

• *Mail:* Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Darcel D. Gayle, NEOB, Room 10202, 725 17th Street, NW., Washington, DC 20503. We are still experiencing delays in the regular mail, including first class and express mail. To ensure that your comments are received, we recommend that comments on this draft report be electronically submitted.

All comments submitted in response to this notice will be made available to the public, including by posting them on OMB's Web site. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means OMB will not know your identity or contact information unless you provide it in the body of your comment.

**FOR FURTHER INFORMATION CONTACT:** Darcel D. Gayle, Office of Information and Regulatory Affairs, Office of Management and Budget, NEOB, Room 10202, 725 17th Street, NW., Washington, DC 20503. Telephone: (202) 395-3084.

**SUPPLEMENTARY INFORMATION:** Congress directed the Office of Management and Budget (OMB) to prepare an annual Report to Congress on the Benefits and Costs of Federal Regulations. Specifically, section 624 of the FY 2001 Treasury and General Government Appropriations Act, also known as the "Regulatory Right-to-Know Act," (the Act) requires OMB to submit a report on the benefits and costs of Federal regulations together with recommendation for reform. The Act states that the report should contain estimates of the benefits and costs of regulations in the aggregate, by agency and agency program, and by major rule, as well as an analysis of impacts of Federal regulation on State, local, and tribal governments, small businesses, wages, and economic growth. The Act also states that the report should go through notice and comment and peer review.

**Kevin F. Neyland,**

*Deputy Administrator, Office of Information and Regulatory Affairs.*

[FR Doc. E9-22606 Filed 9-18-09; 8:45 am]

**BILLING CODE 3110-01-P**

## NATIONAL SCIENCE FOUNDATION

### Advisory Committee for Geosciences; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Committee for Geosciences (1755).

*Dates:* October 14, 2009, 8:15 a.m.–5:15 p.m.

October 15, 2009, 8:30 a.m.–2 p.m.

*Place:* Stafford I, Room 1235, National Science Foundation, 4201 Wilson Blvd., Arlington, Virginia 22230.

*Type of Meeting:* Open.

*Contact Person:* Melissa Lane, National Science Foundation, Suite 705, 4201 Wilson Blvd., Arlington, Virginia 22230. Phone 703-292-8500.

*Minutes:* May be obtained from the contact person listed above.

*Purpose of Meeting:* To provide advice, recommendations, and oversight concerning support for research, education, and human resources development in the geosciences.

*Agenda:* October 14: Directorate activities and plans, SODV Briefing, Division Subcommittee Meetings, Education & Diversity Subcommittee Meeting, Meeting with the Director and Deputy Director.

October 15: Discussion of GEO International Activities, COV and Subcommittee Reports, Action Items/ Planning for Spring Meeting.

Dated: September 16, 2009.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. E9-22613 Filed 9-18-09; 8:45 am]

**BILLING CODE 7555-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0413]

### Draft Regulatory Guide: Issuance, Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Draft Regulatory Guide, DG-1225.

**FOR FURTHER INFORMATION CONTACT:** Jerome Bettle, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 415-1314 or e-mail to [Jerome.Bettle@nrc.gov](mailto:Jerome.Bettle@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

#### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft guide in the agency's "Regulatory Guide" series. This series

was developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide (DG), titled, "Instrument Lines Penetrating the Primary Reactor Containment," is temporarily identified by its task number, DG-1225, which should be mentioned in all related correspondence. DG-1225 is proposed Revision 1 of Regulatory Guide 1.11, dated March 1971.

General Design Criterion (GDC) 55, "Reactor Coolant Pressure Boundary Penetrating Containment," and GDC 56, "Primary Containment Isolation," of Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR Part 50) require, in part, that each line that penetrates the primary reactor containment and that is part of the reactor coolant pressure boundary or connects directly to the containment atmosphere has at least one locked, closed isolation valve or one automatic valve inside and one automatic valve outside containment "unless it can be demonstrated that the containment isolation provisions for a specific class of lines, such as instrument lines, are acceptable on some other defined basis." This guide defines a basis that the staff of the NRC considers acceptable to implement GDC 55 and 56 with regard to instrument lines. This guide applies to all types of nuclear power plants.

#### II. Further Information

The NRC staff is soliciting comments on DG-1225. Comments may be accompanied by relevant information or supporting data and should mention DG-1225 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS).

Personal information will not be removed from your comments. You may submit comments by any of the following methods:

1. *Mail comments to:* Rulemaking and Directives Branch, MS TWB 05 B01M, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

2. E-mail comments to:  
[nrcprep.resource@nrc.gov](mailto:nrcprep.resource@nrc.gov).

3. Fax comments to: Rulemaking and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission at (301) 492-3446.

Requests for technical information about DG-1225 may be directed to the NRC contact, Jerome Bettle at (301) 415-1314 or e-mail to [Jerome.Bettle@nrc.gov](mailto:Jerome.Bettle@nrc.gov).

Comments would be most helpful if received by November 16, 2009. Comments received after that date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

Electronic copies of DG-1225 are available through the NRC's public Web site under Draft Regulatory Guides in the "Regulatory Guides" collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in ADAMS (<http://www.nrc.gov/reading-rm/adams.html>), under Accession No. ML090970530.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4205, by fax at (301) 415-3548, and by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

Dated at Rockville, Maryland, this 14th day of September, 2009.

For the Nuclear Regulatory Commission.

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

[FR Doc. E9-22601 Filed 9-18-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-298; NRC-2009-0398]

### Nebraska Public Power District; Cooper Nuclear Station; Exemption

#### 1.0 Background

Nebraska Public Power District (NPPD or the licensee) is the holder of Facility

Operating License No. DPR-46 which authorizes operation of the Cooper Nuclear Station (CNS). The license provides, among other things, that the facility is subject to the rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a boiling-water reactor located in Nemaha County, Nebraska.

#### 2.0 Request/Action

Title 10 of the *Code of Federal Regulations* (10 CFR), Part 50, paragraph 50.54(o), requires primary reactor containments for water-cooled power reactors to be subject to the requirements of Appendix J to 10 CFR Part 50. Appendix J specifies the leakage test requirements, schedules, and acceptance criteria for tests of the leak-tight integrity of the primary reactor containment and systems and components that penetrate the containment. Appendix J, Option B, "Performance-Based Requirements," Section III.A., "Type A Test," requires, among other things, that the overall integrated leakage rate must not exceed the allowable leakage rate (La) with margin, as specified in the Technical Specifications (TSs). The overall integrated leakage rate is defined in 10 CFR Part 50, Appendix J as "the total leakage rate through all tested leakage paths, including containment welds, valves, fittings, and components that penetrate the containment system." This includes the contribution through the four main steam (MS) lines and the MS inboard drain line (penetration X-8). The MS Pathway includes leakage from the MS line penetrations plus the MS inboard drain line.

Option B, Section III.B of 10 CFR Part 50, Appendix J, "Type B and C Tests," requires, among other things, that the sum of the leakage rates at accident pressure of Type B tests and pathway leakage rates from Type C tests be less than the performance criterion (La) with margin, as specified in the TSs.

By application dated October 13, 2008, as supplemented by letters dated April 8, May 29, June 12, and September 1, 2009, the licensee requested exemption from Option B, Section III.A requirements in order to permit exclusion of MS Pathway leakage from the overall integrated leak rate test measurement. The licensee also requested exemption from Option B, Section III.B requirements in order to permit exclusion of the MS Pathway leakage contributions from the sum of the leakage rates from Type B and Type C tests. The licensee's application included a license amendment request

to revise the radiological assessment calculation methodology for the design basis loss-of-coolant accident at CNS through application of the alternative source term, in accordance with the provisions of 10 CFR 50.67 and 50.90, and to revise the TSs accordingly.

The NRC previously granted a license amendment (Amendment No. 226, dated October 31, 2006) and an exemption (letter to licensee dated October 30, 2006) from (1) Option B, Section III.A requirements in order to permit exclusion of MS isolation valve (MSIV) leakage from the overall integrated leakage rate measured when performing a Type A test, and (2) Option B, Section III.B requirements in order to permit exclusion of the MSIV leakage from the combined leakage rate of the penetrations and valves subject to Type B and Type C tests. The only difference in the current exemption request is the inclusion of the leakage contribution from the MS inboard drain line with the MSIV leakage in the MS Pathway.

The MS leakage effluent has a different pathway to the environment, when compared to a typical containment penetration. It is not directed into the secondary containment and filtered through the standby gas treatment system as is other containment leakage. Instead, the MS leakage is collected and treated via an alternative leakage treatment (ALT) path having different mitigation characteristics.

In performing accident analyses, it is appropriate to group various leakage effluents according to the treatment they receive before being released to the environment (e.g., from MS pathways). The proposed exemption would more appropriately permit ALT pathway leakage to be independently grouped with its unique leakage limits. In this manner, the CNS containment leakage testing program will be more consistent with the limiting assumptions used in the associated accident consequence analyses.

The licensee has analyzed the MS Pathway leakage separately from the overall containment integrated leakage, local leakage across pressure retaining, leakage limiting boundaries, and containment isolation valve leakage in its dose consequence analyses. Specifically, the alternative source term design-basis accident analyses use the MS piping, MS drain lines, and main condenser as an alternate means for MS Pathway leakage treatment. The dose consequences were found to be within the acceptance criteria of 10 CFR 50.67, "Accident source term," and the guidance of NRC Regulatory Guide