

grounding resistor to not more than 0.5 ampere and if problems are detected, the neutral grounding resistor may be adjusted to limit the ground-fault current to not more than 1.0 ampere; (5) the 1.0 ampere setting cannot be implemented until MSHA inspects the neutral grounding resistor and determines that the neutral grounding resistor and all ground-fault relays are properly adjusted to protect the high-voltage trailing cable; (6) current transformers used for the ground-fault protection will be the single-window type and will be installed to encircle all three-phase conductors; (7) high-voltage circuits will be protected against short-circuits, overloads, ground faults and under-voltage by a circuit-interrupting device of adequate interrupting capacity; and (8) within sixty days after the Proposed Decision and Order becomes final, proposed revisions for part 48 training plans will be submitted to the District Manager for the area in which the mine is located. These proposed revisions will include, but are not limited to, task training, hazard training, specialized training for qualified persons, and annual refresher training. The petitioner has listed additional procedures in this petition that will be used when the proposed alternative method is implemented. Persons may review a complete description of the procedures and training requirements at the MSHA address listed in this notice. The petitioner asserts that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners as the existing standard.

*Docket Number:* M-2008-003-M.

*Petitioner:* Zeigler Chemical & Mineral Corp., 366 North Broadway, Suite 210, Richo, New York.

*Mine:* Little Bonanza Mines and Mills, MSHA I.D. No. 42-00876, Harrison Mine, MSHA I.D. No. 42-02484, and the Neal #4 Mine, MSHA I.D. No. 42-02317, all located in Uintah County, Utah.

*Regulation Affected:* 30 CFR 49.2(b) (Availability of mine rescue teams).

*Modification Request:* The petitioner requests a modification of the existing standard for its gilsonite mines to permit the use of two mine rescue teams with three members and one alternate for each team. The petitioner states that: (1) The underground mine is a small mine and there is hardly enough physical room to accommodate more than three or four miners in the working places; (2) an attempt to utilize five or more rescue team members in the mine's confined working places would result in a diminution of safety to both the miners at the mine and members of

the rescue team; (3) no electric power is used in the mines other than battery operated hard hat lights; and (4) all work below ground is done by hand using compressed air which is fed from above ground. The petitioner asserts that a decision in their favor will in no way provide less than the same measure of protection afforded the miners under the existing standard.

Dated: November 13, 2008.

**Patricia W. Silvey,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. E8-27406 Filed 11-18-08; 8:45 am]

**BILLING CODE 4510-43-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards**

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on December 4-6, 2008, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, October 22, 2007, (72 FR 59574).

#### **Thursday, December 4, 2008, Conference Room T-2B3, Two White Flint North, Rockville, Maryland**

*8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.-10 a.m.: Chapters 7 and 14 of the SER Associated with the Economic Simplified Boiling Water Reactor (ESBWR) Design Certification Application* (Open/Closed)—The Committee will hear a briefing by and hold discussions with representatives of the NRC staff and General Electric—Hitachi Nuclear Energy (GEH) regarding Chapters 7 and 14, of the NRC staff's SER With Open Items associated with the ESBWR design certification application.

[Note: A portion of this session may be closed to protect information that is proprietary to GEH or its contractors pursuant to 5 U.S.C. 552b(c)(4)]

*10:15 a.m.-12 p.m.: Early Site Permit Application and the Final SER for the Vogtle Nuclear Plant* (Open)—The Committee will hear a briefing by and hold discussions with representatives of the NRC staff and Southern Nuclear Operating Company (SNC) regarding the Early site permit application and the

NRC staff's final SER for the Vogtle Nuclear Plant.

*1 p.m.-2:30 p.m.: Status of Staff Activities Associated with Potential Revision to 10 CFR 50.46(b)* (Open)—The Committee will hear a briefing by the Subcommittee Chairman and hold discussions with representatives of the NRC staff regarding the status of staff activities associated with potential revision to 10 CFR 50.46(b).

*2:45 p.m.-4:15 p.m.: NRC Staff's Initial White Paper on Containment Overpressure Credit Issue* (Open)—The Committee will hear reports by the Subcommittee Chairman and hold discussions with representatives of the NRC staff regarding the initial White Paper on the use of containment accident pressure in determining the available net positive suction head of emergency core cooling and containment heat removal pumps, and related matters.

*4:15 p.m.-7 p.m.: Preparation of ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports on matters discussed during this meeting.

#### **Friday, December 5, 2008, Conference Room T-2B3, Two White Flint North, Rockville, Maryland**

*8:30 a.m.-8:35 a.m.: Opening Remarks by the ACRS Chairman* (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.-10 a.m.: Overview of the Human Reliability Analysis (HRA) Research Activities* (Open)—The Committee will hear a briefing by and hold discussions with representatives of the NRC staff regarding HRA research activities.

*10:15 a.m.-12 p.m.: Draft Policy Statement on Defense-in-Depth for Future Nuclear Reactors* (Open)—The Committee will hear a briefing by and hold discussions with representatives of the NRC staff regarding draft Policy Statement on Defense-in-Depth for Future Nuclear Reactors.

*1:30 p.m.-2:30 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee* (Open/Closed)—The Committee will discuss of the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS meetings and other matters related to the conduct of the ACRS business.

[Note: A portion of this meeting may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would

constitute a clearly unwarranted invasion of personal privacy]

*2:30 p.m.–2:45 p.m.: Reconciliation of ACRS Comments and Recommendations* (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations to comments and recommendations included in recent ACRS reports and letters.

*2:45 p.m.–3 p.m.: Election of ACRS Officers for CY 2009* (Open)—The Committee will discuss the election of the Chairman and Vice-Chairman for the ACRS and Member-at-Large for the Planning and Procedures Subcommittee for FY 2009.

*3:15 p.m.–7 p.m.: Preparation of ACRS Reports* (Open)—The Committee will discuss proposed ACRS reports.

**Saturday, December 6, 2008,  
Conference Room T-2B3, Two White  
Flint North, Rockville, Maryland**

*8:30 a.m.–12:30 p.m.: Preparation of ACRS Reports* (Open)—The Committee will continue its discussion of proposed ACRS reports.

*12:30 p.m.–1 p.m.: Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of Committee activities and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008, (73 FR 58268–58269). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting. Persons desiring to make oral statements should notify the Cognizant ACRS staff named below five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting the Cognizant ACRS staff prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the Cognizant ACRS staff if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) Public Law 92–463, I have determined that it may be necessary to close portions of this meeting noted above to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552b(c)(2) and (6). In addition, it may be necessary to close a portion of the meeting to protect information designated as proprietary by General Electric—Hitachi or its contractors pursuant to 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, as well as the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Girija Shukla, Cognizant ACRS staff (301–415–6855), between 7:15 a.m. and 5 p.m., (ET). ACRS meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room at [pdn@nrc.gov](mailto:pdn@nrc.gov), or by calling the PDR at 1–800–397–4209, or from the Publicly Available Records System (PARS) component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/ACRS/>.

Video teleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m., (ET), at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The availability of video teleconferencing services is not guaranteed.

Dated: November 13, 2008.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. E8–27469 Filed 11–18–08; 8:45 am]

**BILLING CODE 7590–01–P**

**SECURITIES AND EXCHANGE  
COMMISSION**

**Proposed Extension of Existing  
Collection; Comment Request**

*Upon Written Request, Copies Available*

*From:* U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

*Extension:*

Rule 9b–1; OMB Control No. 3235–0480; SEC File No. 270–429.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission (“Commission”) is soliciting comments on the existing collection of information provided for the following rule: Rule 9b–1 Options Disclosure Document (17 CFR 240.9b–1) under the Securities Exchange Act of 1934 (15 U.S.C. 78 *et seq.*). The Commission plans to submit this existing collection of information to the Office of Management and Budget (“OMB”) for extension and approval.

Rule 9b–1 (17 CFR 240.9b–1) sets forth the categories of information required to be disclosed in an options disclosure document (“ODD”) and requires the options markets to file an ODD with the Commission 60 days prior to the date it is distributed to investors. In addition, Rule 9b–1 provides that the ODD must be amended if the information in the document becomes materially inaccurate or incomplete and that amendments must be filed with the Commission 30 days prior to the distribution to customers. Finally, Rule 9b–1 requires a broker-dealer to furnish to each customer an ODD and any amendments, prior to accepting an order to purchase or sell an option on behalf of that customer.

There are six options markets that must comply with Rule 9b–1. These six respondents work together to prepare a single ODD covering options traded on each market, as well as amendments to the ODD. These respondents file approximately three amendments per year. The staff calculates that the preparation and filing of amendments should take no more than eight hours per options market. Thus, the total compliance burden for options markets per year is 144 hours (6 options markets × 8 hours per amendment × 3 amendments). The estimated cost for an in-house attorney is \$295 per hour,<sup>1</sup>

<sup>1</sup> The \$295/hour figure for an attorney is from SIFMA's *Management & Professional Earnings in the Securities Industry 2007*, modified by the Commission staff to account for an 1800-hour work-year and multiplied by 5.35 to account for bonuses, firm size, employee benefits and overhead.