

reporting requirements are not subject to the provisions of the Backfit Rule, 10 CFR Part 50.109 or comparable backfitting requirements in 10 CFR Part 52. In addition, this RIS does not present a new or different staff position about the implementation of 10 CFR Part 21, "Reporting of Defects and Noncompliance," within the definition of "backfitting" in either the Backfit Rule or comparable provisions in Part 52. The staff positions for this RIS are either taken from, or represent the logical extension of, the discussion of Part 21 obligations for design certification applicants presented in the statement of considerations that accompanied the final rule (3150-AG24) for Part 52 (72 FR 49352; August 28, 2007).

This RIS requires no action or written response by addressees. Any action that addressees take to implement changes to their 10 CFR Part 21 programs in accordance with the clarifications in this RIS is strictly voluntary, and therefore does not constitute backfitting. For these reasons, the Backfit Rule does not apply and a backfit analysis is not required for issuance of this RIS.

Federal Register Notification

To be done after the public comment period.

Congressional Review Act

This RIS is a rule as designated in the Congressional Review Act (5 U.S.C. 801-808). The Office of Management and Budget (OMB) has determined this is not a major rule.

Paperwork Reduction Act Statement

This RIS does not contain new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing information collection requirements were approved by the OMB, control numbers 3150-0035, 3150-0011 and 3150-0151.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

Contact

Please direct any questions about this matter to Milton Concepcion, at 301-415-4054 or by e-mail at Milton.Concepcion@nrc.gov.

End of Draft Regulatory Issue Summary

Documents may be examined, and/or copied for a fee, at the NRC's Public

Document Room at One White Flint North, 11555 Rockville Pike (First Floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/NRC/ADAMS/index.html>. If you do not have access to ADAMS or if you have problems accessing the documents in ADAMS, contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209 or 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 18th day of March 2010.

For the Nuclear Regulatory Commission.

Martin C. Murphy,

*Chief, Generic Communications Branch,
Division of Policy and Rulemaking, Office
of Nuclear Reactor Regulation.*

[FR Doc. 2010-6500 Filed 3-23-10; 8:45 am]

BILLING CODE 7590-01-P

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

Senior Executive Service Performance Review Board Membership

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Annual notice.

SUMMARY: Notice is given under 5 U.S.C. 4314(c)(4) of the appointment of members to the Performance Review Board (PRB) of the Occupational Safety and Health Review Commission.

DATES: Membership is effective on June 22, 2010.

FOR FURTHER INFORMATION CONTACT:

Debra A. Hall, Deputy Executive Director, U.S. Occupational Safety and Health Review Commission, 1120 20th Street, NW., Washington, DC 20036, (202) 606-5397.

SUPPLEMENTARY INFORMATION: The Review Commission, as required by 5 U.S.C. 4314(c)(1) through (5), has established a Senior Executive Service PRB. The PRB reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and makes recommendations to the Chairman of the Review Commission regarding performance ratings, performance awards, and pay-for-performance adjustments. In the case of an appraisal of a career appointee, more than half of the members shall consist of career appointees, pursuant to 5 U.S.C. 4314(c)(5). The names and titles of the PRB members are as follows:

- Gary L. Halbert, General Counsel, National Transportation Safety Board;
- Debra A. Carr, Associate Deputy Staff Director, U.S. Commission on Civil Rights;
- Matthew T. Wallen, Director, Office of Public Assistance, Governmental Affairs and Compliance, Surface Transportation Board, U.S. Department of Transportation;

The following executive has been selected to serve as an alternate member of the PRB:

- Lola A. Ward, Director for the Office of Administration, National Transportation Safety Board.

Dated: March 15, 2010.

Thomasina V. Rogers,
Chairman.

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OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: U.S. Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This gives notice of OPM decisions granting authority to make appointments under Schedules A, B, and C in the excepted service as required by 5 CFR 213.103.

FOR FURTHER INFORMATION CONTACT:

Roland Edwards, Senior Executive Resource Services, Employee Services, 202-606-2246.

SUPPLEMENTARY INFORMATION: Appearing in the listing below are the individual authorities established under Schedules A, B, and C between February 1, 2010, and February 28, 2010.

These notices are published monthly in the **Federal Register** at <http://www.gpoaccess.gov/fr/>. A consolidated listing of all authorities as of June 30 is also published each year. The following Schedules are *not* codified in the Code of Federal Regulations. These are agency-specific exceptions.

Schedule A

No Schedule A authorities to report during February 2010.

Schedule B

No Schedule B authorities to report during February 2010.

Schedule C

The following Schedule C appointments were approved during February 2010.