

Day	Event/activity
20 .....	U.S. Nuclear Regulatory Commission (NRC) staff informs the requester of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows (1) need for SUNSI or (2) need to know for SGI. (For SUNSI, NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents). If NRC staff makes the finding of need to know for SGI and likelihood of standing, NRC staff begins background check (including fingerprinting for a criminal history records check), information processing (preparation of redactions or review of redacted documents), and readiness inspections.
25 .....	If NRC staff finds no "need," "need to know," or likelihood of standing, the deadline for petitioner/requester to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30 .....	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40 .....	(Receipt +30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement for SUNSI.
190 .....	(Receipt +180) If NRC staff finds standing, need to know for SGI, and trustworthiness and reliability, deadline for NRC staff to file motion for Protective Order and draft Non-disclosure Affidavit (or to make a determination that the proposed recipient of SGI is not trustworthy or reliable). Note: Before the Office of Administration makes an adverse determination regarding access, the proposed recipient must be provided an opportunity to correct or explain information.
205 .....	Deadline for petitioner to seek reversal of a final adverse NRC staff determination either before the presiding officer or another designated officer.
A .....	If access granted: Issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3 .....	Deadline for filing executed Non-Disclosure Affidavits. Access provided to SUNSI and/or SGI consistent with decision issuing the protective order.
A + 28 .....	Deadline for submission of contentions whose development depends upon access to SUNSI and/or SGI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI or SGI contentions by that later deadline.
A + 53 .....	(Contention receipt +25) Answers to contentions whose development depends upon access to SUNSI and/or SGI.
A + 60 .....	(Answer receipt +7) Petitioner/Intervenor reply to answers.
B .....	Decision on contention admission.

[FR Doc. E9-2455 Filed 2-4-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0043]

### Proposed Standard Review Plan Section 9.5.1.2 on Risk-Informed, Performance-Based Fire Protection Program

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Solicitation of public comment.

**SUMMARY:** The NRC is requesting public comment on NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," Section 9.5.1.2 on staff guidance on Risk-Informed (RI), Performance-Based (PB) Fire Protection Program (FPP) for Operating Nuclear Power Plants (Agencywide Documents Access and Management System (ADAMS) Accession No. ML090050052). This guidance is being issued as an alternate to the existing guidance currently provided under Standard Review Plan (SRP) section 9.5.1. This is stand alone guidance and

is provided for the benefit of licensees of existing plants who choose to adopt RI/PB FPP that meets the requirements of National Fire Protection Association (NFPA) Standard 805.

The NRC staff issues notices to facilitate timely implementation of the current staff guidance and to facilitate activities associated with the review of amendment applications for transitioning to RI/PB FPPs. The NRC staff will also incorporate the approved SRP section 9.5.1.2 into the next revisions of RG 1.205 and any related guidance documents. This proposed guidance is applicable only to currently operating nuclear reactor licensees. Because of the introduction of the now proposed SRP section 9.5.1.2, the current SRP section 9.5.1 will be renumbered to read 9.5.1.1. This SRP is not endorsing NFPA 805, since that standard is already a part of the 10 CFR 50.48(c) rule. In addition, this SRP does not directly endorse the guidance document issued by the industry (NEI 04-02, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program under 10 CFR 50.48(c)," Rev. 2) for plants transitioning to an NFPA 805 FPP. RG

1.205 provides the staff's positions with respect to NEI 04-02.

**DATES:** Comments must be filed no later than 60 days from the date of publication of this notice in the **Federal Register**. Comments received after this date will be considered, if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted to: Chief, Rulemaking, Directives, and Editing Branch, Mail Stop: TWB-05-B01M, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

The NRC maintains ADAMS, which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <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 Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [pdr.resources@nrc.gov](mailto:pdr.resources@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Alex R. Klein, Chief, Fire Protection Branch, Division of Risk Assessment, Office of the Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-2822 or e-mail at [Alex.Klein@nrc.gov](mailto:Alex.Klein@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This SRP, NUREG-0800, has been prepared to establish criteria that the Office of Nuclear Reactor Regulation staff use to evaluate license amendment requests if the application meets the NRC's regulations. The SRP is not a substitute for the NRC's regulations, and compliance with it is not required. However, applicants are required to identify differences in design features, analytical techniques, and procedural measures proposed for a facility and corresponding SRP acceptance criteria, and evaluate how the proposed alternatives to the acceptance criteria provide an acceptable method of complying with the NRC's regulations.

Title 10 of the Code of Federal Regulations, Section 50.48, "Fire protection" (10 CFR 50.48) provides the NRC requirements for fire protection for nuclear power plants (NPPs). Under 10 CFR 50.48(c), a licensee of an existing plant may choose to adopt a RI/PB FPP that meets the requirements of NFPA 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," 2001 edition, as incorporated therein, as an alternative to meeting the requirements of 10 CFR 50.48(b) for plants licensed to operate before January 1, 1979, or the approved FPP for existing plants licensed to operate after January 1, 1979. The agency posts its issued staff guidance in the agency external Web page (<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/ch9/>).

The NRC staff is issuing this notice to solicit public comments on the proposed SRP Section 9.5.1.2 and is being issued for the first time. After the NRC staff considers any public comments, it will make a determination regarding the proposed SRP Section 9.5.1.2.

Dated at Rockville, Maryland, this 29th day of January 2009.

For the Nuclear Regulatory Commission.

**William D. Reckley,**

*Chief, Rulemaking and Guidance Development Branch, Division of New Reactor Licensing, Office of New Reactors.*

[FR Doc. E9-2456 Filed 2-4-09; 8:45 am]

**BILLING CODE 7590-01-P**

## POSTAL SERVICE

### International Product Change— International Business Reply Service Contracts

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** Postal Service gives notice of filing a request with the Postal Regulatory Commission to add International Business Reply Service Contracts to the Competitive Products List pursuant to 39 U.S.C. 3642.

**DATES:** February 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 International Business Reply Service Contracts to the Competitive Products List, and Notice of Filing Contract (Under Seal) Contract and Enabling Governors' Decision. Documents are available at <http://www.prc.gov>, Docket Nos. MC2009-14 and CP2009-20.

**Neva R. Watson,**

*Attorney, Legislative.*

[FR Doc. E9-2420 Filed 2-4-09; 8:45 am]

**BILLING CODE 7710-12-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-28610]

### Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940

January 30, 2009.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of December, 2008. A copy of each application may be obtained for a fee at the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549-1520 (tel. 202-551-5850). An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on February 24, 2009, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature

of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

**FOR FURTHER INFORMATION CONTACT:** Diane L. Titus at (202) 551-6810, SEC, Division of Investment Management, Office of Investment Company Regulation, 100 F Street, NE., Washington, DC 20549-4041.

### The Shepherd Street Funds, Inc.

[File No. 811-8883]

**Summary:** Applicant seeks an order declaring that it has ceased to be an investment company. On September 19, 2008, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$14,179 incurred in connection with the liquidation were paid by Salem Investment Counselors, Inc., applicant's investment adviser.

**Filing Date:** The application was filed on December 5, 2008.

**Applicant's Address:** Salem Investment Counselors, Inc., 480 Shepherd St., Winston-Salem, NC 27103.

### Cohen & Steers VIF Realty Fund, Inc.

[File No. 811-21669]

**Summary:** Applicant seeks an order declaring that it has ceased to be an investment company. On April 30, 2008, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$8,200 incurred in connection with the liquidation were paid by applicant.

**Filing Date:** The application was filed on December 4, 2008.

**Applicant's Address:** 280 Park Ave., 10th Floor, New York, NY 10017.

### Putnam California Investment Grade Municipal Trust

[File No. 811-7276]

**Summary:** Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant's preferred shareholders received their liquidation preference and accrued and unpaid dividends up to March 23, 2007. On April 13, 2007, applicant made a final liquidating distribution to its shareholders, based on net asset value. Expenses of approximately \$30,089 incurred in connection with the liquidation were paid by applicant.

**Filing Date:** The application was filed on December 23, 2008.