

Review Board's review. That list omitted an issue that is included below:

The retention bonus agreement requires a promise to not make derogatory statements against Florida Power & Light Company.

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

For the Nuclear Regulatory Commission.

**Thomas B. Blount,**

*Deputy Director, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-30383 Filed 12-21-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0043]

### Office of New Reactors; Notice of Availability Standard Review Plan Section 9.5.1.2 on Risk-Informed, Performance-Based Fire Protection Program

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

**ACTION:** Notice of availability.

**SUMMARY:** The NRC is issuing its Final Guidance on NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," Section 9.5.1.2 on staff guidance on Risk-Informed (RI), Performance-Based (PB) Fire Protection Program (FPP) for Operating Nuclear Power Plants (Agencywide Documents Access and Management System (ADAMS) Accession No. ML092590527). This guidance is being issued as an alternate to the existing guidance currently provided under Standard Review Plan (SRP) Section 9.5.1.1. This is stand alone guidance and is provided for the benefit of licensees of existing plants who choose to adopt RI/PB FPP that meets the requirements of National Fire Protection Association (NFPA) Standard 805.

The NRC staff issues notices to facilitate timely implementation of the current staff guidance and to facilitate activities associated with the review of amendment applications for transitioning to RI/PB FPPs. The NRC staff will also incorporate the approved SRP section 9.5.1.2 into the next revisions of Regulatory Guide (RG) 1.205 and any related guidance documents. This guidance is applicable only to currently operating nuclear reactor licensees. This SRP is not endorsing NFPA 805, since that standard is already a part of Title 10 of the *Code of Federal Regulations*, Section

50.48(c) rule (10 CFR 50.48(c)). In addition, this SRP does not directly endorse the guidance document issued by the industry (Nuclear Energy Institute (NEI) 04-02, "Guidance for Implementing a Risk Informed, Performance-Based Fire Protection Program under 10 CFR 50.48(c)," Revision 2) for plants transitioning to an NFPA 805 FPP. RG 1.205 provides the staff's positions with respect to NEI 04-02.

**Background:** The draft SRP, which was published for public comment in the *Federal Register* in January 2009, is in ADAMS under Accession No. ML090050052. This SRP section was issued initially as Revision 0, and as a new guidance in January 2009, and was offered to stakeholders for comments under the agency's *Federal Register* notice published on February 5, 2009 (74 FR 6181). Numbers of comments were received as result of the proposed notice and are being dispositioned and the guidance is being issued as final with this revision. The public comments can be found at ADAMS Accession Nos. ML091100448, ML091480255, and ML091480256.

**ADDRESSES:** The NRC ADAMS 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 by telephone 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. Alexander R. Klein, Chief, Fire Protection Branch, Division of Risk Assessment, Office of the Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC, 20555-0001; telephone at 301-415-2822 or e-mail at [Alex.Klein@nrc.gov](mailto:Alex.Klein@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The agency posts its issued staff guidance in the agency external Web page (<http://www.nrc.gov/reading-rm/doc-collections/isp/>).

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

For the Nuclear Regulatory Commission.

**William F. Burton,**

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

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon Written Request, Copy Available  
From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension:

Form N-8A; File No. 270-135; OMB Control No. 3235-0175.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

The Investment Company Act of 1940, as amended ("1940 Act") (15 U.S.C. 80a-1 *et seq.*), requires investment companies to register with the Commission before they conduct any business in interstate commerce. Section 8(a) of the 1940 Act provides that an investment company shall be deemed to be registered upon receipt by the Commission of a notification of registration in such form as the Commission prescribes. Form N-8A (17 CFR 274.10) is the form for notification of registration that the Commission has adopted under section 8(a). The purpose of such notification of registration provided on Form N-8A is to notify the Commission of the existence of investment companies required to be registered under the 1940 Act and to enable the Commission to administer the provisions of the 1940 Act with respect to those companies. After an investment company has filed its notification of registration under section 8(a), the company is then subject to the provisions of the 1940 Act which govern certain aspects of its organization and activities, such as the composition of its board of directors and the issuance of senior securities. Form N-8A requires an investment company to provide its name, state of organization, form of organization, classification, the name and address of each investment adviser of the investment company, the current value of its total assets and certain other information readily available to the investment company. If the investment company is filing a registration statement as required by Section 8(b) of the 1940 Act concurrently with its notification of registration, Form N-8A requires only that the registrant file the cover page (giving its name, address and