

11. Environmental Protection Agency, Environmental Appeals Board (N1-412-06-28, 1 item, 1 temporary item). This schedule authorizes the agency to apply the existing disposition instructions to Environmental Appeals Board case files regardless of recordkeeping medium. Paper recordkeeping copies of these case files were previously approved for disposal.

12. Environmental Protection Agency, Agency-wide (N1-412-06-30, 1 item, 1 temporary item). This schedule authorizes the agency to apply the existing disposition instructions to waste water construction and state revolving fund grant files, regardless of recordkeeping medium. Paper recordkeeping copies of these grant files were previously approved for disposal.

13. National Archives and Records Administration, Congressional Affairs and Communications Staff (N1-64-06-1, 5 items, 5 temporary items). Records relating to the agency's internal and external Web sites. Included are web management records such as style sheets, scripts, and supporting code, and content records such as textual, graphical, video, and audio files.

14. Office of Navajo and Hopi Indian Relocation, Agency-wide (N1-220-04-12, 3 items, 1 temporary item). Backup data for an electronic information system used to manage information relating to the Nahata Dzill' New Lands Chapter, including data on residents, property leases, and grazing permits. Proposed for permanent retention are the system master files and outputs.

15. United States Information Agency, Motion Picture and Television Services (N1-306-98-2, 52 items, 5 temporary items). Budget execution and fund control records, purchase orders and procurement reports, and subject files lacking historical significance. Proposed for permanent retention are recordkeeping copies of subject, country, program, contract, film treatment, production, and specialized files.

Dated: August 21, 2006.

Michael J. Kurtz,

*Assistant Archivist for Records Services—
Washington, DC.*

[FR Doc. E6-14123 Filed 8-24-06; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts; Arts Advisory Panel

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub.

L. 92-463), as amended, notice is hereby given that three meetings of the Arts Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows (ending times are approximate):

Literature (application review): September 13-15, 2006 in Room 716. A portion of this meeting, from 12 p.m. to 1 p.m. on September 15th, will be open to the public for a policy discussion. The remainder of this meeting, from 9 a.m. to 6:30 p.m. on September 13th and 14th, and from 9 a.m. to 12 p.m. and from 1 p.m. to 4 p.m. on September 15th, will be closed.

Learning in the Arts (application review): September 19-20, 2006 in Room 716. A portion of this meeting, from 3:45 p.m. to 4:15 p.m. on September 20th, will be open to the public for a policy discussion. The remainder of the meeting, from 8 a.m. to 6 p.m. on September 19th and from 8:30 a.m. to 3:45 p.m. and from 4:15 p.m. to 4:45 p.m. on September 20th, will be closed.

Learning in the Arts (application review): September 25-27, 2006 in Room 716. A portion of this meeting, from 3:30 p.m. to 4 p.m. on September 27th, will be open to the public for a policy discussion. The remainder of the meeting, from 9 a.m. to 5 p.m. on September 25th, from 9 a.m. to 5:30 p.m. on September 26th, and from 9 a.m. to 3:30 p.m. and from 4:05 p.m. to 4:30 p.m. on September 27th, will be closed.

The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of April 8, 2005, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman. If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TDY-TDD 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to these meetings can be obtained from Ms.

Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5691.

Dated: August 18, 2006.

Kathy Plowitz-Worden,

*Panel Coordinator, Panel Operations,
National Endowment for the Arts.*

[FR Doc. E6-14163 Filed 8-24-06; 8:45 am]

BILLING CODE 7537-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-285]

Omaha Public Power District, Fort Calhoun Station, Unit 1; Exemption

1.0 Background

The Omaha Public Power District (OPPD, licensee) is the holder of Facility Operating License No. DPR-40 which authorizes operation of the Fort Calhoun Station, Unit 1 (FCS). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor located in Washington County, Nebraska.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR) 50.46, "Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors," requires, among other items, that "[e]ach boiling or pressurized light-water nuclear power reactor fueled with uranium oxide pellets within cylindrical zircaloy or ZIRLO cladding must be provided with an emergency core cooling system (ECCS) that must be designed so that its calculated cooling performance following postulated loss-of-coolant accidents [(LOCAs)] conforms to the criteria set forth in paragraph (b) of this section." Appendix K to 10 CFR Part 50, "ECCS Evaluation Models," requires, among other items, that the rate of energy release, hydrogen generation, and cladding oxidation from the metal/water reaction shall be calculated using the Baker-Just equation. The regulations of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, make no provisions for use of fuel rods clad in a material other than zircaloy or ZIRLO. Since the chemical composition of the M5 alloy differs from the specifications for zircaloy or ZIRLO, a plant-specific exemption is required to allow the use of the M5 alloy as a cladding material or in other assembly structural components at FCS.

Therefore, by letter dated August 11, 2005, as revised by letter dated November 8, 2005, and as supplemented on April 12, 2006, the licensee requested the use of the M5 advanced alloy for fuel rod cladding and other assembly structural components at FCS.

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present.

Authorized by Law

This exemption results in changes to the operation of the plant by allowing the use of the M5 alloy as fuel cladding material or for other assembly structural components in lieu of zircaloy or ZIRLO. 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.

No Undue Risk to Public Health and Safety

The underlying purposes of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, are to ensure that facilities have adequate acceptance criteria for the ECCS, and to ensure that cladding oxidation and hydrogen generation are appropriately limited during a LOCA and conservatively accounted for in the ECCS evaluation model, respectively. Topical Report (TR) BAW-10227P, "Evaluation of Advanced Cladding and Structural Material (M5) in PWR [pressurized-water reactor] Reactor Fuel," which was approved by the NRC on February 4, 2000, demonstrated that the effectiveness of the ECCS will not be affected by a change from zircaloy to M5. In addition, TR BAW-10227P demonstrated that the Baker-Just equation (used in the ECCS evaluation model to determine the rate of energy release, cladding oxidation, and hydrogen generation) is conservative in all post-LOCA scenarios with respect to the use of M5 advanced alloy as a fuel rod cladding material or in other assembly structural components. Based on the above, no new accident precursors are created by using M5

advanced alloy, thus, the probability of postulated accidents is not increased. Also, based on the above, the consequences of postulated accidents are not increased. In addition, the licensee will use NRC-approved methods for the reload design process for FCS reloads with M5. Therefore, there is no undue risk to public health and safety due to using M5.

Consistent With Common Defense and Security

The proposed exemption requested results in changes to the operation of the plant by allowing the use of the M5 alloy as fuel cladding material or in other assembly structural components in lieu of zircaloy or ZIRLO. This change to the fuel material used in the plant has no relation to security issues. Therefore, the common defense and security are not impacted by this exemption request.

Special Circumstances

Special circumstances, in accordance with 10 CFR 50.12(a)(2)(ii), are present whenever application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. In this circumstance neither 10 CFR 50.46 nor 10 CFR Part 50, Appendix K, explicitly allows the use of M5 as a fuel rod cladding material or in use of other assembly structural components.

The underlying purpose of 10 CFR 50.46 is to ensure that facilities have adequate acceptance criteria for the ECCS. On February 4, 2000, the NRC staff approved TR BAW-10227P in which Framatome demonstrated that the effectiveness of the ECCS will not be affected by a change from zircaloy to M5. The analysis described in the TR also demonstrated that the ECCS acceptance criteria applied to reactors fueled with zircaloy fuel rod cladding are also applicable to reactors fueled with M5 fuel rod cladding.

The underlying purpose of 10 CFR Part 50, Appendix K, paragraph I.A.5, is to ensure that cladding oxidation and hydrogen generation are appropriately limited during a LOCA and conservatively accounted for in the ECCS evaluation model. Appendix K requires that the Baker-Just equation be used in the ECCS evaluation model to determine the rate of energy release, cladding oxidation, and hydrogen generation. In TR BAW-10227P, Framatome demonstrated that the Baker-Just model is conservative in all post-LOCA scenarios with respect to the use of the M5 advanced alloy as a fuel rod cladding material or in other

assembly structural components, and that the amount of hydrogen generated in an M5 core during a LOCA will remain within the FCS design basis.

The M5 alloy is a proprietary zirconium-based alloy comprised of primarily zirconium (~99 percent) and niobium (~1 percent). The elimination of tin has resulted in superior corrosion resistance and reduced irradiation-induced growth relative to both standard zircaloy (1.7 percent tin) and low-tin zircaloy (1.2 percent tin). The addition of niobium increases ductility, which is desirable to avoid brittle failures.

The NRC staff has reviewed the licensee's advanced cladding material, M5, for PWR fuel mechanical designs as described in TR BAW-10227P. In the safety evaluation for TR BAW-10227P dated February 4, 2000, the NRC staff concluded that, to the extent specified in the NRC staff's evaluation, the M5 properties and mechanical design methodology are acceptable for referencing in fuel reload licensing applications. Therefore, since the underlying purposes of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, paragraph I.A.5 are achieved through the use of the M5 advanced alloy as a fuel rod cladding material or in other assembly structural components, the special circumstances required by 10 CFR 50.12(a)(2)(ii) for the granting of an exemption from 10 CFR 50.46 and 10 CFR Part 50, Appendix K, exist.

Summary

The NRC staff has reviewed the licensee's request to use the M5 advanced alloy for fuel rod cladding and in other assembly structural components in lieu of zircaloy or ZIRLO. Based on the NRC staff's evaluation, as set forth above, the NRC staff concludes that the exemption is authorized by law, will not present an undue risk to public health and safety, and is consistent with the common defense and security. In addition, the NRC staff concludes that the underlying purposes of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, are achieved through the use of the M5 advanced alloy. Therefore, pursuant to 10 CFR 50.12(a), the NRC staff concludes that the use of the M5 advanced alloy for fuel rod cladding and in other assembly structural components is acceptable and the exemption from 10 CFR 50.46 and 10 CFR Part 50, Appendix K, is justified.

4.07 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. Therefore, the Commission hereby grants OPPD an exemption from the requirements of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, for the Fort Calhoun Station, Unit 1.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant impact on the quality of the human environment (71 FR 46927; published on August 15, 2006). This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 17th day of August 2006.

For the Nuclear Regulatory Commission.

Catherine Haney,

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

[FR Doc. E6-14106 Filed 8-24-06; 8:45 am]

BILLING CODE 7590-01-P

PENSION BENEFIT GUARANTY CORPORATION

Required Interest Rate Assumption for Determining Variable-Rate Premium for Premium Payment Years Beginning in January Through August 2006

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of interest rate assumptions.

SUMMARY: This notice informs the public of the interest rate assumptions to be used for determining the variable-rate premium under part 4006 of the Pension Benefit Guaranty Corporation regulations (the “required interest rate”) for premium payment years beginning in January through August 2006. It reflects changes made by the Pension Protection Act of 2006, which was signed into law on August 17, 2006.

These interest rate assumptions can be derived from rates published elsewhere, but are collected and published in this notice for the convenience of the public. Interest rates are also published on the PBGC’s Web site (<http://www.pbgc.gov>).

DATES: The required interest rate assumption for determining the variable-rate premium under part 4006 applies to premium payment years beginning in January through August 2006.

FOR FURTHER INFORMATION CONTACT: Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit

Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

SUPPLEMENTARY INFORMATION: Each month PBGC publishes a notice in the **Federal Register** informing the public of the interest rates and assumptions to be used under certain PBGC regulations. One such rate is the required interest rate used pursuant to Section 4006(a)(3)(E)(iii)(II) of the Employee Retirement Income Security Act of 1974 (ERISA) and § 4006.4(b)(1) of the PBGC’s regulation on Premium Rates (29 CFR part 4006) in determining a single-employer plan’s variable-rate premium.

The Pension Funding and Equity Act of 2004 (“PFEA”) set the required interest rate for plan years beginning in 2004 or 2005 as the “applicable percentage” (currently 85 percent) of the annual rate of interest determined by the Secretary of the Treasury on amounts invested conservatively in long term investment grade corporate bonds (the “composite corporate bond rate”) for the month preceding the beginning of the plan year for which premiums are being paid (the “premium payment year”).

The Pension Protection Act of 2006 (“PPA”), which was signed into law on August 17, 2006, extended the applicability of the PFEA required interest rate to plan years beginning in 2006 and 2007. Before PPA was signed into law, the required interest rate for plan years beginning in 2006 was 85 percent of the annual yield on 30-year Treasury securities. Accordingly, this was the required interest rate published each month by the PBGC for premium payment years beginning in January through August of 2006. This notice revises those published rates to reflect changes made by PPA.

On August 18, 2006, the Internal Revenue Service issued Notice 2006-75, announcing the composite corporate bond rates needed to determine the required interest rates for premium payment years beginning in January through August 2006.

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in January 2006 is 4.86 percent (*i.e.*, 85 percent of the 5.72 percent composite corporate bond rate announced in IRS Notice 2006-75 for December 2005).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in February 2006 is 4.80 percent (*i.e.*, 85

percent of the 5.65 percent composite corporate bond rate announced in IRS Notice 2006-75 for January 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in March 2006 is 4.87 percent (*i.e.*, 85 percent of the 5.73 percent composite corporate bond rate announced in IRS Notice 2006-75 for February 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in April 2006 is 5.01 percent (*i.e.*, 85 percent of the 5.89 percent composite corporate bond rate announced in IRS Notice 2006-75 for March 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in May 2006 is 5.25 percent (*i.e.*, 85 percent of the 6.18 percent composite corporate bond rate announced in IRS Notice 2006-75 for April 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in June 2006 is 5.35 percent (*i.e.*, 85 percent of the 6.29 percent composite corporate bond rate announced in IRS Notice 2006-75 for May 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in July 2006 is 5.36 percent (*i.e.*, 85 percent of the 6.31 percent composite corporate bond rate announced in IRS Notice 2006-75 for June 2006).

The required interest rate to be used in determining variable-rate premiums for premium payment years beginning in August 2006 is 5.36 percent (*i.e.*, 85 percent of the 6.30 percent composite corporate bond rate announced in IRS Notice 2006-75 for July 2006).

The following table lists the required interest rates to be used in determining variable-rate premiums for premium payment years beginning in January through August 2006.

| For premium payment years beginning in . . . | The required interest rate is . . . |
|--|-------------------------------------|
| January 2006 | 4.86 |
| February 2006 | 4.80 |
| March 2006 | 4.87 |
| April 2006 | 5.01 |
| May 2006 | 5.25 |
| June 2006 | 5.35 |
| July 2006 | 5.36 |
| August 2006 | 5.36 |

PBGC will post the revised required interest rates (listed above) on its Web site (<http://www.pbgc.gov>).