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Dated at Rockville, Maryland, this 25th day of August 2009.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**  
Chief, Regulatory Guide Development Branch,  
Division of Engineering, Office of Nuclear  
Regulatory Research.

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0410]

### Proposed Standard Review Plan; Branch Technical Position 18-1 on Guidance for Evaluating Minimum Inventory of Alarms, Controls, and Displays for New Light-Water Reactor Plant Designs

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

**ACTION:** Solicitation of public comment.

**SUMMARY:** The NRC is requesting public comment on NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," Branch Technical Position (BTP) 18-1, on Guidance for Evaluating Minimum Inventory of Alarms, Controls, and Displays for New Light Water Reactor Plant Designs (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092330826). This BTP is to be cited as the acceptance criteria for the minimum inventory of controls, displays, and alarms in the Standard Review Plan (SRP) Chapter 18, Section II.A.7, item 8 for those standard designs that have not been certified prior to the date of this BTP. When BTP 18-1 is issued as final, Chapter 18, Section II.A.7, item 8, which currently states, "8. A minimum inventory of controls, displays, and alarms," will be revised to read, "8. A minimum inventory of controls, displays, and alarms (See the guidance in BTP 18-1 for designs that the NRC has not previously certified)." (Material in parenthesis is added as a pointer to the BTP.)

The NRC staff issues SRPs and BTPs to facilitate timely implementation of current staff guidance and to facilitate activities associated with the review of applications for design certification (DC) and combined licenses (COLs) by the Office of New Reactors (NRO). The NRC staff will also incorporate the revised SRP section and BTP 18-1 into the next revisions of Regulatory Guide 1.206 and any related guidance documents.

**DATES:** Comments must be filed no later than 60 days from the date of publication of this notice in the **Federal Register**. Comments received after this date will be considered, if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted to: Mr. Michael T. Lesar, Chief, Rulemaking & Directives Branch, MS: TWB-05-B01M, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

The NRC maintains ADAMS, which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <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 Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Mr. Michael A. Junge, Chief, Operator Licensing and Human Performance Branch, Division of Construction Inspection and Operational Programs, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-6855 or e-mail at [Michael.Junge@nrc.gov](mailto:Michael.Junge@nrc.gov).

**SUPPLEMENTARY INFORMATION:** This SRP, NUREG-0800, has been prepared to establish criteria that the NRO staff use to evaluate if DC and COL applications meet the NRC's regulations. The SRP is not a substitute for the NRC's regulations, and compliance with it is not required. However, applicants are required to identify differences in design features, analytical techniques, and procedural measures proposed for a facility and corresponding SRP acceptance criteria, and evaluate how the proposed alternatives to the acceptance criteria provide an acceptable method of complying with the NRC's regulations.

The agency posts its issued staff guidance in the agency external web page (<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800>).

The NRC staff is issuing this notice to solicit public comments on proposed BTP 18-1, which is being issued for the first time. After the NRC staff considers any public comments, it will make a determination regarding proposed BTP 18-1.

Dated at Rockville, Maryland, this 11th day of September 2009.

For the Nuclear Regulatory Commission.

**William F. Burton,**  
Chief, Rulemaking and Guidance  
Development Branch, Division of New Reactor  
Licensing, Office of New Reactors.

[FR Doc. E9-22557 Filed 9-17-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0405]

### Request for a License To Export Radioactive Waste

Pursuant to 10 CFR 110.70 (b) "Public Notice of Receipt of an Application," please take notice that the U. S. Nuclear Regulatory Commission (NRC) has received the following request for an export license. Copies of the request are available electronically through ADAMS and can be accessed through the Public Electronic Reading Room (PERR) link <http://www.nrc.gov/reading-rm.html> at the NRC Homepage.

A request for a hearing or petition for leave to intervene may be filed within thirty days after publication of this notice in the **Federal Register**. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555; the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555; and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

A request for a hearing or petition for leave to intervene may be filed with the NRC electronically in accordance with NRC's E-Filing rule promulgated in the August 28 2007 **Federal Register**, 72 FR 49139. Information about filing electronically is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. To ensure timely electronic filing, at least 5 (five) days prior to the filing deadline, the petitioner/requestor should contact the Office of the Secretary by e-mail at [HEARINGDOCKET@NRC.GOV](mailto:HEARINGDOCKET@NRC.GOV), or by calling (301) 415-1677, to request a digital ID certificate and allow for the creation of an electronic docket.

In addition to a request for hearing or petition for leave to intervene, written comments, in accordance with 10 CFR 110.81, should be submitted within thirty (30) days after publication of this notice in the **Federal Register** to Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington,

DC 20555, *Attention:* Rulemaking and Adjudications

The information concerning this export license application follows.

### NRC EXPORT LICENSE APPLICATION

Name of applicant, date of application, date received, application No., Docket No.	Description of material		End use	Recipient country
	Material type	Total quantity		
Eastern Technologies, Inc. (ETI); August 3, 2009; August 5, 2009; XW016; 11005825.	Class A radioactive waste as slightly contaminated secondary waste resulting from the dissolving and decontamination of polyvinyl alcohol (PVA) dissolvable protective clothing and related items (e.g., zippers, hook & loop material, elastic, etc.) along with the process filters used to decontaminate the dissolved clothing retrieved from the combustible Class A radioactive waste imported in accordance with NRC license IW016.	The total quantity authorized for export will not exceed quantities imported in accordance with NRC license IW016.	The secondary waste resulting from the Laguna Verde material will be shipped to Impact Services, Oak Ridge, TN for further volume reduction and then returned to ETI for export back to Laguna Verde in Mexico.	Mexico.

For the Nuclear Regulatory Commission.

Dated this 8th day of September 2009 at Rockville, Maryland.

**Scott W. Moore,**

*Deputy Director, Office of International Programs.*

[FR Doc. E9-22560 Filed 9-17-09; 8:45 am]

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## PENSION BENEFIT GUARANTY CORPORATION

### Approval of Amendment to Special Withdrawal Liability Rules for Service Employees International Union Local 1 Pension Trust Fund

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of approval.

**SUMMARY:** The Service Employees International Union Local 1 Pension Trust Fund requested the Pension Benefit Guaranty Corporation ("PBGC") to approve a plan amendment providing for special withdrawal liability rules for employers that maintain the Plan. PBGC published a Notice of Pendency of the Request for Approval of the amendment on March 2, 2009 (74 FR 9114) ("Notice of Pendency"). In accordance with the provisions of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), PBGC is now advising the public that the agency has approved the requested amendment.

**FOR FURTHER INFORMATION CONTACT:** Eric Field, Attorney, Office of the Chief Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; telephone 202-326-4020. (TTY and TDD users

may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under section 4201 of ERISA, an employer who completely or partially withdraws from a defined benefit multiemployer pension plan becomes liable for a proportional share of the plan's unfunded vested benefits. The statute specifies that a "complete withdrawal" occurs whenever an employer either permanently (1) ceases to have an obligation to contribute to the plan, or (2) ceases all operations covered under the plan. See ERISA section 4203(a). Under the first test, an employer who remains in business but no longer has an obligation to contribute to the plan will incur withdrawal liability. Under the second test, an employer who closes or sells its operations will also incur withdrawal liability. The "partial withdrawal" provisions of sections 4205 and 4206 impose a lesser measure of liability upon employers who reduce, but do not eliminate, the obligations or operations that generate contributions to the plan. The withdrawal liability provisions of ERISA are a critical factor in maintaining the solvency of these pension plans and reducing claims made on the multiemployer plan insurance fund maintained by PBGC. Without withdrawal liability rules, an employer who participates in an underfunded multiemployer plan would have a powerful economic incentive to reduce expenses by withdrawing from the plan.

Congress nevertheless allowed for the possibility that, in certain industries, the fact that particular employers go out of business (or cease operations in a specific geographic region) might not result in permanent damage to the pension plan's contribution base. In the construction industry, for example, the funding base of a pension plan is the construction projects in the area covered by the collective bargaining agreements under which a pension plan is maintained. Even if the amount of work performed by a particular employer fluctuates markedly in any given year, individual employees will typically continue to work for other contributing employers in the same geographic area. Consequently, the withdrawal of an employer does not remove jobs from or damage the pension plan's contribution base unless the employer continues to work in the geographic area covered by collective bargaining agreement without contributing to the plan.

This reasoning led Congress to adopt a special definition of the term "withdrawal" for construction industry plans. Section 4203(b)(2) of ERISA provides that a complete withdrawal occurs only if an employer ceases to have an obligation to contribute under a plan, but nevertheless continues to perform previously covered work in the jurisdiction of the collective bargaining agreement or resumes such work within five years after the date on which the obligations to contribute ceased.<sup>1</sup> There

<sup>1</sup> Section 4203(c)(1) of ERISA applies a similar definition of complete withdrawal to the entertainment industry, except that the pertinent jurisdiction is the jurisdiction of the plan rather than the jurisdiction of the collective bargaining

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