligation to pay annual license fees to the NRC.

##### Environmental Impacts of the Proposed Action

The historical review of licensed activities conducted at the Facility shows that such activities involved use of the following radionuclide with a half-life greater than 120 days: Hydrogen-3.

The Licensee conducted a final status survey in January 2008. This survey covered the areas of use in the Facility. The final status survey report was received March 12, 2008. The Licensee demonstrated compliance with the radiological criteria for unrestricted release as specified in 10 CFR 20.1402

by using the screening approach described in NUREG-1757, "Consolidated Decommissioning Guidance," Volume 2. The radionuclide-specific derived concentration guideline levels (DCGLs), developed by the NRC, which comply with the dose criterion in 10 CFR 20.1402, were not exceeded. These DCGLs define the maximum amount of residual radioactivity on building surfaces, equipment, and materials, and in soils, that will satisfy the NRC requirements in Subpart E of 10 CFR Part 20 for unrestricted release. The Licensee's final status survey results were below these DCGLs and are in compliance with the As Low As Reasonably Achievable (ALARA) requirement of 10 CFR 20.1402. The NRC thus finds that the Licensee's final status survey results are acceptable. Based on its review, the staff has determined that the affected environment and any environmental impacts associated with the proposed action are bounded by the impacts evaluated by the "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities" (NUREG-1496) Volumes 1-3 (ML042310492, ML042320379, and ML042330385). The staff finds there were no significant environmental impacts from the use of radioactive material at the Facility. The NRC staff reviewed the docket file records and the final status survey report to identify any non-radiological hazards that may have impacted the environment surrounding the Facility. No such hazards or impacts to the environment were identified. The NRC has identified no other radiological or non-radiological activities in the area that could result in cumulative environmental impacts.

The NRC staff finds that the proposed release of the Facility for unrestricted use and the termination of the NRC materials license is in compliance with 10 CFR 20.1402. Based on its review, the staff considered the impact of the residual radioactivity at the Facility and concluded that the proposed action will not have a significant effect on the quality of the human environment.

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

Due to the largely administrative nature of the proposed action, its environmental impacts are small. Therefore, the only alternative the staff considered is the no-action alternative, under which the staff would leave things as they are by simply denying the amendment request. This no-action

alternative is not feasible because it conflicts with 10 CFR 30.36(d), requiring that decommissioning of byproduct material facilities be completed and approved by the NRC after licensed activities cease. The NRC's analysis of the Licensee's final status survey data confirmed that the Facility meets the requirements of 10 CFR 20.1402 for unrestricted release and for license termination. Additionally, denying the amendment request would result in no change in current environmental impacts. The environmental impacts of the proposed action and the no-action alternative are therefore similar, and the no-action alternative is accordingly not further considered.

#### *Conclusion*

The NRC staff has concluded that the proposed action is consistent with the NRC's unrestricted release criteria specified in 10 CFR 20.1402. Because the proposed action will not significantly impact the quality of the human environment, the NRC staff concludes that the proposed action is the preferred alternative.

#### *Agencies and Persons Consulted*

NRC provided a draft of this Environmental Assessment to the State of Connecticut, Department of Environmental Protection, Division of Radiation, for review on February 9, 2009. The State replied by electronic mail on April 9, 2009, indicating they agreed with the conclusions of the Environmental Assessment.

The NRC staff has determined that the proposed action is of a procedural nature, and will not affect listed species or critical habitat. Therefore, no further consultation is required under Section 7 of the Endangered Species Act. The NRC staff has also determined that the proposed action is not the type of activity that has the potential to cause effects on historic properties. Therefore, no further consultation is required under Section 106 of the National Historic Preservation Act.

#### **III. Finding of No Significant Impact**

The NRC staff has prepared this EA in support of the proposed action. On the basis of this EA, the NRC finds that there are no significant environmental impacts from the proposed action, and that preparation of an environmental impact statement is not warranted. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate.

#### **IV. Further Information**

Documents related to this action, including the application for license 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 Agency-wide 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. NRC License No. 06-28699-03, Amendment 4, issued December 20, 2006 (ML063550135);
  2. Termination request dated March 19, 2008 (ML080940220);
  3. Additional information on termination request dated May 12, 2008 (ML081540221);
  4. Additional information on termination request dated March 5, 2008 (ML080940229);
  5. Additional information on termination request received October 8, 2008 (ML083120214);
  6. Additional information on termination request dated December 2, 2008 (ML083430273);
  7. License issued November 20, 2001 (ML013330202);
  8. Inspection report dated September 17, 2007 (ML072630308);
  9. NUREG-1757, "Consolidated NMSS Decommissioning Guidance";
  10. Title 10 *Code of Federal Regulations*, Part 20, Subpart E, "Radiological Criteria for License Termination";
  11. Title 10, *Code of Federal Regulations*, Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions"; and
  12. NUREG-1496, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Nuclear Facilities."
- 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 PDR, O 1F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.
- Dated at King of Prussia, Pennsylvania this 28th day of April 2009.

For the Nuclear Regulatory Commission.

James P. Dwyer, Chief, Commercial, Research and Development Branch, Division of Nuclear Materials Safety, Region I. [FR Doc. E9-10343 Filed 5-4-09; 8:45 am] BILLING CODE 7590-01-P

POSTAL SERVICE

International Product Change—Royal Mail Group Inbound Air Parcel Post Agreement

AGENCY: Postal Service™. ACTION: Notice.

SUMMARY: The Postal Service gives notice of filing a request with the Postal Regulatory Commission to add the Royal Mail Group Inbound Air Parcel Post Agreement to the Competitive Products List pursuant to 39 U.S.C. 3642.

DATES: May 5, 2009.

FOR FURTHER INFORMATION CONTACT: Margaret M. Falwell, 703-292-3576.

SUPPLEMENTARY INFORMATION: The United States Postal Service® hereby gives notice that it has filed with the Postal Regulatory Commission a Request of United States Postal Service to Add Royal Mail Inbound Air Parcel Post Agreement to the Competitive Product List, and Notice of Filing (Under Seal) Contract and Enabling Governor's Decision. Documents are available at http://www.prc.gov, Docket Nos. MC2009-24 and CP2009-28.

Neva R. Watson, Attorney, Legislative. [FR Doc. E9-10355 Filed 5-4-09; 8:45 am] BILLING CODE 7710-12- P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11734 and #11735]

Arkansas Disaster #AR-00030

AGENCY: U.S. Small Business Administration. ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Arkansas (FEMA-1834-DR), dated 04/28/2009.

Incident: Severe Storms and Tornadoes. Incident Period: 04/09/2009. Effective Date: 04/28/2009. Physical Loan Application Deadline Date: 06/29/2009. Economic Injury (EIDL) Loan Application Deadline Date: 01/28/2010.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 04/28/2009, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Ashley, Howard, Miller, Polk, Sevier. The Interest Rates are:

Table with 2 columns: Description and Percent. Rows include Other (Including Non-Profit Organizations) With Credit Available Elsewhere (4.500) and Businesses and Non-Profit Organizations Without Credit Available Elsewhere (4.000).

The number assigned to this disaster for physical damage is 11734C and for economic injury is 11735C.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera, Acting Associate Administrator for Disaster Assistance. [FR Doc. E9-10312 Filed 5-4-09; 8:45 am] BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11732 and #11733]

FLORIDA Disaster #FL-00040

AGENCY: U.S. Small Business Administration. ACTION: Notice.

SUMMARY: This is a Notice of the Presidential declaration of a major disaster for the State of Florida (FEMA-1831-DR), dated 04/28/2009.

Incident: Severe Storms, Flooding, Tornadoes, and Straight-line Winds. Incident Period: 03/26/2009 and continuing.

DATES: Effective Date: 04/28/2009. Physical Loan Application Deadline Date: 06/29/2009. Economic Injury (EIDL) Loan Application Deadline Date: 01/28/2010.

ADDRESSES: Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

FOR FURTHER INFORMATION CONTACT: A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

SUPPLEMENTARY INFORMATION: Notice is hereby given that as a result of the President's major disaster declaration on 04/28/2009, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties (Physical Damage and Economic Injury Loans):

Calhoun, Hamilton, Holmes, Jackson, Lafayette, Liberty, Madison, Okaloosa, Santa Rosa, Suwannee, Walton, Washington.

Contiguous Counties (Economic Injury Loans Only):

Florida: Bay, Columbia, Dixie, Escambia, Franklin, Gadsden, Gilchrist, Gulf, Jefferson, Leon, Taylor, Wakulla.

Alabama: Covington, Escambia, Geneva, Houston.

Georgia: Brooks, Echols, Lowndes, Seminole.

The Interest Rates are:

Table with 2 columns: Description and Percent. Rows include For Physical Damage: Homeowners with Credit Available Elsewhere (4.375), Homeowners without Credit Available Elsewhere (2.187), Businesses with Credit Available Elsewhere (6.000), Other (Including Non-Profit Organizations) with Credit Available Elsewhere (4.500), Businesses and Non-Profit Organizations without Credit Available Elsewhere (4.000). For Economic Injury: Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere (4.000).

The number assigned to this disaster for physical damage is 117326 and for economic injury is 117330.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

James E. Rivera, Acting Associate Administrator for Disaster Assistance. [FR Doc. E9-10307 Filed 5-4-09; 8:45 am] BILLING CODE 8025-01-P