

procedures and materials for cold shutdown components, thus, the probability of postulated accidents is not increased. Also based on the above the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety (since risk is probability x consequences).

#### *Consistent With Common Defense and Security*

The proposed exemption would allow FCS, Unit No. 1, to not meet the requirements of 10 CFR Part 50, Appendix R, Section III.G.1.b for certain specified areas; thus, procedures and materials for the repair of redundant cold shutdown components within 72 hours in those areas would not be needed. This change to the operation of the plant has no relation to security issues. Therefore, the common defense and security is not impacted by this exemption.

#### *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 is not necessary to achieve the underlying purpose of the rule. Part of the underlying purpose of 10 CFR Part 50, Appendix R, Section III.G, is to assure safe shutdown capability. OPPD states that, in the unlikely event all raw water pumps are lost for any reason, OPPD maintains an AOP for loss of the raw water system. If all raw water pumps are lost, due to any condition, the AOP directs the operators to trip the reactor and enter EOPs based on observed plant condition. Since these procedures help to assure safe shutdown capability, strict application of the requirements of 10 CFR Part 50, Appendix R, Section III.G.1.b, is not necessary to achieve the underlying purpose of the rule and the special circumstances required by 10 CFR 50.12(a)(2)(ii) for the granting of an exemption exist.

#### **4.0 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 Section III.G.1.b of 10 CFR Part 50, Appendix R, which is required by 10 CFR 50.48(b) for plants that were licensed to operate before January 1, 1979, to FCS, Unit No. 1.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (73 FR 80441; December 31, 2008).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 6th day of February 2009.

For the Nuclear Regulatory Commission.

**Joseph G. Gitter,**

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

[FR Doc. E9-3143 Filed 2-12-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards (ACRS), Meeting of the Subcommittee on Plant License Renewal; Notice of Meeting**

The ACRS Subcommittee on Plant License Renewal will hold a meeting on March 4, 2009, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*Wednesday, March 4, 2009—8:30 a.m.—5 p.m.*

The Subcommittee will discuss the Indian Point License Renewal application and the associated Safety Evaluation Report (SER) with Open Items prepared by the staff. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff, Entergy, and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Peter Wen (telephone 301/415-2832) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008 (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 6:45 a.m. and 3:30 p.m. (ET). Persons

planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: February 5, 2009.

**Cayetano Santos,**

*Chief, Reactor Safety Branch A, Advisory Committee on Reactor Safeguards.*

[FR Doc. E9-3083 Filed 2-12-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Advisory Committee on Reactor Safeguards Meeting of the ACRS Subcommittee on Reliability and Probabilistic Risk Assessment; Notice of Meeting**

The ACRS Subcommittee on Reliability and Probabilistic Risk Assessment (PRA) will hold a meeting on March 3, 2009, Room T-2-B3, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*Tuesday, March 3, 2009—1 p.m. until the conclusion of business.*

The Subcommittee will review draft Final Regulatory Guide 5.73, "Fatigue Management for Nuclear Power Plant Personnel." The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee. Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Harold VanderMolen (Telephone: 301-415-6236) 5 days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008 (72 FR 54695).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 8:30 a.m., and 4:30 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: February 6, 2009.

**Cayetano Santos,**

*Chief, Reactor Safety Branch A, Advisory Committee on Reactor Safeguards.*

[FR Doc. E9-3160 Filed 2-12-09; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

**Sunshine Federal Register Notice**

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATE:** Week of February 16, 2009.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, MD.

**STATUS:** Public and closed.

**ADDITIONAL ITEMS TO BE CONSIDERED:**

*Week of February 16, 2009*

Tuesday, February 17, 2009

1:25 p.m. Affirmation Session (Public Meeting) (Tentative).

- a. Final Rule: Consideration of Aircraft Impacts for New Nuclear Power Reactors (RIN 3150-AI19) (Tentative).
- b. Final Rule: 10 CFR Part 63, "Implementation of a Dose Standard After 10,000 Years" (RIN 3150-AH68) (Tentative).
- c. Tennessee Valley Authority (Bellefonte Nuclear Power Plant Units 3 and 4), LBP-08-16 (Ruling on Standing, Hearing Petition Timeliness, and Contention Admissibility) (Sept. 12, 2008) (Tentative).

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\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: February 10, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-3278 Filed 2-11-09; 4:15 pm]

**BILLING CODE 7590-01-P**

**RAILROAD RETIREMENT BOARD**

**Proposed Data Collection(s) Available for Public Comment and Recommendations**

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collections are necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's

estimate of the burden for the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

**1. Title and Purpose of Information Collection**

*Application for Survivor Death Benefits; OMB 3220-0031*

Under Section 6 of the Railroad Retirement Act (RRA), lump-sum death benefits are payable to surviving widow and widowers, children and certain other dependents. Lump-sum death benefits are payable after the death of a railroad employee only if there are no qualified survivors of the employee immediately eligible for annuities. With the exception of the residual death benefit, eligibility for survivor benefits depends on whether the employee was "insured" under the RRA at the time of death. If a deceased employee was not so insured, jurisdiction of any survivor benefits payable is transferred to the Social Security Administration and survivor benefits are paid by that agency instead of the RRB. The collection obtains the information required by the RRB to determine entitlement to and amount of the survivor death benefits applied for.

The RRB currently utilizes Form(s) AA-11a (*Designation for Change of Beneficiary for Residual Lump-Sum*), AA-21cert, (*Application Summary and Certification*), AA-21 (*Application for Lump-Sum Death Payment and Annuities Unpaid at Death*), G-131 (*Authorization of Payment and Release of All Claims to a Death Benefit or Accrued Annuity Payment*), and G-273a (*Funeral Director's Statement of Burial Charges*), to obtain the necessary information. One response is requested of each respondent. Completion is required to obtain benefits.

The RRB proposes no changes to any of the forms in the information collection.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**

[The estimated annual respondent burden is as follows]

Form #(s)	Annual responses	Time (min)	Burden (hrs)
AA-11a .....	200	10	33
AA-21cert (with assistance) .....	5,400	20	1,800
AA-21 manual (without assistance) .....	300	40	200
G-131 .....	600	5	50
G-273a .....	5,000	10	833