Need for the Proposed Action

These exemptions are needed in times of molybdenum-99 shortages in the United States to ensure that available technetium-99m is used for patient treatment. On May 14, 2009, the Chalk River National Research Universal reactor in Canada experienced an unexpected shutdown that has resulted in an extended shutdown for safety repairs. The Chalk River reactor produces approximately 50 percent of the United States supply of molybdenum-99 used to produce molybdenum-99/technetium-99m generators. This resulted in a United States and worldwide shortage of molybdenum-99 for generator production and technetium-99m for medical uses. The High Flux Reactor in Petten, the Netherlands, also produces a substantial amount of molybdenum-99 used to produce generators in the United States and the world. The reactor in Petten is currently operating on a temporary operating permit and expected to be shut down in early 2010 for a number of months for repairs. This will also cause molybdenum-99 and technetium-99m shortages in the United States and the world. The supply chain for fission-produced isotopes is fragile and may shrink dramatically at any time when these two, or the other three aging international reactors currently producing these isotopes, are shut down for safety or routine maintenance.

Environmental Impacts of the Proposed Action

During times of supply shortages, there is less molybdenum-99 and technetium-99m available for molybdenum-99/technetium-99 generator production. There are also fewer generators to elute, and fewer technetium-99m radioactive drugs produced. The exemption will: (1) Allow lower quantities of technetium-99m to be used for calibrations and delay the calibration test, making quantities available for patient administrations; (2) allow a licensee to obtain unsealed byproduct material from another licensee other than directly from the manufacturer or commercial nuclear pharmacy; and (3) allow a licensee with sufficient product to transfer excess to another authorized licensee for patient administration. The exemptions do not relieve the licensee from NRC environmental release requirements or worker dose or public dose requirements associated with the elution of molybdenum-99/technetium-99m generators, preparation of technetium-99m radioactive drugs, administration of the technetium-99m radioactive drugs to patients, handling of these radioactive materials, or handling of radioactive waste. All of those protections remain in place. Neither molybdenium-99 nor technetium-99m is a volatile radionuclide. Molybdenum-99 remains attached to the generator resins and technetium-99m stays suspended in the eluent. Both radionuclides have short half-lives. None of the proposed exemptions affects how the licensee handles these radionuclides. Their medical use when there are no shortages results in minimal impact on the environment and public dose exposures. During times of shortage, medical use licensees will have less technetium-99m to use and there will be fewer patients receiving technetium-99m radioactive drugs even when maximizing the medical use of available technetium-99m. Therefore, the proposed action will not result in an increase in the release of radioactive material into the environment or increase public radiation exposure. There will be no impact on the environment as a result of the proposed action.

Alternatives to the Proposed Action

As required by Section 102(2)(E) of NEPA (42 U.S.C. 4322(2)(E)), possible alternatives to the final action have been considered. The NRC identified only one reasonable alternative for consideration: the no action alternative. This no action alternative would not result in any adverse impact on the environment but would negatively impact the medical use licensees' provision of medical care to their patients. During shortages in the United States and the world of molybdenum-99, the supply of technetium-99m available to administer to patients is less than the amount needed to perform important cardiac, cancer, and other imaging procedures. Using technetium-99m to perform calibration tests at maximum activities and at preset intervals instead of for patient administrations would prevent a number of patients from receiving these needed procedures. Temporary relief from the national standards should not result in significantly different patient radiation dosages because most instruments used to measure patient dosages today are stable if not moved and provided with reasonable climate controls. Also, performing the test at lower activity levels will provide confidence that the instrument is still calibrated over the levels of routine technetium-99m dosages. For higher dosages requiring written directives, the licensee can use the activity provided with the radioactive drug to assure patient safety. Not granting an exemption to permit distribution to and receipt of excess generators and technetium-99m by other authorized medical use licensees that do not have any also would reduce the number of patients receiving needed procedures. For these reasons, the NRC did not adopt the no action alternative.

Alternative Use of Resources

No alternative use of resources was considered due to the reasons stated above.

Agencies and Persons Consulted

No other agencies or persons were contacted regarding this proposed action.

Identification of Source Used

None.

Finding of No Significant Impact

Based on the above environmental assessment, the NRC finds that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate and preparation of an environmental impact statement is not warranted.

Dated at Rockville, Maryland, this 10th day of July 2009.

For the Nuclear Regulatory Commission.

Duane E. White,

Acting Chief, Radioactive Materials Safety Branch, Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Programs Safety and Safeguards.

[FR Doc. E9–16916 Filed 7–15–09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC–2009–0313]

License Renewal Interim Staff Guidance LR–ISG–2006–02: Staff Guidance Regarding the Acceptance Reviews for Environmental Requirements for License Renewal Applications; Notice of Withdrawal

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of withdrawal.

SUMMARY: The NRC is withdrawing its proposed License Renewal Interim Staff Guidance (LR–ISG), LR–ISG–2006–02, ''Staff Guidance on Acceptance Review for Environmental Reports for License Renewal Applications,'' which was noticed in the **Federal Register** (72 FR 7694 on February 16, 2007). This

proposed LR–ISG was intended to aid NRC staff in conducting environmental acceptance reviews, and identify information to include in environmental reports (ERs). The proposed LR–ISG also provided an acceptance review checklist.

The staff informed NEI and other stakeholders of the opportunity to comment on the proposed LR–ISG–2006–02 by letter dated February 8, 2007 (ADAMS Accession No. ML063190440). The staff noted that the guidance in this proposed LR–ISG would be incorporated into a future update of Environmental Standard Review Plan (ESRP), NUREG–1555, ''Standard Review Plans for Environmental Reviews for Nuclear Power Plants.'' NEI provided comments on the proposed LR–ISG in a letter dated April 16, 2007 (ADAMS Accession No. ML071090137). No other stakeholders provided comments.

The NRC is currently preparing a proposed rule to amend its regulations in Part 51 of Title 10 of the *Code of Federal Regulations* regarding findings on environmental impacts related to license renewal. Specifically, the proposed rule will reestablish the scope of the environmental impact issues which must be addressed in conjunction with the review of applications for license renewal. As part of this rulemaking, the NRC staff will issue for comments a revised *Generic Environmental Impact Statement (GEIS) for License Renewal of Nuclear Plants.* Concurrent with this update, the staff will also publish a revised Regulatory Guide 4.2, *Preparation of Environmental Reports for License Renewal Applications,* and a revised Environmental Standard Review Plan, *Standard Review Plans for Environmental Reviews for Nuclear Power Plants.* Consequently, the staff has determined that ongoing efforts to update the aforementioned documents will obviate the need for LR–ISG–2006–02. Comments received to date on LR–ISG–2006–02 will be appropriately considered as part of such efforts to update existing guidance.

ADDRESSES: Documents created or received after November 1, 1999, are available electronically at the NRC's Public Electronic Reading Room on the Internet at *http://www.nrc.gov/reading-rm/adams.html.* From this site, the public can gain entry into the NRC's Agencywide Documents Access and Management System (ADAMS). If you do not have access to the Internet or if there are any problems in accessing the documents located in ADAMS, contact the NRC Public Document Room reference staff at 1–800–397–4209, 301–415–4737, or by e-mail at *PDR.Resource@nrc.gov.*

FOR FURTHER INFORMATION CONTACT: Mr. Ian Spivack, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone 301–415–2564; or e-mail *Ian.Spivack@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC issues LR–ISGs to communicate insights and lessons learned, and to address emergent issues not addressed in certain license renewal guidance documents. The NRC staff and stakeholders can use approved LR–ISGs until their guidance is incorporated into a formal license renewal guidance document revision. The NRC posts ISGs on the NRC public Web page at *http://www.nrc.gov/reading-rm/doc-collections/isg.*

For the reasons stated above, the NRC has determined that LR–ISG–2006–02 is not needed. The staff considers this LR–ISG withdrawn and closed.

Dated at Rockville, Maryland, this 8th day of July 2009.

For the Nuclear Regulatory Commission.

Samson S. Lee,

Deputy Director, Division of License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. E9–16920 Filed 7–15–09; 8:45 am]

BILLING CODE 7590–01–P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2009–27 and CP2009–37; Order No. 231]

Priority Mail Contract

AGENCY: Postal Regulatory Commission.

ACTION: Notice of contract approval.

SUMMARY: This document informs the public that the Commission has reviewed and approved the Postal Service's recent request to add a new Priority Mail contract to its list of competitive offerings. It also addresses other procedural and legal matters aspects of the review and approval.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202–789–6824 or *stephen.sharfman@prc.gov.*

SUPPLEMENTARY HISTORY:

Regulatory History, 74 FR 30179 (June 24, 2009).

The Postal Service seeks to add a new product identified as Priority Mail Contract 11 to the Competitive Product List. For the reasons discussed below, the Commission approves the Request.

I. Background

On June 11, 2009, the Postal Service filed a notice, pursuant to 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5, announcing that it has entered into an additional contract (Priority Mail Contract 11), which it attempts to classify within the previously proposed Priority Mail Contract Group product.[1] In support, the Postal Service filed the proposed contract and referenced Governors' Decision 09–6 filed in Docket No. MC2009–25. *Id.* at 1. The Notice has been assigned Docket No. CP2009–37.

In response to Order No. 222,[2] and in accordance with 39 U.S.C. 3642 and 39 CFR 3020 subpart B, the Postal Service filed a formal request to add Priority Mail Contract 11 to the Competitive Product List as a separate product.[3] The Postal Service asserts that the Priority Mail Contract 11 product is a competitive product ''not of general applicability'' within the meaning of 39 U.S.C. 3632(b)(3). This Request has been assigned Docket No. MC2009–27.

In support of its Notice and Request, the Postal Service filed the following materials: (1) A redacted version of the contract which, among other things, provides that the contract will expire 3 years from the effective date, which is proposed to be the day that the Commission issues all regulatory approvals; [4] (2) requested changes in the Mail Classification Schedule product list; [5] (3) a Statement of Supporting Justification as required by 39 CFR 3020.32; [6] and (4) certification of compliance with 39 U.S.C. 3633(a).[7]

In the Statement of Supporting Justification, Mary Prince Anderson, Acting Manager, Sales and Communications, Expedited Shipping, asserts that the service to be provided under the contract will cover its attributable costs, make a positive contribution to coverage of institutional costs, and will increase contribution toward the requisite 5.5 percent of the Postal Service's total institutional costs. Request, Attachment B, at 1. W. Ashley

[1] Notice of Establishment of Rates and Class Not of General Applicability (Priority Mail Contract 11), June 11, 2009 (Notice).

[2] PRC Order No. 222, Notice and Order Concerning Filing of Priority Mail Contract 11 Negotiated Service Agreement, June 17, 2009 (Order No. 222).

[3] Request of the United States Postal Service to Add Priority Mail Contract 11 to Competitive Product List, June 23, 2009 (Request).

[4] Attachment A to the Notice.

[5] Attachment A to the Request.

[6] Attachment B to the Request.

[7] Attachment B to the Notice.