

### 3.4 Authorized by Law

This exemption would allow TMI-1 the use of operator manual actions in lieu of meeting the requirements specified in 10 CFR part 50, Appendix R, Section III.G.2. As stated above, 10 CFR 50.12 allows the NRC to grant exemptions from the requirements of 10 CFR part 50. The NRC staff has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

### 3.5 No Undue Risk to Public Health and Safety

The underlying purpose of 10 CFR part 50, Appendix R, Section III.G.2 is to ensure that one of the redundant trains necessary to achieve and maintain hot shutdown conditions remains free of fire damage in the event of a fire. Based on the existing fire barriers, fire detectors, automatic and manual fire suppression equipment, and the absence of significant combustible loads and ignition sources in the fire areas associated with this exemption, the NRC staff has concluded that granting of this involves no undue risk to public health and safety.

The NRC staff has determined that this exemption also does not increase the probability or consequences of previously evaluated accidents. This determination is based on the NRC staff finding that the operator manual actions are not the sole form of protection relied upon due to the other fire protection features and procedures in place and the manual actions are considered feasible and reliable to ensure safe shutdown capability following a fire. The combination of the operator manual actions in conjunction with all of the measures and systems discussed above, results in an adequate level of protection. No new accident initiators are created by allowing the use of operator manual actions in the fire areas identified in this exemption and the probability of postulated accidents is not increased. Similarly, the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety.

### 3.6 Consistent With Common Defense and Security

This exemption would allow TMI-1 to credit the use of specific operator manual actions and installed fire protection features in lieu of meeting the requirements specified in 10 CFR part 50, Appendix R, Section III.G.2. This change, to the operation of the

plant, has no relation to security issues nor does it diminish the level of safety from what was intended by the requirements contained in Section III.G.2. Therefore, the common defense and security is not impacted by this exemption.

### 3.7 Special Circumstances

One of the special circumstances described in 10 CFR 50.12(a)(2)(ii) is that the application of the regulation is not necessary to achieve the underlying purpose of the rule. The underlying purpose of 10 CFR part 50, Appendix R, Section III.G.2 is to ensure that one of the redundant trains necessary to achieve and maintain hot shutdown conditions remains free of fire damage in the event of a fire. For the fire areas specified in this exemption, the NRC staff finds that the operator manual actions are feasible, can be reliably performed and that the fire protection features installed in the areas are effective at preventing and suppressing fires. Therefore, the conditions described herein will ensure that a redundant train necessary to achieve and maintain safe shutdown of the plant will remain free of fire damage in the event of a fire in these fire areas. The staff concludes that combination of the operator manual actions, in conjunction with all of the measures and systems discussed above, results in an equivalent level of protection to that intended by III.G.2. Since the underlying purpose of 10 CFR part 50, Appendix R, Section III.G is achieved, the special circumstances required by 10 CFR 50.12(a)(2)(ii) for the granting of an exemption from 10 CFR part 50, Appendix R, Section III.G.2 exist.

### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present such that application of the regulation in these particular circumstances is not necessary to achieve the underlying purpose of the rule. Therefore, the Commission hereby grants Exelon an exemption from the requirements of Section III.G.2 of Appendix R of 10 CFR part 50, to TMI-1 for the two operator manual actions discussed above.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (74 FR 9437).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of March 2009.

For the Nuclear Regulatory Commission.

**Joseph G. Giitter,**

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

[FR Doc. E9-7807 Filed 4-6-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**DATES:** Weeks of April 6, 13, 20, 27, May 4, 11, 2009.

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

**STATUS:** Public and closed.

#### Week of April 6, 2009

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

#### Week of April 13, 2009—Tentative

*Wednesday, April 15, 2009*

9:30 a.m. Briefing on NRC Corporate Support (Public Meeting)  
(Contact: Karen Olive, 301-415-2276).

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

*Thursday, April 16, 2009*

1:30 p.m. Briefing on Human Capital and EEO (Public Meeting)  
(Contact: Kristin Davis, 301-492-2266).

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

*Friday, April 17, 2009*

9:30 a.m. Briefing on Low Level Radioactive Waste—Part 1 (Public Meeting)  
(Contact: Patricia Swain, 301-415-5405).

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

*Friday, April 17, 2009*

1:30 p.m. Briefing on Low Level Radioactive Waste—Part 2 (Public Meeting)  
(Contact: Patricia Swain, 301-415-5405).

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

#### Week of April 20, 2009—Tentative

*Thursday, April 23, 2009*

2 p.m. Briefing on Radioactive Source Security (Public Meeting)

(Contact: Kim Lukes, 301-415-6701).

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

#### **Week of April 27, 2009—Tentative**

There are no meetings scheduled for the week of April 27, 2009.

#### **Week of May 4, 2009—Tentative**

There are no meetings scheduled for the week of May 4, 2009.

#### **Week of May 11, 2009—Tentative**

Thursday, May 14, 2009

9 a.m. Briefing on the Results of the Agency Action Review Meeting (Public Meeting)

(Contact: Shaun Anderson, 301-415-2039).

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

\*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 Baval, (301) 415-1651.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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.

This notice is distributed electronically to 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), or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: April 2, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-7943 Filed 4-3-09; 11:15 am]

**BILLING CODE 7590-01-P**

## **OVERSEAS PRIVATE INVESTMENT CORPORATION**

### **April 7, 2009 Public Hearing**

OPIC's Sunshine Act notice of its Annual Public Hearing meeting was

published in the **Federal Register** (Volume 74, Number 56, Page 12913) on March 25, 2009. No requests were received to provide testimony or submit written statements for the record; therefore, OPIC's annual public hearing scheduled for 2 p.m. on April 7, 2009 has been cancelled.

*Contact Person for Information:* Information on the hearing cancellation may be obtained from Connie M. Downs at (202) 336-8438, via facsimile at (202) 218-0136, or via e-mail at [Connie.Downs@opic.gov](mailto:Connie.Downs@opic.gov).

Dated: April 3, 2009.

**Connie M. Downs,**

*OPIC Corporate Secretary.*

[FR Doc. E9-7922 Filed 4-3-09; 11:15 am]

**BILLING CODE 3210-01-P**

## **POSTAL REGULATORY COMMISSION**

**[Docket No. MC2009-19; Order No. 198]**

### **New Postal Products**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recently-filed Postal Service request to add postal products to the Mail Classification Schedule. This notice addresses procedural steps associated with this filing.

**DATES:** Comments are due April 30, 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:** On March 10, 2009, the Postal Service filed a request to add several products to the Mail Classification Schedule (MCS) product lists.<sup>1</sup> The Request is in response to the Commission's ruling in Order No. 154 that six products were properly classified as postal services, but could not be authorized for inclusion in the MCS product lists until formal requirements of the Commission's regulations are met.<sup>2</sup>

<sup>1</sup> Request of the United States Postal Service to Add Postal Products to the Mail Classification Schedule in Response to Order No. 154, March 10, 2009 (Request).

<sup>2</sup> Docket No. MC2008-1, Review of Nonpostal Services, December 19, 2008, at 27-38 (Order No. 154). The six services discussed in Order No. 154 were Address Management Services; Customized Postage; Stamp Fulfillment Services; Greeting Cards, Stationery, and Related Items; Shipping and

The Request is filed pursuant to 39 U.S.C. 3642 and 39 CFR 3020.30 *et. seq.* and includes proposed MCS language,<sup>3</sup> statements of supporting justification, and attachments containing cost and revenue data.<sup>4</sup> Section 3020.30 allows the Postal Service to request the modification of the product lists to add new postal services to either the Market Dominant Product List or the Competitive Product List. The Postal Service must provide detailed support and justification for the request. 39 CFR 3020.31 and 3020.32. The Commission will review the Request and the comments of interested parties and may approve the request, institute further proceedings, permit the Postal Service to modify the request, or take other appropriate action under section 3020.34.

The products requested to be added to the Market Dominant Product List are Address Management Services and Customized Postage. The Postal Service proposes to add these products as Special Services. Request at 2. The products requested to be added to the Competitive Product List are Address Enhancement Service; Greeting Cards,

Mailing Supplies; and International Money Transfer Service (IMTS). One of the services, Stamp Fulfillment Services, has been modified and, in the view of the Postal Service, is no longer a postal service. Request at 10. Accordingly, the Request does not include Stamp Fulfillment Services among the services to be added to the MCS. Commenters may wish to address this change. Of the remaining five services discussed in Order No. 154, the market dominant address management services product has retained the name "Address Management Services" and has been included on the Market Dominant Product List. The competitive address management services product has been named "Address Enhancement Service" and has been included on the Competitive Product List. Finally, IMTS has been separated into an inbound product (IMTS-Inbound) and an outbound product (IMTS-Outbound). As a result, the Postal Service has proposed the addition to the MCS of seven products in place of the six discussed by Order No. 154.

<sup>3</sup> Attachment A to the Request illustrates the proposed changes to the Mail Classification Schedule.

<sup>4</sup> Attachment B is the Statement of Supporting Justification for Address Management Services; Attachment C is the Statement of Supporting Justification for Address Enhancement Service; Attachment D is the Statement of Supporting Justification for Customized Postage; Attachment E is the Statement of Supporting Justification for Greeting Cards, Stationery, and Related Items; Attachment F is the Statement of Supporting Justification for Shipping and Mailing Supplies; Attachment G is the Statement of Supporting Justification for Inbound and Outbound International Money Transfer Services; and Attachment H is the Statement of Supporting Justification for Inbound and Outbound International Money Transfer Service. Cost and revenue data are included for Shipping and Mailing Supplies in Attachment F and for Address Enhancement Service in Attachment C. These attachments, as well as sensitive commercial information contained in the supporting statements, have been filed under seal subject to claims of confidentiality.