

performed to evaluate ongoing assembly and cladding performance. (Due 4/30/2012)

2. Prior to startup for Unit 3 Cycle 18, poolside examinations will be performed to evaluate ongoing assembly and cladding performance. (Due 10/30/2013)

3. After completion of Unit 3 Cycle 18 (the third and final irradiation cycle), poolside examinations will be performed to evaluate assembly and cladding performance. (Due 6/30/2015)

4. The Westinghouse NGF LFAs will be modeled in the PVNGS core physics models, including the Zirconium diboride integral fuel burnable absorber (IFBA). As such, the impact of the LFAs will be included in the PVNGS cycle-specific core physics calculations supporting the reload effort for each cycle during use of the LFAs. (Due 10/30/2010, 4/30/2012, and 10/30/2013, respectively)

5. Evaluations will verify performance of the Westinghouse NGF LFAs with respect to the safety analysis. The analyses will include thermal-hydraulic compatibility, loss-of-coolant accident (LOCA) and non-LOCA criteria, mechanical design, thermal hydraulic, seismic, core physics, and neutronic compatibility of the LFAs in the PVNGS Unit 3 core. The evaluations will make use of the fact that the LFAs will be operated in non-limiting locations and will verify the reload analyses are not adversely impacted. The results will be documented in a final design report. (Due 10/30/2010)

6. A compatibility study will be performed to ensure that insertion of the Westinghouse NGF LFAs will not cause the remaining Westinghouse fuel to exceed its operating limits and ensure there is no adverse impact on fuel performance or mechanical integrity. The results of the compatibility study will be documented in a final design report. (Due 10/30/2010)

In addition, since APS referenced Westinghouse Topical Report WCAP-12610-P-A & GENPD-404-P-A, Addendum 1-A, "Optimized ZIRLO™," dated July 2006, in its request for the exemption to use LFAs with Optimized ZIRLO™ cladding, the licensee shall ensure compliance with the conditions and limitations listed in Section 5.0 of the NRC staff's Safety Evaluation Report for that report.

#### 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 APS a temporary exemption from the requirements of 10 CFR 50.46 and Appendix K to allow the use of fuel rods clad with an advanced alloy, Optimized ZIRLO™, in the PVNGS, Unit 3, core in non-limiting locations during Operating Cycles 16, 17, and 18.

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 as published in the **Federal Register** on August 24, 2010 (75 FR 52045).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 26th day of August 2010.

For The Nuclear Regulatory Commission.

**Joseph G. Gitter,**

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

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

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

#### Extension:

Rule 15Ba2-1 and Form MSD; SEC File No. 270-0088; OMB Control No. 3235-0083.

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") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information provided for in Rule 15Ba2-1 (17 CFR 240.15Ba2-1) under the Securities Exchange Act of 1934 ("Exchange Act") (17 U.S.C. 78a *et seq.*)

Rule 15Ba2-1 provides that an application for registration with the Commission by a bank municipal securities dealer must be filed on Form MSD (17 CFR 249.1100). The Commission uses the information contained in Form MSD to determine whether bank municipal securities dealers meet the standards for registration set forth in the Exchange Act, to develop a central registry where members of the public may obtain

information about particular bank municipal securities dealers, and to develop statistical information about bank municipal securities dealers.

Based upon past submissions, the staff estimates that approximately 41 respondents will utilize this application procedure annually. The staff estimates that the average number of hours necessary to comply with the requirements of Rule 15Ba2-1 is 1.5 hours per respondent, for a total burden of 61.5 hours. The average cost per hour is approximately \$67. Therefore, the total cost of compliance for the respondents is approximately \$4,120.

Rule 15Ba2-1 does not contain an explicit recordkeeping requirement, but the rule does require the prompt correction of any information on Form MSD that becomes inaccurate, meaning that bank municipal securities dealers need to maintain a current copy of Form MSD indefinitely. Providing the information on the application is mandatory in order to register with the Commission as a bank municipal securities dealer. The information contained in the application will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or send an e-mail to: [Sagufta\\_Ahmed@omb.eop.gov](mailto:Sagufta_Ahmed@omb.eop.gov) and (ii) Charles Boucher, Director/Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, VA 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: August 27, 2010.

**Florence E. Harmon,**

*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

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

## Extension:

Rule 15Bc3-1 and Form MSDW; SEC File No. 270-93; OMB Control No. 3235-0087.

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") has submitted to the Office of Management and Budget ("OMB") a request for approval of extension of the previously approved collection provided for in Rule 15Bc3-1 (17 CFR 240.15Bc3-1) and Form MSDW (17 CFR 249.1110) under the Securities Exchange Act of 1934 ("Exchange Act") (17 U.S.C. 78a *et seq.*).

Rule 15Bc3-1 provides that a notice of withdrawal from registration with the Commission as a bank municipal securities dealer must be filed on Form MSDW. The Commission uses the information submitted on Form MSDW in determining whether it is in the public interest to permit a bank municipal securities dealer to withdraw its registration. This information is also important to the municipal securities dealer's customers and to the public, because it provides, among other things, the name and address of a person to contact regarding any of the municipal securities dealer's unfinished business.

The staff estimates that the average number of hours necessary to comply with the requirements of Rule 15Bc3-1 is 0.5 hours. Based upon submissions for the last three years, the staff estimates that approximately 12 respondents will utilize this notice annually, with a total burden for all respondents of 6 hours. The average cost per hour is approximately \$101. Therefore, the total cost of compliance for the respondents is \$606 ( $\$101 \times 0.5 \times 12 = \$606$ ).

Providing the information on the application is mandatory in order to register with the Commission as a bank municipal securities dealer. The information contained in the application will not be kept confidential. Persons should note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or send an e-mail to: [Sagufta\\_Ahmed@omb.eop.gov](mailto:Sagufta_Ahmed@omb.eop.gov) and (ii) Charles Boucher, Director/Chief Information Officer, Securities and

Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, VA 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: August 27, 2010.

**Florence E. Harmon**

*Deputy Secretary*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-62784]

### Notice Regarding the Requirement To Use eXtensible Business Reporting Language Format To Make Publicly Available the Information Required Pursuant to Rule 17g-2(d) of the Exchange Act

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice.

**SUMMARY:** The Commission is providing notice that the List of XBRL Tags for NRSROs ("List of XBRL Tags") to be used for the ratings history disclosure requirements in paragraph (d) of Rule 17g-2 has been published on the Commission's Internet Web site. An NRSRO subject to the disclosure provisions of paragraph (d) of Rule 17g-2 shall make this information available in an interactive data file on its corporate Internet Web site in XBRL format using the List of XBRL Tags beginning no later than 60 days after the publication of this Notice in the **Federal Register**.

**DATES:** The date an NRSRO is required to begin using an XBRL format and the List of XBRL Tags for the purpose of Rule 17g-2(d) is November 1, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Michael A. Macchiaroli, Associate Director, at (202) 551-5525; Thomas K. McGowan, Deputy Associate Director, at (202) 551-5521; Randall W. Roy, Assistant Director, at (202) 551-5522; Raymond A. Lombardo, Branch Chief, at (202) 551-5755; or Rebekah E. Goshorn, Attorney, at (202) 551-5514; Division of Trading and Markets, Securities and Exchange Commission; 100 F Street, NE., Washington, DC 20549-7010.

**SUPPLEMENTARY INFORMATION:** The Credit Rating Agency Reform Act of 2006 ("Rating Agency Act")<sup>1</sup> defined the term "nationally recognized statistical rating organization" ("NRSRO") and provided authority for the Securities and

Exchange Commission ("Commission") to implement registration, recordkeeping, financial reporting, and oversight rules with respect to registered credit rating agencies. The regulations implemented by the Commission pursuant to this mandate include Securities Exchange Act of 1934 ("Exchange Act") Rule 17g-2,<sup>2</sup> which requires an NRSRO to make and retain certain records relating to its business and to retain certain other business records made in the normal course of business operations. The Commission adopted Rule 17g-2 and the amendments thereto, in part, under authority to require NRSROs to make and keep for specified periods such records as the Commission prescribes as necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Exchange Act.<sup>3</sup>

On February 2, 2009, the Commission adopted amendments to its NRSRO rules imposing additional requirements on NRSROs in order to address concerns about the integrity of their credit rating procedures and methodologies.<sup>4</sup> Among other things, the rule amendments added new paragraph (a)(8) and paragraph (d) (now paragraph (d)(2)) to Rule 17g-2. Paragraph (a)(8) of Rule 17g-2 requires an NRSRO to make and retain a record for each outstanding credit rating it maintains showing all rating actions (initial rating, upgrades, downgrades, placements on watch for upgrade or downgrade, and withdrawals) and the date of such actions identified by the name of the security or obligor rated and, if applicable, the CUSIP for the rated security or the Central Index Key (CIK) number for the rated obligor.<sup>5</sup> Paragraph (d)(2) of Rule 17g-2 requires an NRSRO to make publicly available, on a six-month delayed basis, the ratings histories for a random sample of 10% of the credit ratings paid for by the obligor being rated or by the issuer, underwriter, or sponsor of the security being rated ("issuer-paid credit ratings") pursuant to paragraph (a)(8) of Rule 17g-2 for each class of credit rating for which the NRSRO is registered and has issued 500 or more issuer-paid credit ratings.<sup>6</sup>

Paragraph (d)(2) of Rule 17g-2 further requires that this information be made

<sup>2</sup> 17 CFR 240.17g-2.

<sup>3</sup> See Section 17(a)(1) of the Exchange Act (15 U.S.C. 78q(a)(1)).

<sup>4</sup> See *Amendments to Rules for Nationally Recognized Statistical Rating Organizations*, Exchange Act Release No. 59342 (February 2, 2009), 74 FR 6456 ("February 2009 Adopting Release").

<sup>5</sup> 17 CFR 240.17g-2(a)(8).

<sup>6</sup> 17 CFR 240.17g-2(d).

<sup>1</sup> Public Law 109-291 (2006).