

relating to the annuities are prescribed in 20 CFR 216, 218, 219, 232, 234, and 295.

The RRB currently uses the electronic AA-3cert, Application Summary and Certification process and manual Form AA-3, Application for Spouse/Divorced Spouse Annuity, to obtain the information needed to determine an applicant's entitlement to an annuity and the amount of the annuity.

The AA-3cert process obtains information from an applicant by means of an interview with an RRB field-office representative. During the interview, the field-office representative enters the information obtained into an on-line information system. Upon completion of the interview, the applicant receives Form AA-3cert, Application Summary and Certification, which summarizes the information that was provided by/or verified by the applicant, for review and signature. The RRB also uses manual Form AA-3 in instances where the RRB representative is unable to contact the applicant in person or by telephone *i.e.*, the applicant lives in another country. Completion of Forms AA-3 and AA-3cert is required to obtain a benefit. One response is requested of each respondent.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74FR 65551 on December 10, 2009) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

**Information Collection Request (ICR)**

*Title:* Application for Spouse Annuity Under the Railroad Retirement Act. *OMB Control Number* 3220-0042.

*Form(s) submitted:* AA-3, Application for Spouse/Divorced Spouse Annuity, AA-3cert, Application Summary and Certification.

*Type of request:* Revision of a currently approved collection.

*Affected public:* Individuals or households.

*Obligation to Respond:* Required to obtain or retain benefits.

*Abstract:* The Railroad Retirement Act provides for the payment of annuities to spouses of railroad retirement annuitants who meet the requirements under the Act. The application obtains information supporting the claim for benefits based on being a spouse of an annuitant. The information is used for determining entitlement to and amount of the annuity applied for.

*Changes Proposed:* The RRB proposes minor non-burden impacting, editorial changes to Form AA-3cert and Form AA-3.

*The burden estimate for this ICR is proposed as follows:*

*Estimated annual number of respondents:* 11,050.

*Total annual responses:* 11,050.

*Total annual reporting hours:* 5,642.

**FOR FURTHER INFORMATION CONTACT:**

Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

*Comments:* Comments regarding the information collection should be addressed to Patricia Henaghan, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Patricia.Henaghan@rrb.gov](mailto:Patricia.Henaghan@rrb.gov) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Charles Mierzwa,**  
*RRB Clearance Officer.*

[FR Doc. 2010-3705 Filed 2-23-10; 8:45 am]

**BILLING CODE 7905-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration # 12038 and # 12039]

**California Disaster # CA-00150**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of California dated 02/16/2010.

*Incident:* Severe Winter Storms, Heavy Snow, Flooding, Debris Flows and Mudslides.

*Incident Period:* 01/17/2010 and continuing.

**DATES:** *Effective Date:* 02/16/2010.

*Physical Loan Application Deadline Date:* 04/19/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 11/16/2010.

**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 Administrator's disaster declaration, 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:* Los Angeles.

*Contiguous Counties:*

California: Kern, Orange San Bernardino, Ventura.

The Interest Rates are:

|   | Percent |
|---|---------|
| <i>For Physical Damage:</i>   |         |
| Homeowners With Credit Available Elsewhere .....                                      | 5.125   |
| Homeowners Without Credit Available Elsewhere .....                                   | 2.562   |
| Businesses With Credit Available Elsewhere .....                                      | 6.000   |
| Businesses Without Credit Available Elsewhere .....                                   | 4.000   |
| Non-Profit Organizations With Credit Available Elsewhere .....                        | 3.625   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |
| <i>For Economic Injury:</i>   |         |
| Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere ..... | 4.000   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |

The number assigned to this disaster for physical damage is 12038 B and for economic injury is 12039 O.

The States which received an EIDL Declaration # are California.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: February 16, 2010.

**Karen G. Mills,**  
*Administrator.*

[FR Doc. 2010-3614 Filed 2-23-10; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

[Disaster Declaration # 12033]

**Tennessee Disaster # TN-00036 Declaration of Economic Injury**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of Tennessee, dated 02/16/2010.

*Incident:* Polk County Rock Slide.

*Incident Period:* 11/10/2009 and continuing.

**EFFECTIVE DATE:** 02/16/2010.

*EIDL Loan Application Deadline Date:* 11/16/2010.

**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 Administrator's EIDL declaration, applications for economic injury 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:* Polk.

*Contiguous Counties: Tennessee:*

Bradley, McMinn, Monroe.

Georgia: Fannin, Murray.

North Carolina: Cherokee.

The Interest Rates are:

|   | Percent |
|---|---------|
| Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere ..... | 4.000   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |

The number assigned to this disaster for economic injury is 120330.

The States which received an EIDL Declaration # are Tennessee, Georgia, North Carolina.

(Catalog of Federal Domestic Assistance Number 59002)

Dated: February 16, 2010.

**Karen G. Mills,**  
*Administrator.*

[FR Doc. 2010-3615 Filed 2-23-10; 8:45 am]

**BILLING CODE 8025-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-61528; File No. 4-443]

### Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment to the Plan for the Purpose of Developing and Implementing Procedures To Facilitate the Listing and Trading of Standardized Options To Add BATS Exchange, Inc. as a Sponsor

February 17, 2010.

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 608 thereunder,<sup>2</sup> notice is hereby given that on February 2, 2010, BATS Exchange, Inc. ("BATS" or "Exchange") filed with the Securities and Exchange Commission ("Commission") an amendment to the Plan for the Purpose of Developing and

Implementing Procedures to Facilitate the Listing and Trading of Standardized Options ("OLPP").<sup>3</sup> The amendment proposes to add BATS as a Sponsor of the OLPP. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Description and Purpose of the Amendment

The current Sponsors of the OLPP are Amex, BSE, CBOE, ISE, NYSE Arca, OCC, Phlx and Nasdaq. The proposed amendment to the OLPP would add BATS as a Sponsor of the OLPP. A national securities exchange may become a Sponsor if it satisfies the requirement of Section 7 of the OLPP. Specifically an Eligible Exchange<sup>4</sup> may become a Sponsor of the OLPP by: (i) Executing a copy of the OLPP, as then in effect; (ii) providing each current Plan Sponsor with a copy of such executed Plan; and (iii) effecting an amendment to the OLPP, as specified in Section 7(ii) of the OLPP.

Section 7(ii) of the OLPP sets forth the process by which an Eligible Exchange may effect an amendment to the OLPP. Specifically, an Eligible Exchange must: (a) execute a copy of the OLPP with the only change being the addition of the new sponsor's name in Section 8 of the OLPP; and (b) submit the executed OLPP to the Commission. The OLPP then provides that such an amendment will be effective at the later of either the amendment being approved by the Commission or otherwise becoming effective pursuant to Section 11A of the Act. BATS has submitted a signed copy of the OLPP to the Commission in

<sup>3</sup> On July 6, 2001, the Commission approved the OLPP, which was proposed by the American Stock Exchange LLC ("Amex"), Chicago Board Options Exchange, Incorporated ("CBOE"), International Securities Exchange LLC ("ISE"), Options Clearing Corporation ("OCC"), Philadelphia Stock Exchange, Inc. ("Phlx"), and Pacific Exchange, Inc. ("PCX") (n/k/a NYSE Arca). See Securities Exchange Act Release No. 44521, 66 FR 36809 (July 13, 2001). On February 5, 2004, Boston Stock Exchange, Inc. ("BSE") was added as a Sponsor to OLPP. See Securities Exchange Act Release No. 49199, 69 FR 7030 (February 12, 2004). On March 21, 2008, the Nasdaq Stock Market, LLC ("Nasdaq") was added as a Sponsor to the OLPP.

<sup>4</sup> The OLPP defines an "Eligible Exchange" as a national securities exchange registered with the Commission pursuant to Section 6(a) of the Exchange Act, 15 U.S.C. 78f(a), that (1) has effective rules for the trading of options contracts issued and cleared by the OCC approved in accordance with the provisions of the Exchange Act and the rules and regulations thereunder and (2) is a party to the Plan for Reporting Consolidated Options Last Sale Reports and Quotation Information (the "OPRA Plan"). BATS has represented that it has met both the requirements for being considered an Eligible Exchange. See Letter from Eric Swanson, SVP, General Counsel, BATS to Johnna Dumler, Special Counsel, Division of Trading and Markets, Commission, dated February 12, 2010.

accordance with the procedures set forth in the OLPP regarding new Plan Sponsors.

#### II. Effectiveness of the Proposed Linkage Plan Amendment

The foregoing proposed OLPP amendment has become effective pursuant to Rule 608(c)(3)(iii)<sup>5</sup> because it involves solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraphs (b)(1) of Rule 608,<sup>6</sup> if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.

#### III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed amendment is consistent with the Act. Comments may be submitted by any of the following methods:

##### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number 4-443 on the subject line.

##### Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington DC 20549-1090.

All submissions should refer to File Number 4-443. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the

<sup>1</sup> 15 U.S.C. 78k-1(a)(3).

<sup>2</sup> 17 CFR 242.608.

<sup>5</sup> 17 CFR 242.608(b)(3)(iii).

<sup>6</sup> 17 CFR 242.608(b)(1).