

Source Suppliers and Producers Association (ISSPA), both dated September 19, 2008, for extension of the comment period from September 30 to October 30, 2008.

#### Response to Request

The request for an extension to the comment period is approved for 15 days.

The staff understands that NEI, CRCPD and ISSPA requested an extension of 30 days. However, NRC can not grant the full extension because the comments are needed by mid-October for development of future NRC actions for Commission consideration by November 2008. Therefore, the staff is approving a 15-day extension to the original public comment period, with the public comment period to end on October 15, 2008. The staff recognizes that the public and other stakeholder comments may be impacted by the discussions that will occur during the two-day public meeting which concludes on September 30, 2008, and therefore agrees to extend the comment period an additional 15 days.

Members of the public are invited and encouraged to submit comments electronically to <http://www.regulations.gov>. Search on Docket ID: [NRC-2008-0419] and follow the instructions for submitting comments. Comments may also be sent by mail to Michael Lesar, Chief, Rulemaking, Directives and Editing Branch, Office of Administration, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Requests for technical information may be directed to the NRC contacts, Dr. John P. Jankovich, Office of Federal and State Materials and Environmental Management Programs, telephone (301) 415-7904, e-mail [john.jankovich@nrc.gov](mailto:john.jankovich@nrc.gov), or Dr. Cynthia Jones, Office of Nuclear Security and Incident Response, telephone (301) 415-0298, e-mail [cynthia.jones@nrc.gov](mailto:cynthia.jones@nrc.gov).

You can also access publicly available documents related to the July 31, 2008 notice using the following methods:

*Regulations.gov*: Documents related to this notice, including public comments, are accessible at <http://www.regulations.gov>, by searching on docket ID: NRC-2008-0419. Electronic copies of the July 31, 2008 notice and the workshop agenda are also available through NRC's public Web site at <http://www.nrc.gov/materials/miau/licensing.html>.

*NRC's Public Document Room (PDR)*: The public may examine and have copied for a fee, publicly available documents at the NRC's PDR, Public File Area O-1F21, One White Flint

North, 11555 Rockville Pike, Rockville, Maryland.

*NRC's Agency wide Document Access and Management System (ADAMS)*: Publicly available documents created or received at the NRC after November 1, 1999, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 22nd day of September 2008.

For the Nuclear Regulatory Commission.

**John P. Jankovich**,

*Team Leader, Office of Federal and State Materials and Environmental Management Program.*

[FR Doc. E8-22688 Filed 9-25-08; 8:45 am]

**BILLING CODE 7590-01-P**

---

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review, Request for Comments

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request an extension without change of a currently approved collection of information: 3220-0038, Medical Reports. Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collection of information to determine (1) The practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date.

Under Sections 2(a)(1)(iv), 2(a)(2) and 2(a)(3) of the Railroad Retirement Act (RRA), annuities are payable to qualified railroad employees whose physical or mental condition is such that they are unable to (1) work in their regular occupation (occupational disability); or (2) work at all (permanent total disability). The requirements for establishment of disability and proof of continuance of disability are prescribed in 20 CFR 220.

Under Sections 2(c)(1)(ii)(c) and 2(d)(1)(ii) of the RRA, annuities are also payable to qualified spouses and widow(ers), respectively, who have a qualified child who is under a disability which began before age 22. Annuities are also payable to surviving children on the basis of disability under Section 2(d)(1)(iii)(C) if the child's disability began before age 22 and to widow(ers) on the basis of disability under section 2(d)(1)(i)(B). To meet the disability standard, the RRA provides that individuals must have a permanent physical or mental condition such that they are unable to engage in any regular employment.

Under section 2(d)(1)(v) of the RRA, annuities are also payable to remarried and surviving divorced spouses on the basis of, *inter alia*, disability or having a qualified disabled child in care. However, the disability standard in these cases is that found in the Social Security Act. That is, individuals must be able to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment. The RRB also determines entitlement to a period of early disability and early Medicare entitlement for qualified claimants in accordance with Section 216 of the Social Security Act.

When making disability determinations, the RRB needs evidence from acceptable medical sources. The RRB currently utilizes Forms G-3EMP, Report of Medical Condition by Employer; G-197, Authorization to Release Medical Information, G-250, Medical Assessment; G-250a, Medical Assessment of Residual Functional Capacity; G-260, Report of Seizure Disorder; RL-11b, Disclosure of Hospital Medical Records; RL-11d, Disclosure of Medical Records from a State Agency; and RL-250, Request for Medical Assessment, to obtain the necessary medical evidence. The RRB proposes no changes to the information collection. Completion of the forms is voluntary. One response is requested of each respondent.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (73 FR 22183 on April 24,

2008) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

**Information Collection Request (ICR)**

*Title:* Medical Reports.

*OMB Control Number:* OMB 3220-0038.

*Form(s) submitted:* G-3EMP, G-197, G-250, G-250a, G-260, RL-11B, RL-11D, RL-250.

*Type of request:* Extension without change of a currently approved collection of information.

*Affected public:* Individuals or households; Private Sector; State, Local and Tribal Government.

*Abstract:* The Railroad Retirement Act provides disability annuities for qualified railroad employees whose physical or mental condition renders them incapable of working in their

regular occupation (occupational disability) or any occupation (total disability). The medical reports obtain information needed for determining the nature and severity of the impairment.

*Changes proposed:* The RRB proposes no changes to the forms in the collection.

*The burden estimate for the ICR is as follows:*

| Form No.     | Annual responses | Time (min.) | Burden (hours) |
|--------------|------------------|-------------|----------------|
| G-3EMP ..... | 600              | 10          | 100            |
| G-197 .....  | 6,000            | 10          | 1,000          |
| G-250 .....  | 11,950           | 30          | 5,975          |
| G-250a ..... | 50               | 20          | 17             |
| G-260 .....  | 100              | 25          | 42             |
| RL-11b ..... | 5,000            | 10          | 833            |
| RL-11d ..... | 250              | 10          | 42             |
| RL-250 ..... | 11,950           | 10          | 1,992          |
| Total .....  | 35,900           | .....       | 10,001         |

*Additional information or comments:* 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 regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@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,**

*Clearance Officer.*

[FR Doc. E8-22672 Filed 9-25-08; 8:45 am]

BILLING CODE 7905-01-P

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-58603; File No. SR-CBOE-2008-97]

**Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing of a Proposed Rule To Establish a CBSX-Only Order Type**

September 19, 2008.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on September 16, 2008, the Chicago

Board Options Exchange, Incorporated (the "Exchange" or "CBOE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Exchange proposes to change CBOE Stock Exchange ("CBSX") Rule 51.8, to adopt a CBSX-Only order. The text of the proposed rule change is available on the Exchange's Web site (<http://www.cboe.com>), at the Office of the Secretary, CBOE and at the Commission's Public Reference Room.

**II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

**A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

**1. Purpose**

The purpose of this proposed rule change is to revise CBOE Stock Exchange ("CBSX") Rule 51.8 to adopt a CBSX-Only order type. A CBSX-only order is an order to buy or sell that is to be executed in whole or in part on CBSX, and the portion not so executed is to be cancelled, without routing the order to another market center or market participant, and without being "flushed" at the NBBO price to CBSX Traders pursuant to Rule 52.6 when CBSX is not at the NBBO and the order is marketable against the NBBO. Thus, a CBSX-Only order would either immediately execute on CBSX, get booked on CBSX (provided it does not cause a locked or crossed market), or cancel. Many exchanges have similar order-types (e.g. NSX Rule 11.11(c)(6)).

**2. Statutory Basis**

The Exchange believes the proposed rule change is consistent with section 6(b) of the Act<sup>3</sup> in general and furthers the objectives of section 6(b)(5) of the Act<sup>4</sup> in particular in that, by offering users greater control over order routing, it is designed to promote just and equitable principles of trade, serve to remove impediments to and perfect the mechanism of a free and open market and a national market system.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78f(b).

<sup>4</sup> 15 U.S.C. 78f(b)(5).