

- Regulatory Compliance (Focused Inspections), 8:30 to 10 a.m.;
- Education and Training (OTI), 10:15 to 11:45 a.m.;
- Trenching, 12:45 to 2:15 p.m.; and
- Multilingual, 2:30 to 4 p.m.

For additional information on ACCSH Work Group meetings or participating in them, please contact Mr. Michael Buchet at the address above or look on the ACCSH page on OSHA's Web page at <http://www.osha.gov>.

#### Public Participation

*ACCSH Meetings and ACCSH Work Group Meetings:* ACCSH and ACCSH Work Group meetings are open to the public. Individuals needing special accommodations for ACCSH or ACCSH Work Group meetings please contact Ms. Chatmon at the address above.

*Submission of written comments and requests to address ACCSH:* Interested parties may submit written comments and request to make oral presentations to ACCSH (1) electronically, (2) by FAX, or (3) by hard copy (mail, hand delivery, express mail, messenger, courier). The request must include the docket number for this ACCSH meeting (Docket No. OSHA-2009-0001) and state the amount of time desired, the interest the presenter represents (*e.g.*, businesses, organizations, themselves, affiliations, etc.), if any, and a brief outline of the presentation. Additionally at the Committee meeting, attendees may also request to address ACCSH by signing the public comment request sheet and listing the interests they represent (*e.g.*, businesses, organizations, themselves, affiliations, etc., if any) and the topics to be addressed. Such requests may be granted at the ACCSH Chair's discretion and as time and circumstances permit.

Submissions, including written comments, materials presented to ACCSH and Work Group reports, will be included without change in the meeting record and may be made available online at <http://www.regulations.gov>.

Therefore, OSHA cautions interested parties about submitting certain personal information such as birth dates and social security numbers.

*Access to the Record of ACCSH Meetings, Including Work Group Reports:* To read or download submissions or the record of this ACCSH meeting, go to Docket No. OSHA-2009-0001 at <http://www.regulations.gov>.

• The meeting record and all submissions for this meeting will be listed in the <http://www.regulations.gov> index. Although listed in the index, some documents (*e.g.*, copyrighted materials) are not publicly available through <http://www.regulations.gov>.

• The record and all submissions, including materials not available through <http://www.regulations.gov> will be available for inspection and copying in the OSHA Docket Office at the address above.

#### Authority and Signature

Mr. Donald G. Shalhoub, Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by section 7 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656), section 107 of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 3701 *et seq.*), 29 CFR 1911 and 1912, and Secretary of Labor's Order No. 5-2007 (72 FR 31160).

Signed at Washington, DC this 23rd day of March 2009.

**Donald G. Shalhoub,**

*Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E9-6824 Filed 3-26-09; 8:45 am]

**BILLING CODE 4510-26-P**

#### NATIONAL SCIENCE FOUNDATION

##### National Science Board; Executive Committee; Sunshine Act Meetings; Notice (Revised)

The National Science Board's Executive Committee, pursuant to NSF regulations (45 CFR Part 614), the National Science Foundation Act, as amended (42 U.S.C. 1862n-5), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of meetings for the transaction of National Science Board business and other matters specified, as follows:

**DATE AND TIME:** Tuesday, March 31, 2009 at 11:30 a.m.

**SUBJECT MATTER:** To make award actions.

**STATUS:** Closed.

This meeting will be held by teleconference originating at the National Science Board Office, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for information or schedule updates, or contact: Clifford Gabriel, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-7571.

**Ann Ferrante,**  
*Writer-Editor.*

[FR Doc. E9-6834 Filed 3-26-09; 8:45 am]

**BILLING CODE 7555-01-P**

#### NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0133]

##### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** U. S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The NRC invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The Title of the Information Collection:* 10 CFR part 40, Domestic Licensing of Source Material.
2. *Current OMB Approval Number:* 3150-0020.
3. *How Often the Collection is Required:* On occasion. Reports required under 10 CFR part 40 are collected and evaluated on a continuing basis as events occur. There is a one-time submittal of information to receive a license. Renewal applications need to be submitted every 5 to 10 years. Information in previous applications may be referenced without being resubmitted. In addition, recordkeeping must be performed on an on-going basis. NRC Form 484 is submitted semiannually to report ground-water data necessary to implement EPA ground-water standards.
4. *Who is Required or Asked to Report:* 10 CFR part 40: Applicants for and holders of NRC licenses authorizing the receipt, possession, use, or transfer of radioactive source and byproduct material.
5. *The Number of Annual Respondents:* 894 (273 NRC Licensees [68 NRC responses + 205 NRC Recordkeepers] + 621 Agreement State Licensees [349 Agreement State responses + 272 Agreement State recordkeepers])
6. *The Number of Hours Needed Annually to Complete the Requirement or Request:* 64,214 total hours [20,525 for NRC Licensees (15,823 hours for reporting and 4,702 hours for recordkeeping) and 43,689 for Agreement State Licensees (25,963

hours for reporting and 17,726 hours for recordkeeping)].

7. *Abstract:* 10 CFR part 40 establishes requirements for licenses for the receipt, possession, use and transfer of radioactive source and byproduct material. NRC Form 484 is used to report certain groundwater monitoring data required by 10 CFR part 40 for uranium recovery licensees. The application, reporting and recordkeeping requirements are necessary to permit the NRC to make a determination on whether the possession, use, and transfer of source and byproduct material is in conformance with the Commission's regulations for protection of public health and safety.

Submit, by May 26, 2009, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, Maryland 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2009-0133. You may submit your comments by any of the following methods. Electronic comments: Go to <http://www.regulations.gov> and search for Docket No. NRC-2009-0133. Mail comments to NRC Clearance Officer, Gregory Trussell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Questions about the information collection requirements may be directed to the NRC Clearance Officer, Gregory Trussell

(T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-6445, or by e-mail to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 20th day of March, 2009.

For the Nuclear Regulatory Commission.

**Gregory Trussell,**  
NRC Clearance Officer, Office of Information Services.

[FR Doc. E9-6847 Filed 3-26-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-271; NRC-2009-0121]

### Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station; Exemption

#### 1.0 Background

Entergy Nuclear Operations, Inc. (Entergy or the licensee) is the holder of Facility Operating License No. DPR-28, which authorizes operation of the Vermont Yankee Nuclear Power Station (VY). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect.

The facility consists of a boiling-water reactor located in Windham County, Vermont.

#### 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, Section 50.48, requires that nuclear power plants that were licensed before January 1, 1979, of which VY is one, must satisfy the requirements of 10 CFR Part 50, Appendix R, Section III.G.2, which requires to have a minimum of 20 feet separation between redundant cable trays.

In an NRC letter dated December 1, 1986, the NRC granted the licensee the exemption from the provisions of 10 CFR Part 50, Appendix R, Section III.G.2, which in part permitted a reduction in minimum separation distance between cable trays in the northwest corner of Fire Zone RB-3 of the reactor building to 18 feet. VY has identified that the actual minimum physical separation distance between the cable trays is actually 17 feet-7.5 inches.

In summary, the letter dated July 11, 2008, Agencywide Documents Access and Management System (ADAMS) accession number ML082030154, as supplemented on November 20, 2008,

ADAMS accession number ML083370180, Entergy on behalf of VY, requested a revision to the exemption from the provisions of 10 CFR Part 50, Appendix R, Section III.G.2, dated December 1, 1986 (ML011620492), which in part permitted a reduction in minimum separation distance between cable trays in the northwest corner of Fire Zone RB-3 of the Reactor Building to 18 feet. VY has requested a revision of the existing exemption to permit the actual minimum separation distance of 17 feet-7.5 inches.

#### 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. One of these special circumstances, described in 10 CFR 50.12(a)(2)(ii), is that the application of the regulation is not necessary to achieve the underlying purpose of the rule.

The underlying purpose of Subsection III.G.2 of 10 CFR Part 50, Appendix R, is to ensure that one of the redundant trains necessary to achieve and maintain hot shutdown conditions remains free of fire damage in the event of a fire.

The NRC staff reviewed the licensee's evaluation in support of the subject exemption request and concludes that the further reduction in minimum separation distance is sufficient to maintain an adequate level of safety to meet the requirements of 10 CFR 50.12(a)(2)(ii) in that the application of the regulation is not necessary to achieve the underlying purpose of the rule.

#### Authorized by Law

This exemption would permit a reduced minimum separation distance of 17 feet-7.5 inches, instead of "more than 20 feet" between cable trays in Fire Zone RB-3, elevation 252 feet, provided all other passive and active forms of protection (e.g., lack of combustible fuel loading or fire hazards, fire detectors and automatic fire suppression system) are provided and maintained in accordance with III.G.2. 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