

The NRC staff's safety evaluation will be provided in the exemption, if granted, that will be issued as part of the letter to the licensee approving the exemption to the regulation.

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

As an alternative to the proposed actions, the NRC staff considered denial of the proposed actions (*i.e.*, the "no-action" alternative). Denial of the exemption request would result in no change in current environmental impacts. If the proposed action was denied, the licensee would have to comply with the March 31, 2010, implementation deadline. The environmental impacts of the proposed exemption and the "no action" alternative are similar.

#### *Alternative Use of Resources*

The action does not involve the use of any different resources than those considered in the Final Environmental Statement Related to the Continuation of Construction and the Operation of Units 1 and 2 and the Construction of Units 3 and 4, North Anna Power Station, dated April 1973, as supplemented through the Generic Environmental Impact Statement for License Renewal of Nuclear Plants: Supplement 7 Regarding North Anna Power Station, Units 1 and 2—Final Report (NUREG-1437, Supplement 7), dated November 2002.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on December 30, 2009, the NRC staff consulted with the Virginia State official, Mr. Les Foldesi, Division of Radiological Health of the Virginia Department of Health, 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 letters dated November 23, 2009. Portions of the November 23, 2009, submittal contain proprietary and safeguards information and, accordingly, are not available to the public. Other parts of these documents may be examined, and/or copied for a fee, at the NRC's Public Document

Room (PDR), located at One White Flint North, Room O-1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available records will be accessible electronically from the Agencywide Document 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 January 21, 2010.

For The Nuclear Regulatory Commission.

**V. Sreenivas,**

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

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**BILLING CODE 7590-01-P**

## **OFFICE OF PERSONNEL MANAGEMENT**

### **January 2010 Pay Adjustments**

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** The President adjusted the rates of basic pay and locality payments for certain categories of Federal employees effective in January 2010. This notice documents those pay adjustments for the public record.

**FOR FURTHER INFORMATION CONTACT:** Lisa Dismond, Pay and Leave, Employee Services, U.S. Office of Personnel Management; (202) 606-2858; FAX (202) 606-0824; or email to [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov).

**SUPPLEMENTARY INFORMATION:** On December 23, 2009, the President signed Executive Order 13525 (74 FR 69231), which implemented the January 2010 pay adjustments. The President made these adjustments consistent with Public Law 111-117, December 16, 2009, which authorized an overall average pay increase of 2.0 percent for the "statutory pay systems," including the General Schedule (GS).

Schedule 1 of Executive Order 13525 provides the rates for the 2010 General Schedule and reflects a 1.5 percent across-the-board increase. Executive Order 13525 also includes the percentage amounts of the 2010 locality payments. (See Section 5 and Schedule 9 of Executive Order 13525.)

The publication of this notice satisfies the requirement in section 5(b) of Executive Order 13525 that the U.S. Office of Personnel Management (OPM) publish appropriate notice of the 2010 locality payments in the **Federal Register**.

GS employees receive locality payments under 5 U.S.C. 5304. Locality payments apply in the United States (as defined in 5 U.S.C. 5921(4)) and its territories and possessions. In 2010, locality payments ranging from 4.72 percent to 35.15 percent apply to GS employees in the 32 locality pay areas, Alaska, Hawaii, and the territories and possessions.

The 2010 locality pay percentages, which replaced the 2009 locality pay percentages, became effective on the first day of the first pay period beginning on or after January 1, 2010 (January 3, 2010). An employee's locality rate of pay is computed by increasing his or her scheduled annual rate of pay (as defined in 5 CFR 531.602) by the applicable locality pay percentage. (See 5 CFR 531.604 and 531.609.) (The 2010 locality pay area definitions can be found at <http://www.opm.gov/oca/10tables/locdef.asp>. The Non-Foreign Area Retirement Equity Assurance Act of 2009 contained in subtitle B (sections 1911-1919) of title XIX of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84, October 28, 2009) extends coverage of the locality pay program to employees in Alaska, Hawaii, and the other nonforeign areas beginning in 2010. For 2010, the statute provides that employees in each of these areas receive one-third of the locality pay percentage approved for the Rest of United States locality pay area.)

Executive Order 13525 establishes the new Executive Schedule, which incorporates a 1.5 percent increase required under 5 U.S.C. 5318 (rounded to the nearest \$100). By law, Executive Schedule officials are not authorized to receive locality payments.

Executive Order 13525 establishes the range of rates of basic pay for senior executives in the Senior Executive Service (SES), as established pursuant to 5 U.S.C. 5382. The minimum rate of basic pay for the SES may not be less than the minimum rate payable under 5 U.S.C. 5376 for senior-level positions (\$119,554 in 2010). The maximum rate of the SES rate range is level II of the Executive Schedule (\$179,700 in 2010) for SES members covered by a certified SES performance appraisal system and level III of the Executive Schedule (\$165,300 in 2010) for SES members covered by an SES performance

appraisal system that has not been certified.

The minimum rate of basic pay for the senior-level (SL) and scientific and professional (ST) rate range was increased by 1.5 percent (\$119,554 in 2010), which is the amount of the across-the-board GS increase. The applicable maximum rate of the SL/ST rate range is level II of the Executive Schedule (\$179,700 in 2010) for SL or ST employees covered by a certified SL/ST performance appraisal system and level III of the Executive Schedule (\$165,300 in 2010) for SL or ST employees covered by an SL/ST performance appraisal system that has not been certified. Agencies with certified performance appraisal systems in 2010 for SES members and employees in SL and ST positions also must apply a higher aggregate limitation on pay—up to the Vice President's salary (\$230,700 in 2010).

By law, SES members and employees in SL and ST positions are not authorized to receive locality payments.

**Note:** An exception applies to SES, SL, and ST employees stationed in a nonforeign area on January 2, 2010, which is explained in an OPM memorandum, CPM 2009–27. (See <http://www.opm.gov/oca/compmemo/index.asp>.)

The Executive order adjusted the rates of basic pay for administrative law judges (ALJs) by 1.5 percent, rounded to the nearest \$100. The maximum rate of basic pay for ALJs is set by law at the rate for level IV of the Executive Schedule, which is now \$155,500. The rate of basic pay for AL–2 is \$151,800. The rates of basic pay for AL–3/A through 3/F range from \$103,900 to \$143,700. (See 5 U.S.C. 5372.)

The rates of basic pay for members of Contract Appeals Boards are calculated as a percentage of the rate for level IV of the Executive Schedule. (See 5 U.S.C. 5372a.) Therefore, these rates of basic pay were increased by approximately 1.5 percent.

On October 23, 2009, the President's Pay Agent extended the 2010 locality-based comparability payments to certain categories of non-GS employees. The Governmentwide categories include ALJs and Contract Appeals Board members. The maximum locality rate of pay for these employees is the rate for level III of the Executive Schedule (\$165,300 in 2010).

On December 23, 2009, OPM issued a memorandum (CPM 2009–23) on the January 2010 pay adjustments. (See <http://www.opm.gov/oca/compmemo/index.asp>.) The memorandum transmitted Executive Order 13525 and provided the 2010 salary tables, locality

pay areas and percentages, and information on general pay administration matters and other related information. The “2010 Salary Tables” posted on OPM's Web site at: <http://www.opm.gov/oca/10tables/index.asp> are the official rates of pay for affected employees and are hereby incorporated as part of this notice.

U.S. Office of Personnel Management.

**John Berry,**  
Director.

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**BILLING CODE 6325–39–P**

## POSTAL REGULATORY COMMISSION

[Docket No. CP2010–20; Order No. 397]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add GEPS 2 (CP2009–50) 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: February 1, 2010.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Commenters who cannot submit their views electronically should contact the person identified in “FOR FURTHER INFORMATION CONTACT” by telephone for advice on alternatives to electronic filing.

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

#### SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Notice of Filing
- III. Ordering Paragraphs

#### I. Introduction

On January 21, 2010, the Postal Service filed a notice announcing that it has entered into an additional Global Expedited Package Services 2 (GEPS 2) contract.<sup>1</sup>

GEPS 2 provides volume-based incentives for mailers that send large volumes of Express Mail International (EMI) and/or Priority Mail International

(PMI). The Postal Service believes the instant contract is functionally equivalent to the previously submitted GEPS 2 contracts and is supported by the Governors' Decision filed in Docket No. CP2008–4.<sup>2</sup> *Id.* at 1.

*The instant contract.* The Postal Service filed the instant contract pursuant to 39 CFR 3015.5. In addition, the Postal Service contends that the contract is in accordance with Order No. 290.<sup>3</sup> The term of the instant contract is 1 year from the date the Postal Service notifies the customer that all necessary regulatory approvals have been received.<sup>4</sup> Notice at 2–3.

In support of its Notice, the Postal Service filed four attachments as follows:

1. Attachment 1—an application for non-public treatment of materials to maintain the contract and supporting documents under seal;
2. Attachment 2—a redacted copy of Governors' Decision No. 08–7 which establishes prices and classifications for GEPS contracts, a description of applicable GEPS contracts, formulas for prices, an analysis and certification of the formulas and certification of the Governors' vote;
3. Attachment 3—a redacted copy of the contract, applicable annexes, and a provision to modify the mailer's tender requirements; and
4. Attachment 4—a certified statement required by 39 CFR 3015.5(c)(2).

*Functional equivalency.* The Postal Service asserts that the instant contract is functionally equivalent to the contract in Docket No. CP2009–50 and prior GEPS 2 contracts. *Id.* at 3–4. It also contends that the instant contract meets the requirements of Governors' Decision No. 08–7 for rates for GEPS contracts. *Id.* at 3. The Postal Service indicates that the instant contract differs from the contract in Docket No. CP2009–50 in two ways, namely, (a) customer specific information, *e.g.*, the customer's name, address, representative, signatory and provisions clarifying tender locations, minimum revenue and/or volume commitment; and (b) revisions intended to be included in all subsequent

<sup>2</sup> See Docket No. CP2008–4, Notice of United States Postal Service of Governors' Decision Establishing Prices and Classifications for Global Expedited Package Services Contracts, May 20, 2008.

<sup>3</sup> See Docket No. CP2009–50, Order Granting Clarification and Adding Global Expedited Package Services 2 to the Competitive Product List, August 28, 2009 (Order No. 290).

<sup>4</sup> The Postal Service states its intent is to begin this contract on February 8, 2010, at the expiration of the customer's current contract. The contract's terms provide that the Postal Service will give notice to the mailer of the effective date within 30 days of regulatory approval.

<sup>1</sup> Notice of United States Postal Service Filing of Functionally Equivalent Global Expedited Package Services 2 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, January 21, 2010 (Notice).