9. Consider and act on other business.
10. Consider and act on adjournment of meeting.

Board of Directors; Agenda

Open Session:
1. Approval of agenda.
2. Approval of Minutes of the Board’s Open Session Telephonic meeting of December 22, 2009.
3. Approval of Minutes of the Board’s Open Session meeting of January 30, 2010.
4. Consider and act on whether to begin each meeting, or the first of a series of meetings, with the Pledge of Allegiance.
5. Consider and act on whether to establish a Search Committee for LSC President (“Search Committee”), Resolution 2010–XXX, and if so: a. Consider and act on Charter for Search Committee;
   b. Consider and act on whether to delegate to the Search Committee the authority to approve and issue a Request for Proposals for executive search firm services;
   c. Consider and act on whether to approve for issuance a Request for Proposals for executive search firm services.
6. Consider and act on Resolutions 2010–XXXa–f thanking outgoing Board Members for their service and contributions to the Legal Services Corporation.
7. Chairman’s Report.
8. Members’ Reports.
11. Consider and act on the report of the Promotion & Provision for the Delivery of Legal Services Committee.
13. Consider and act on the report of the Audit Committee.
15. Consider and act on the report of the Governance & Performance Review Committee.
16. Consider and act on Resolution 2010–XXX expressing the Board’s appreciation to Patricia Batie, acting Corporate Secretary, Legal Services Corporation.
17. Public comment.
18. Consider and act on other business.
19. Consider and act on whether to authorize an executive session of the Board to address items listed below under Closed Session.
Closed Session:
20. Consider and act on General Counsel’s report on potential and pending litigation involving LSC.
21. IG briefing of the Board.

22. Consider and act on motion to adjourn meeting.

Contact Person for Information:
Katherine Ward, Executive Assistant to the Vice President & General Counsel, at (202) 295–1500. Questions may be sent by electronic mail to FR_NOTICEQUESTIONS@lsc.gov.

Special Needs: Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend and the meeting may notify Katherine Ward, at (202) 295–1500 or FR_NOTICEQUESTIONS@lsc.gov.

Dated: April 9, 2010.
Patricia D. Batie,
Corporate Secretary.

NATIONAL COUNCIL ON DISABILITY

Sunshine Act Meetings

DATE AND TIMES: April 20, 2010, 12 noon–5 p.m.


STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Current NCD Projects.

PORTIONS OPEN TO THE PUBLIC: April 20, 2010, 12 noon–1 p.m.

PORTIONS CLOSED TO THE PUBLIC: April 20, 2010, 1 p.m.–5 p.m.


Dated: April 8, 2010.
Joan M. Durocher,
Executive Director.

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–255; NRC–2010–0152]

Palisades Nuclear Plant; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–20 issued to Entergy Nuclear Operations, Inc. (ENO) (the licensee) for operation of the Palisades Nuclear Plant (PNP) located in Van Buren County, Michigan.

The proposed amendment would add new license condition 2.C(4) stating that performance of Technical Specification (TS) surveillance requirement (SR) 3.1.4.3, which verifies control rod freedom of movement, is not required for control rod drive (CRD) 22 during cycle 21 until the next entry into Mode 3 in a maintenance or refueling outage, whichever is earlier.

Before issuance of the proposed license amendment, the Commission will have made findings required by the
The proposed amendment adds a license condition to forgo the remaining two required surveillance tests of one control rod from the PNP TS surveillance requirement for partial movement every 92 days. Since the control rod remains operable, the proposed license condition does not affect or create any accident initiators or precursors. As such, the proposed license condition does not increase the probability of an accident.

The proposed license amendment does not increase the consequences of an accident. The ability to move a full-length control rod by its drive mechanism is not an initial assumption used in the safety analyses. The safety analyses assume full-length control rod insertion, except the most reactive rod, upon reactor trip. The surveillance requirement performed during the last refueling outage verified control rod drop times are within accident analysis assumptions. ENO has determined that CRD seal leakage does not increase the likelihood of an untrippable control rod. The assumptions of the safety analyses will be maintained, and the consequences of an accident will not be increased.

Therefore, operation of the facility in accordance with the proposed condition would not involve a significant increase in the probability or consequences of an accident previously evaluated.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in Title 10 of the Code of Federal Regulations (10 CFR) 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?
Response: No.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?
Response: No.

The proposed license condition does not involve a physical alteration of any structure, system or component (SSC) or change the way any SSC is operated. The proposed license condition does not involve operation of any required SSCs in a manner or configuration differently from those previously recognized or evaluated. No new failure mechanisms would be introduced by the requested SR interval extension.

Therefore, the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?
Response: No.

The proposed license condition does not affect operability of the control rod. It will have the same capability to mitigate an accident as it had prior to the proposed license condition.

Therefore, the proposed amendment would not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility. Should the Commission issue an amendment prior to the expiration of either the comment period or the notice period, it will publish in the Federal Register a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

ADDRESSES: You may submit comments by any one of the following methods. Please include Docket ID NRC–2010–0152 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site, Regulations.gov. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.


Mail comments to: Michael T. Lesar, Chief, Rulemaking, Announcements and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mail Stop: TWB–05–B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, or by fax to RADB at (301) 492–3446.

You can access publicly available documents related to this notice using the following methods:
NRC's Public Document Room (PDR): The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Room O1 F21, One White Flint North, 1155 Rockville Pike, Rockville, Maryland.

NRC's Agencywide Documents Access and Management System (ADAMS): Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at http://www.nrc.gov/reading-rm/adams.html. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1–800–397–4209, 301–415–4209, 301–415–4737, or by e-mail to pdr.resource@nrc.gov.

Federal Rulemaking Web site: Public comments and supporting materials related to this notice can be found at http://www.regulations.gov by searching on Docket ID: NRC–2010–0152. Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition for rulemaking with respect to issuance of the amendment to the subject facility operating license.
Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Room O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, http://www.nrc.gov/reading-rm/doc-collections/cfr/. If a request for a hearing or petition for leave to intervene is filed by the above date, 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 will issue a notice of a hearing or an appropriate order.

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. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) 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 identify the specific contentions which the requestor/petitioner 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 for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the 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 petitioner is aware and on which 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 (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

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. System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at http://www.nrc.gov/site-help/e-submittals.html. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through EIE, you will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at http://www.nrc.gov/site-help/e-submittals.html.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant 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 documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing 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
The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an amendment to Facility Operating License No. NPF–30, issued to Union Electric Company (the licensee), for operation of the Callaway Plant, Unit 1, located in Callaway County, Missouri.

The proposed amendment would revise the Technical Specification (TS) 3.3.2, “Engineered Safety Feature Actuation System (ESFAS) Instrumentation,” regarding function 6.g in TS Table 3.3.2–1. Function 6.g provides an auxiliary feedwater (AFW) start signal that is provided to the motor-driven AFW pumps in the event of a trip of both turbine-driven main feedwater (MFW) pumps. The changes would revise Condition J for ESFAS instrumentation function 6.g to read, “One or more Main Feedwater Pumps trip channel(s) inoperable.” The licensee will make corresponding changes to Required Action J.1 and the Note above Required Actions J.1 and J.2 for consistency with the revised Condition.

In accordance with the requirements of paragraph 50.91(a)(6) of Title 10 of the Code of Federal Regulations (10 CFR), the licensee requested approval of the amendment on exigent basis. The licensee stated that exigent approval was needed due to the time-critical nature of the requested amendment. The licensee requested approval of the amendment by May 14, 2010. The exigency arises due to the fact that, in the absence of approval of the amendment to TS 3.3.2, if the running MFW pump were to trip, Callaway Plant, Unit 1, will not be able to resume operation to the plant’s licensed power level upon restart from its refueling outage 17, scheduled to end on May 14, 2010.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission’s regulations.

Pursuant to 10 CFR 50.91(a)(6), for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission’s