

**Closed Session**

7. Consider and act on staff report on the classification of LSC consultants.

8. Consider and act on adjournment of meeting.

**Contact Person for Information:**

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295-1500.

**Special Needs:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Katherine Ward, at (202) 295-1500.

Dated: September 10, 2009.

**Victor M. Fortuno,**

*Vice President & General Counsel.*

[FR Doc. E9-22326 Filed 9-11-09; 4:15 pm]

**BILLING CODE 7050-01-P**

**LEGAL SERVICES CORPORATION****Sunshine Act Meetings of the Board of Directors; Notice**

**Date and Time:** The Legal Services Corporation Board of Directors will meet on September 21, 2009, commencing at 1 p.m. Eastern Daylight Savings Time.

**Public Observation:** Members of the public who wish to observe the meeting may do so in person at the offices of the Legal Services Corporation or by listening to it live by following the telephone call-in directions given below. Anyone who calls in should keep his/her telephone muted to eliminate background noises. Comments from the public may from time to time be solicited by the Chairman of the Board.

**Call-in Directions for Open Sessions:**

- Call toll-free number: 1(866) 266-3378;

- When prompted, enter the following Conference Identification number: 2022951504 followed by the “#” sign; and

- When prompted, enter the following Pass Code: 2223 followed by the “#” sign; and

- When connected to the call, please “MUTE” your telephone immediately.

**Location:** Legal Services Corporation, 3333 K Street, NW., Washington, DC 20007.

**Status of Meeting:** Open.

**Matters To Be Considered:**

1. Approval of agenda.
2. Consider and act on adoption of LSC’s 2009 Justice Gap Report.
3. Consider and act on the election of Vice Chairman of the Board of Directors.

4. Consider and act on other business.
5. Consider and act on adjournment of meeting.

**Contact Person for Information:**

Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295-1500.

**Special Needs:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Katherine Ward, at (202) 295-1500.

Dated: September 10, 2009.

**Victor M. Fortuno,**

*Vice President & General Counsel.*

[FR Doc. E9-22328 Filed 9-11-09; 4:15 pm]

**BILLING CODE 7050-01-P**

**NATIONAL SCIENCE FOUNDATION****Notice of Permit Applications Received under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)**

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Modification Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish a notice of requests to modify permits issued to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of a requested permit modification.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by October 15, 2009. Permit applications may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:**

Nadene G. Kennedy at the above address or (703) 292-7405.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and

designation of certain animals and certain geographic areas as requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

**Description of Permit Modification Requested**

The Foundation issued a permit (2008-016) to Dr. Robert Garrott on October 1, 2007. The issued permit allows the applicant to tag new pups born each year in the Erebus Bay and to weigh a sample of the pups at parturition, approximately 20 days old, and 35 days old as part of a study of the Interactions of Environmental Variability, Life History Traits, and Demography in an Apex Antarctic Predator. Based on data collected so far and field observations, it appears that moms vary a lot in how much time they spend in the water with their pups teaching them to swim, forage, evade aggressive encounters with other seals, *etc.* It is believed that the amount of time pups spend in the water influences their weight when weaned, and likely their ultimate probability of survival once weaned.

The applicant would like to temporarily deploy a small temperature logging tag on the pups when they are weighed at 1-2 days old and remove the tag when they are weighed at 35 days old. The applicant has identified a small (5 grams) commercially manufactured temperature logging unit that can be mounted on the flipper. Once the tag is removed, the archived data will be used to quantify the pup’s swimming profile during the nursing period.

**Location:** McMurdo Sound.

**Dates:** October 2, 2009 to February 12, 2012.

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

[FR Doc. E9-22083 Filed 9-14-09; 8:45 am]

**BILLING CODE 7555-01-P**

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-445 and 50-446; NRC-2009-0401]**

**Luminant Generation Company LLC; Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Luminant Generation Company LLC (the licensee) to withdraw its August 28, 2007 application, as supplemented by letters

dated June 30 and December 11, 2008, and January 22, February 17, and July 27, 2009, for proposed amendment to Facility Operating License Nos. NPF-87 and NPF-89 for the Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, located in Somervell County, Texas.

The proposed amendment would have revised Technical Specification (TS) 1.0, "Use and Application" and TS 3.7.17, "Spent Fuel Assembly Storage," for the CPSES, Units 1 and 2.

Specifically, the request was to revise the rated thermal power from 3458 megawatts thermal (MWT) to 3612 MWT and for approval of the revised spent fuel pool (SFP) criticality safety analysis and the associated changes to TS 3.7.17 for revised spent fuel storage configurations. By letter dated June 27, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML081510157), the U.S. Nuclear Regulatory Commission (NRC) approved changes to TS 1.0, "Use and Application" to revise the rated thermal power level from 3458 MWT to 3612 MWT.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on October 23, 2007 (72 FR 60034), for amendments to TS 1.0 and TS 3.7.17. The amendment to TS 1.0 to revise the rated thermal power level from 3458 MWT to 3612 MWT was approved by NRC by letter dated June 27, 2008. However, by letter dated August 20, 2009, the licensee withdrew the proposed change to TS 3.7.17, "Spent Fuel Assembly Storage."

For further details with respect to this action, see the application for amendment dated August 28, 2007 application, as supplemented by letters dated June 30 and December 11, 2008, and January 22, February 17, and July 27, 2009, and the licensee's letter dated August 20, 2009, which withdrew the application for license amendment to TS 3.7.17. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-

415-4737 or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 21st day of August 2009.

For the Nuclear Regulatory Commission.

**Balwant K. Singal,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-22128 Filed 9-14-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-250 and 50-251 NRC-2009-0402]

### Turkey Point; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-31 and Facility Operating License No. DPR-41 issued to Florida Power & Light (FPL, the licensee) for operation of the Turkey Point, Units 3 and 4 located in Florida City, Florida.

The proposed amendment would delay the date specified in License Amendments 234 and 229 for the implementation of the Boraflex Remedy in the Turkey Point Units 3 and 4 spent fuel pools.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed change involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic® inserts to the design requirements for insertion until both SFPs [spent fuel pools] are configured in accordance with the previously approved Boraflex® Remedy license amendments.

During this extension period, FPL will continue to rely on the current Turkey Point licensing basis, including the presence of Boraflex®, the continuation of existing administrative controls, and our currently approved monitoring and surveillance program until such time that the Boraflex® Remedy license amendments are fully implemented. These measures will continue to ensure required margins to criticality are maintained such that the consequences of an accident are not increased. As the delay in implementation of the Boraflex® Remedy does not affect any accident initiation sequences, the probability of occurrence on an accident in the SFPs is not increased by delay in implementation of License Amendment Nos. 234 and 229. Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed change create the possibility of a new or different kind of accident from any previously evaluated?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic® inserts to the design requirements for insertion until both SFPs are configured in accordance with the previously approved Boraflex® Remedy license amendments.

During this extension period, FPL will continue to rely on the current Turkey Point licensing basis, including the presence of Boraflex®, the continuation of existing administrative controls, and our currently approved monitoring and surveillance program until such time that the Boraflex® Remedy license amendments are fully implemented. As no unapproved physical changes to the spent fuel storage cells are involved with this delay in implementation of the Boraflex® Remedy, no new failure modes are created by an extended implementation date. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in the margin of safety?

Response: No.

The proposed license amendments extend the implementation period specified in License Amendments 234 and 229. The delay will allow FPL to continue to work with our vendor to successfully fabricate the Metamic® inserts to the design requirements