

emergency plans. As a result of the licensee participating in the offsite portion of the exercise performed on October 7, 2009, the exercise scenario would be compromised with respect to having the licensee's ERO subsequently conduct the onsite exercise in accordance with that scenario. Thus, to ensure exercise integrity, the scenario will require modification and a new ERO will be selected to participate in the onsite portion of the biennial exercise. The licensee states that with the station currently in a refueling outage, key personnel are not available to complete the scenario modification activities and conduct the exercise prior to the end of calendar year 2009. Section IV.F.2.b of 10 CFR Part 50, Appendix E requires licensees at each site to conduct an exercise of onsite emergency plans biennially with full participation by each offsite authority having a role under the plan. Since the licensee has conducted nine full-Station participation training drills and supported the FEMA evaluation of the State and local authorities, the NRC staff considers that these measures are adequate to maintain an acceptable level of emergency preparedness during this period, satisfying the underlying purpose of the rule. Therefore, since the underlying purpose of 10 CFR 50, Appendix E, Section IV.F.2.b is achieved, the special circumstances required by 10 CFR 50.12 for the granting of an exemption exist.

Under 10 CFR 50.12(a)(2)(v), special circumstances are also present whenever the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation. The NRC staff finds that the licensee has made good faith efforts to comply with the emergency planning regulations in that it had previously scheduled the onsite portion of the exercise for October 2009 and it had also implemented other emergency planning requirements by conducting the series of onsite drills and the offsite portion of the exercise, as discussed above.

#### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission, hereby grants South Carolina Electric and Gas Company an exemption from the requirements of 10 CFR Part 50, Appendix E, Section

IV.F.2.b to conduct the onsite portion of the biennial emergency planning exercise required for 2009, to permit that part of the exercise to be conducted by April 30, 2010 for the Virgil C. Summer Nuclear Station, Unit 1.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (74 FR 66697).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 17th day of December 2009.

For the Nuclear Regulatory Commission.

**Joseph. G. Giitter,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-30482 Filed 12-22-09; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0565]

### License Renewal Interim Staff Guidance LR-ISG-2007-02: Changes to Generic Aging Lessons Learned Report Aging Management Program XI.E6, Electrical Cable Connections Not Subject to 10 CFR 50.49 Environmental Qualification Requirements"; Notice of Availability

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

**ACTION:** Notice of availability.

**SUMMARY:** The NRC is issuing the final License Renewal Interim Staff Guidance (LR-ISG), LR-ISG-2007-02, "Changes to Generic Aging Lessons Learned (GALL) Report Aging Management Program (AMP) XI.E6, "Electrical Cable Connections Not Subject to 10 CFR 50.49 Environmental Qualification Requirements." LR-ISG-2007-02 revises current NRC guidance in Section XI.E6 of NUREG-1801, Revision 1, "Generic Aging Lessons Learned (GALL) Report," Volume 2, dated September 2005 (GALL Report). Volume 2 of the GALL Report is available in the NRC's Agencywide Documents Access and Management System (ADAMS) under Accession No. ML052780376. The revised GALL Report Section XI.E6 recommends an AMP with a one-time inspection for electrical cable connections not subject to 10 CFR 50.49 environmental qualification requirements, instead of the periodic inspection as currently recommended in the GALL Report. The NRC staff has determined that a one-time inspection,

on a representative sample basis, is adequate to ensure that either aging of metallic cable connections is not occurring and/or that an existing preventive maintenance program is effective such that a periodic inspection is not required. The final LR-ISG-2007-02 is available under Accession No. ML091940093.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Homiack, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-1683; or e-mail [Matthew.Homiack@nrc.gov](mailto:Matthew.Homiack@nrc.gov).

**ADDRESSES:** Documents created or received after November 1, 1999, are available electronically at the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain entry into ADAMS. If you do not have access to the Internet or if there are any problems in accessing the documents located in ADAMS, 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).

The NRC posts LR-ISGs on its public web page under the "License Renewal" heading at <http://www.nrc.gov/reading-rm/doc-collections/isg>.

#### SUPPLEMENTARY INFORMATION:

##### Background

The NRC issues LR-ISGs to communicate insights and lessons learned and to address emergent issues that are not addressed in the guidance documents NRC published to facilitate implementation of Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," of Title 10 of the Code of Federal Regulations (10 CFR Part 54). The NRC staff and stakeholders use LR-ISGs until their guidance is incorporated into a formal license renewal guidance document revision.

By letter dated September 5, 2006 (ML062770105), the Nuclear Energy Institute (NEI) submitted a white paper to the NRC regarding GALL AMP XI.E6 (ML062770111). NEI expressed several concerns regarding the AMP and asked that the NRC staff consider the position in the white paper in order to eliminate GALL AMP XI.E6 or minimize its scope and redundancy. On November 30, 2006, the NRC staff met with NEI representatives to discuss the white paper, as documented in "Summary of the License Renewal Meeting between the U.S. Nuclear Regulatory Commission Staff and the Nuclear Energy Institute Regarding Generic

Aging Lessons Learned Aging Management Program XI.E6," dated January 26, 2007 (ML063600004). In a letter dated March 16, 2007 (ML070400349), the NRC staff responded to each of the concerns identified in NEI's white paper. By letter dated May 25, 2007 (ML071590175 and ML071590182), NEI submitted comments on the staff's responses.

After reviewing NEI's white paper and comments, the NRC staff determined that current operating experience does not support the periodic inspections as recommended in GALL AMP XI.E6. Instead, the staff determined that a one-time inspection of the metallic portion of electrical cable connections is warranted due to the limited number of age-related failures of cable connections.

The NRC staff developed LR-ISC-2007-02 to revise GALL AMP XI.E6. On September 6, 2007, the NRC requested public comments on the proposed LR-ISC-2007-02 in the **Federal Register** (72 FR 51256). The NRC issued the proposed LR-ISC to clarify and recommend a one-time inspection to ensure that either aging of metallic cable connections is not occurring or that an existing preventive maintenance program is effective, such that a periodic inspection program is not needed.

The public comment period ended on October 22, 2007. The NRC received comments from the NEI by letter dated October 18, 2007 (ML072960480). No other comments were received. The NRC staff has considered NEI's comments in developing the final LR-ISC-2007-02, as discussed in the "Comments and Responses" section of this notice.

#### Final Action

By this action, the NRC is making the final LR-ISC-2007-02 available. The NRC staff approves of this LR-ISC for NRC staff and industry use. The NRC staff will also incorporate the approved LR-ISC into the next revision of the GALL Report.

The final LR-ISC-2007-02 revises GALL AMP XI.E6. As revised, the AMP recommends a one-time inspection for electrical cable connections not subject to 10 CFR 50.49 environmental qualification requirements instead of the periodic inspection as currently recommended in GALL AMP XI.E6. The NRC staff has determined that one-time inspection, on a representative sample basis, is adequate to ensure that either aging of metallic cable connections is not occurring and/or that an existing preventive maintenance program is effective such that a periodic inspection program is not required. Additional

details on the staff's position and rationale for revising GALL AMP XI.E6 are in the final LR-ISC-2007-02.

#### Comments and Responses

The NEI comments, in general, indicated that the revised GALL AMP XI.E6 should provide options, where appropriate, for the use of visual inspection to detect aging effects on covered connections. NEI stated that, while the proposed LR-ISC would permit testing of components without removing insulation, frequent testing cannot be performed on covered connections with the insulation in-place. Visual inspection is used in the industry for detecting loose connections and is preferable to potentially damaging sound connections while removing the insulation to perform testing. NEI further stated that including an option to perform visual inspections to detect aging effects for covered connections reduces the likelihood of damaging components and is an effective and practical alternative to testing.

In response, the NRC staff has determined that resistance measurement or thermography is the preferred method for testing loose cable connections. However, if resistance measurement cannot be performed with the insulation in place, and for reasons of personnel safety, energized equipment cannot be accessed to perform thermography, then visual inspection is an acceptable alternative inspection method for cable connections covered with insulation material. The staff has previously permitted visual inspection for covered bus connections in GALL AMP XI.E4, "Metal Enclosed Bus." If visual inspection is chosen as an alternative to thermography or resistance measurement of cable connections covered with insulating materials (heat shrink tapes, sleeving, insulation boots, etc.), then a one-time inspection cannot be used and periodic visual inspections must be performed. Periodic visual inspections can effectively detect loosening of cable connections by inspecting insulation materials for discoloration, cracking, chipping, or surface contamination. This NRC staff position is reflected in the final LR-ISC-2007-02.

NEI also provided comments in the form of a mark-up to the proposed GALL AMP XI.E6 revision. The NRC staff has incorporated these comments in the final LR-ISC as appropriate.

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

For the Nuclear Regulatory Commission.

**Brian E. Holian,**

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

[FR Doc. E9-30483 Filed 12-22-09; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available*

*From:* Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

*Extension:*

Regulation R, Rule 701; SEC File No. 270-562; OMB Control No. 3235-0624.

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 ("Commission") is soliciting comments on the existing collection of information provided for in Regulation R, Rule 701 (17 CFR 247.701) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act"). The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Regulation R, Rule 701 requires a broker or dealer (as part of a written agreement between the bank and the broker or dealer) to notify the bank if the broker or dealer makes certain determinations regarding the financial status of the customer, a bank employee's statutory disqualification status, and compliance with suitability or sophistication standards.

The Commission estimates that brokers or dealers would, on average, notify 1,000 banks approximately two times annually about a determination regarding a customer's high net worth or institutional status or suitability or sophistication standing as well as a bank employee's statutory disqualification status. Based on these estimates, the Commission anticipates that Regulation R, Rule 701 would result in brokers or dealers making approximately 2,000 notices to banks per year. The Commission further estimates (based on the level of difficulty and complexity of the applicable activities) that a broker or dealer would spend approximately 15 minutes per notice to a bank. Therefore, the estimated total annual reporting and recordkeeping burden for the