

**Agenda**

Thursday, November 19, 2009

Closed—8:30 a.m.–9:15 a.m. Executive Session.

Open—9:15 a.m.–12:30 p.m. Atlas Discussion.

Closed—12:30 p.m.–1:30 p.m. Meeting with Students and Post Docs.

Open—1:30 p.m.–5 p.m. Atlas and D Zero Presentations.

Closed—5 p.m.–6:30 p.m. Executive Session.

Friday, November 20, 2009

Closed—8:30 a.m.–9 a.m. Executive Session.

Open—9 a.m.–11 a.m. Facilities Tour and Outreach D Zero Presentations.

Closed—11 a.m.–1 p.m. Executive Session.

*Reason for Closing:* The proposal contains proprietary or confidential material including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552(b)(c) and (6) of the Government in the Sunshine Act.

Dated: October 20, 2009.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. E9-25505 Filed 10-22-09; 8:45 am]

BILLING CODE 7555-01-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 Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permit applications received 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 permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by November 23, 2009. This application 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 requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

**Permit Application No. 2010-018**

1. *Applicant:* Elise Engler, 262 West 107th Street, # 5A, New York, NY 10025.

**Activity for Which Permit Is Requested**

Enter Antarctic Specially Protected Areas. The applicant is a participant in the U.S. Antarctic Programs Artists and Writers Program and plans to enter Cape Royds (ASPA 121), Backdoor Bay, Cape Royds (ASPA 157), and Cape Crozier (ASPA 124) to photograph contents of the historic hut and scientists working in penguin rookeries. With this photo documentation she will construct drawing of scientific equipment, clothing, living conditions and scientific experiments to allow the viewer to compare objects that provide the means of staying warm, cooking, traveling, and collecting data from the turn of the century and the "Heroic Age" of Antarctic exploration to present times.

**Location**

Cape Royds (ASPA 121), Backdoor Bay, Cape Royds (ASPA 157), and Cape Crozier (ASPA 124).

**Dates**

December 15, 2009 to February 15, 2010.

**Permit Application No. 2010-020**

2. *Applicant:* Bill J. Baker, Department of Chemistry, University of South Florida, Tampa, FL 33620.

**Activity for Which Permit Is Requested**

Export from the U.S.A. and Introduce into Antarctica. The applicant proposes to export from the U.S.A. HepG2-EcR cells to be used in experiments at McMurdo Station, Antarctica. The HepG2-EcR cells are specialized human liver cells with a plasmid inserted that acts as a receptor for ecdysone, a natural hormone that regulates molting in arthropods. Assays will be conducted to test naturally occurring chemical

compounds from marine organisms, such as sponges and tunicates for their molting activity.

**Location**

Palmer Station, Anvers Island, Antarctic Peninsula.

**Dates**

February 15, 2010 to June 15, 2010.

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

[FR Doc. E9-25529 Filed 10-22-09; 8:45 am]

BILLING CODE 7555-01-P

**NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-272 and 50-311; NRC-2009-0390]

**Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License Nos. DPR-70 and DPR-75 for an Additional 20-Year Period; PSEG Nuclear LLC, Salem Nuclear Generating Station, Units 1 and 2**

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for the renewal of Operating Licenses DPR-70 and DPR-75, which authorizes PSEG Nuclear LLC (the applicant), to operate the Salem Nuclear Generating Station (SALEM), Units 1 and 2, at 3459 megawatts thermal each. The renewed license would authorize the applicant to operate SALEM, Units 1 and 2, for an additional 20 years beyond the period specified in the current license. SALEM, Units 1 and 2, are located approximately 18 miles southeast of Wilmington, DE. The current operating license for SALEM, Unit 1, expires on August 13, 2016, and the current operating license for SALEM, Unit 2, expires on April 18, 2020.

PSEG Nuclear LLC submitted the application dated August 18, 2009, pursuant to Title 10 of the *Code of Federal Regulations*, Part 54 (10 CFR Part 54), to renew Operating License DPR-70 and DPR-75. A notice of receipt and availability of the license renewal application (LRA) was published in the **Federal Register** on September 8, 2009 (74 FR 46238).

The Commission's staff has determined that PSEG Nuclear LLC has submitted sufficient information in accordance with 10 CFR Sections 2.101, 54.19, 54.21, 54.22, 54.23, 51.45, and 51.53(c), to enable the staff to undertake a review of the application, and the application is therefore acceptable for

docketing. The current Docket Nos. 50-272 and 50-311, for Operating Licenses DPR-70 and DPR-75, will be retained. The determination to accept the LRA for docketing does not constitute a determination that a renewed license should be issued, and does not preclude the NRC staff from requesting additional information as the review proceeds.

Before issuance of the requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954 (the Act), as amended, and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC may issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to: (1) Managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review; and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB will comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," dated May 1996. In considering the LRA, the Commission must find that the applicable requirements of Subpart A of 10 CFR Part 51 have been satisfied, and that matters raised under 10 CFR 2.335 have been addressed. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold public scoping meetings. Detailed information regarding the environmental scoping meetings will be the subject of a separate **Federal Register** notice.

Within 60 days after the date of publication of this **Federal Register** notice, any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the license. Requests for a hearing or petitions for leave to intervene must be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders" in 10 CFR Part 2. Interested persons should consult a

current copy of 10 CFR 2.309, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852 and is accessible from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to the Internet or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff by telephone at 1-800-397-4209, or 301-415-4737, or by e-mail at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). If a request for a hearing/petition for leave to intervene is filed within the 60-day period, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will issue a notice of a hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed within the 60-day period, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR Parts 51 and 54, renew the license without further notice.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR Parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also set forth the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the

expert opinion that supports the contention on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the requestor/petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The requestor/petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact.<sup>1</sup> Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

The Commission requests that each contention be given a separate numeric or alpha designation within one of the following groups: (1) Technical (primarily related to safety concerns); (2) environmental; or (3) miscellaneous.

As specified in 10 CFR 2.309, if two or more requestors/petitioners seek to co-sponsor a contention or propose substantially the same contention, the requestors/petitioners will be required to jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing. A request for hearing or a petition for leave to intervene must be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in the **Federal Register** on August 28, 2007 (72 FR 49139). The E-Filing process requires participants to submit and serve documents over the Internet or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least five (5) days prior to the filing deadline, the petitioner/requestor must contact the Office of the Secretary by e-mail at

<sup>1</sup> If the application contains attachments and supporting documents that are not publicly available because they are asserted to contain safeguards or proprietary information, petitioners desiring access to this information should contact the applicant or applicant's counsel to discuss the need for a protective order.

HEARINGDOCKET@NRC.GOV, or by calling 301-415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances in which the petitioner/requestor (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each petitioner/requestor will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at <http://www.nrc.gov/site-help/e-submittals/install-viewer.html>. Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>.

Once a petitioner/requestor has obtained a digital ID certificate, had a docket created, and downloaded the EIE viewer, it can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the filer submits its documents through EIE. To be timely, an electronic filing must be submitted to the EIE system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory e-filing system may seek assistance through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html> or by calling the NRC Meta-System Help Desk, which is

available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays. The Meta-System Help Desk can be contacted by telephone at 1-866-672-7640 or by e-mail at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov).

Participants who believe that they have a good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Non-timely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition and/or request should be granted and/or the contentions should be admitted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii). To be timely, filings must be submitted no later than 11:59 p.m. Eastern Time on the due date.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp), unless excluded pursuant to an order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Detailed information about the license renewal process can be found under the

Nuclear Reactors icon at <http://www.nrc.gov/reactors/operating/licensing/renewal.html> on the NRC's Web site. Copies of the application to renew the operating license for SALEM, Units 1 and 2, are available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852-2738, and at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, the NRC's Web site while the application is under review. The application may be accessed in ADAMS through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS Accession Number ML092430232. As stated above, persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS may 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).

The NRC staff has verified that a copy of the license renewal application is also available to local residents near the site at the Salem Free Library, 112 West Broadway, Salem, New Jersey 08079.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 15th day of October, 2009.

**Samson S. Lee,**

*Deputy Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-25532 Filed 10-22-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-354; NRC-2009-0391]

### Notice of Acceptance for Docketing of the Application and Notice of Opportunity for Hearing Regarding Renewal of Facility Operating License No. NPF-57 for an Additional 20-Year Period; PSEG Nuclear LLC Hope Creek Generating Station, Unit 1

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for the renewal of Operating License NPF-57, which authorizes PSEG Nuclear LLC (the applicant), to operate the Hope Creek Generating Station, Unit 1 (HCGS), at 3840 megawatts thermal. The renewed license would authorize the applicant to operate HCGS for an additional 20 years beyond the period specified in the current license. HCGS is located approximately 18 miles southeast of Wilmington, DE. The