

including exemptions. Since issuance of the final rule, the Commission has rejected a generic industry request to extend the rule's compliance date for all operating nuclear power plants, but noted that the Commission's regulations provide mechanisms for individual licensees, with good cause, to apply for relief from the compliance date (Reference: June 4, 2009, letter from R. W. Borchardt, NRC, to M. S. Fertel, Nuclear Energy Institute). The licensee's request for an exemption is therefore consistent with the approach set forth by the Commission and discussed in the June 4, 2009, letter.

*South Texas Project, Units 1 and 2, Schedule Exemption Request*

The licensee provided detailed information in Enclosure 1 of its submittal dated November 18, 2009, requesting the exemption.

Enclosure 2 provides the licensee's basis for exemption, and states that the duration of the modification project is expected to extend from 12 to 18 months. The licensee describes a plan to install equipment related to certain requirements in the new Part 73 rule and provides a timeline for achieving full compliance with the new regulation. The submittal contains security-related information regarding the site security plan, details of the specific portions of the regulation for which the site cannot be in compliance by March 31, 2010, deadline, and the required changes and a timeline, with critical path activities, that would enable the licensee to achieve full compliance by June 30, 2010. The timeline provides dates indicating (1) when various phases of the project begin and end (*i.e.*, design, field construction), (2) outages scheduled for each unit, and (3) when critical equipment will be ordered, installed, tested, and will become operational. A redacted version of the licensee's exemption request is publicly available in the Agencywide Documents Access and Management System (ADAMS) Accession No. ML093280174.

Notwithstanding the scheduled exemptions for these limited requirements, the licensee will continue to be in compliance with all other applicable physical security requirements as described in 10 CFR 73.55 and reflected in its current NRC-approved physical security program. By June 30, 2010, STP Units 1 and 2 will be in full compliance with all the regulatory requirements of 10 CFR 73.55, as issued on March 27, 2009.

#### 4.0 Conclusion for Part 73 Schedule Exemption Review

The NRC staff has reviewed the licensee's submittals and concludes that the licensee has provided adequate justification for its request for an extension of the compliance date to June 30, 2010, with regard to the specified requirement of 10 CFR 73.55.

Accordingly, the Commission has determined that pursuant to 10 CFR 73.5, "Specific exemptions," an exemption from the March 31, 2010, compliance date is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the requested exemption.

The NRC staff has determined that the long-term benefits, that will be realized when the STP Units 1 and 2 equipment installation is complete, justifies extending the compliance date with regard to the specified requirement of 10 CFR 73.55. The significant security enhancements that STP Units 1 and 2 need to complete are new requirements imposed by March 27, 2009, amendments to 10 CFR 73.55, and are in addition to those required by security orders issued in response to the events of September 11, 2001. Therefore, the NRC staff concludes that the licensee's proposed actions are in the best interest of the protection of public health and safety, through the security changes that would result from granting the exemption.

As per licensee's request and the NRC staff's regulatory authority to grant an extension from the March 31, 2010, implementation deadline for requirements specified in the licensee's letter dated November 18, 2009, the licensee is required to be in full compliance by June 30, 2010. In achieving compliance, the licensee is reminded that it is responsible for determining the appropriate licensing mechanism (*i.e.* 10 CFR Part 50.54(P) or 10 CFR Part 50.90) for incorporation of all necessary changes to its security plans.

Pursuant to 10 CFR 51.32, "Finding of no significant impact," the Commission has previously determined that the granting of this exemption will not have a significant effect on the quality of the human environment (75 FR 8150; February 23, 2010).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 17th day of March 2010.

For The Nuclear Regulatory Commission.

**Robert A. Nelson,**

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

[FR Doc. 2010-5433 Filed 3-11-10; 8:45 am]

**BILLING CODE 7590-01-P**

#### POSTAL SERVICE

##### Board of Governors; Sunshine Act Meeting

**DATES AND TIMES:** Tuesday, March 23, 2010, at 10 a.m.; Wednesday, March 24, at 8:30 a.m. and 11 a.m.

**PLACE:** Washington, DC at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW., in the Benjamin Franklin Room.

**STATUS:** March 23 at 10 a.m.—Closed; Wednesday, March 24 at 8:30 a.m.—Open; and 11 a.m.—Closed.

##### Matters To Be Considered

*Tuesday, March 23 at 10 a.m. (Closed)*

1. Strategic Issues.
2. Pricing.
3. Financial Matters.
4. Personnel Matters and Compensation Issues.
5. Governors' Executive Session—Discussion of prior agenda items and Board Governance.

*Wednesday, March 24 at 8:30 a.m. (Open)*

1. Approval of Minutes of Previous Meetings.
2. Remarks of the Chairman of the Board.
3. Remarks of the Postmaster General and CEO.
4. Amendments to Board Bylaws.
5. Appointment of Committee Members and Committee Reports.
6. Financial Update.
7. Inspector General Report on USPS Share of CSRS Pension Responsibility.
8. Quarterly Report on Service Performance.
9. Five-Day Delivery Plan.
10. Tentative Agenda for the May 4–6, 2010, meeting in Washington, DC.

*Wednesday, March 24 at 11 a.m. (Closed—if Needed)*

1. Continuation of Tuesday's closed session agenda.

##### CONTACT PERSON FOR MORE INFORMATION:

Julie S. Moore, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza,

SW., Washington, DC 20260-1000.  
Telephone (202) 268-4800.

**Julie S. Moore,**  
*Secretary.*

[FR Doc. 2010-5607 Filed 3-10-10; 4:15 pm]

**BILLING CODE 7710-12-P**

## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 12070 and # 12071]**

### **Oklahoma Disaster # OK-00035**

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

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Oklahoma (FEMA-1883-DR), dated 03/05/2010.

Incident: Severe Winter Storm.

Incident Period: 01/28/2010 through 01/30/2010.

Effective Date: 03/05/2010.

Physical Loan Application Deadline Date: 05/04/2010.

Economic Injury (EIDL) Loan Application Deadline Date: 12/06/2010.

**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 President's major disaster declaration on 03/05/2010, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications 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: Alfalfa, Caddo, Cleveland, Comanche, Cotton, Delaware, Dewey, Ellis, Grady, Greer, Harmon, Haskell, Hughes, Jackson, Kiowa, Le Flore, McClain, Muskogee, Okmulgee, Pontotoc, Pottawatomie, Roger Mills, Seminole, Stephens, Washita.

The Interest Rates are:

|  | Percent |
|--|---------|
| <i>For Physical Damage:</i>                                    |         |
| Non-Profit Organizations With Credit Available Elsewhere ..... | 3.625   |

|   | Percent |
|---|---------|
| Non-Profit Organizations Without Credit Available Elsewhere ..... | 3.000   |
| <i>For Economic Injury:</i>                                       |         |
| Non-Profit Organizations Without Credit Available Elsewhere ..... | 3.000   |

The number assigned to this disaster for physical damage is 12070B and for economic injury is 12071B.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**  
*Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-5465 Filed 3-11-10; 8:45 am]

**BILLING CODE 8025-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

**[Investment Company Act Release No. 29170; File No. 812-13732]**

### **Lincoln Investment Advisors Corporation and Lincoln Variable Insurance Products Trust; Notice of Application**

March 9, 2010.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of an application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 15(a) of the Act and rule 18f-2 under the Act, as well as from certain disclosure requirements.

**SUMMARY OF APPLICATION:** Applicants request an order that would permit them to enter into and materially amend subadvisory agreements without shareholder approval and would grant relief from certain disclosure requirements.

**APPLICANTS:** Lincoln Investment Advisors Corporation ("Adviser") and Lincoln Variable Insurance Products Trust (the "Trust") (together, "Applicants").

**FILING DATES:** The application was filed on December 22, 2009. Applicants have agreed to file an amendment during the notice period, the substance of which is contained in this notice.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on March 30, 2010, and

should be accompanied by proof of service on applicants, 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 Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicants, Lincoln Investment Advisors Corporation, One Granite Place, Concord, NH 03301 and Lincoln Variable Insurance Products Trust, 1300 S. Clinton Street, Fort Wayne, IN 46802.

**FOR FURTHER INFORMATION CONTACT:** Jill Ehrlich, Attorney Adviser, at (202) 551-6819, or Mary Kay Frech, Branch Chief, at (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### **Applicants' Representations**

1. The Trust, a Delaware statutory trust, is registered under the Act as an open-end management investment company and currently offers 39 series, each with separate investment objectives, policies and restrictions (each, a "Fund" and collectively, the "Funds").<sup>1</sup> The Adviser, an indirect, wholly owned subsidiary of Lincoln National Corporation, is registered as an investment adviser under the Investment Advisers Act of 1940 ("Advisers Act"). The Adviser serves as investment adviser to each Fund under an investment advisory agreement (each, an "Advisory Agreement") that

<sup>1</sup> Applicants request that any relief granted pursuant to the application also apply to any existing or future registered open-end management investment company or series thereof that: (i) Is advised by the Adviser or any entity controlling, controlled by, or under common control with the Adviser; (ii) uses the "manager of managers" structure described in the application; and (iii) complies with the terms and conditions of the application (included in the term "Funds"). The Trust is the only existing investment company that currently intends to rely on the order. If the name of any Fund should, at any time, contain the name of a Sub-Adviser (as defined below), the name of the Adviser or a trademark or trade name owned by Lincoln Financial Group, such as "Lincoln VIP" or "LVIP," will precede the name of the Sub-Adviser. "Lincoln Financial Group" is the marketing name for Lincoln National Corporation, the ultimate parent company of the Adviser.