

documents are available at the NRC's Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, and are available online in the NRC Library at <http://www.nrc.gov/reading-rm.html>.

Copies of Renewed Facility Operating License Nos. DPR-70 and DPR-75 may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Director, Division of License Renewal. Copies of the safety evaluation report for Salem (NUREG-2101) and the final environmental impact statement (NUREG-1437, Supplement 45) may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161 (<http://www.ntis.gov>), 703-605-6000, or Attention: Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954 (<http://www.gpoaccess.gov>), 202-512-1800. All orders should clearly identify the NRC publication number and the requestor's Government Printing Office deposit account number or VISA or MasterCard number and expiration date.

Dated at Rockville, Maryland, this 30th day of June, 2011.

For the Nuclear Regulatory Commission.

**Bo M. Pham,**

*Chief, Projects Branch 1, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-17443 Filed 7-11-11; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-225; NRC-2008-0277]

### Rensselaer Polytechnic Institute Critical Experiments Facility; Notice of Issuance of Renewed Facility Operating License No. CX-22

The U.S. Nuclear Regulatory Commission (NRC, the Commission) has issued renewed Facility Operating License No. CX-22, held by the Rensselaer Polytechnic Institute (the licensee), which authorizes continued operation of the Rensselaer Polytechnic Institute Critical Experiments Facility (RCF), located in Schenectady, Schenectady County, New York. The RCF is a tank-type, light-water-moderated, critical facility licensed to operate at steady-state power levels up to and including 100 watts thermal power. The renewed Facility Operating License No. CX-22 will expire at midnight 20 years from its date of issuance.

The renewed facility operating license complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the NRC's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), and sets forth those findings in the renewed facility operating license. The agency afforded an opportunity for hearing in the Notice of Opportunity for Hearing published in the **Federal Register** on May 15, 2008 (73 FR 28170). The NRC received no request for a hearing or petition for leave to intervene.

The NRC staff prepared a safety evaluation report for the renewal of Facility Operating License No. CX-22 and concluded, based on that evaluation, that the licensee can continue to operate the facility without undue risk to the health and safety of the public. The NRC staff also prepared an Environmental Assessment and Finding of No Significant Impact for license renewal, noticed in the **Federal Register** on June 14, 2011 (76 FR 34770), and concluded that renewal of the facility operating license will not have a significant impact on the quality of the human environment.

For details with respect to the application for renewal, see the licensee's letter dated November 19, 2002 (ML023380455 and ML072210835), as supplemented on July 21 (ML082060048), July 28 (ML082190523), and September 3, 2008 (ML101260200); June 28 (ML101820298), August 31 (ML102790045), October 14 (ML103070074), and October 28, 2010 (ML103080207); and February 14 (ML110490531) and May 9, 2011 (ML11131A180). Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located 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 NRC Web site, <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 PDR Reference staff at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 27th day of June, 2011.

For the Nuclear Regulatory Commission.

**Jessie Quichocho,**

*Chief, Research and Test Reactors Licensing Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-17440 Filed 7-11-11; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0150; Docket Nos. 50-003, 50-247, and 50-286; License Nos. DPR-5, DPR-26, and DPR-64]

### Entergy Nuclear Indian Point 2, LLC, Entergy Nuclear Indian Point 3, LLC, Entergy Nuclear Operations, Inc.; Receipt of Request for Action

Notice is hereby given that by petition dated March 28, 2011, Eric T. Schneiderman, Attorney General for the State of New York, the petitioner, has asked the U.S. Nuclear Regulatory Commission (NRC) to take enforcement action against Entergy Nuclear Operations, Inc. (Entergy), and its affiliates for violations of the agency's 1980 fire safety regulations at Indian Point Nuclear Generating Unit 1, 2, and 3. The petitioner asked the NRC to take immediate action by issuing an order that requires the following actions:

- Identify the violations of paragraphs F and G of Section III of Appendix R, "Fire Protection Program for Nuclear Power Facilities Operating prior to January 1, 1979," to Title 10 of the *Code of Federal Regulations* (10 CFR) part 50, "Domestic Licensing of Production and Utilization Facilities," that exist as of the date of the petition (i.e., March 28, 2011) at Indian Point Units 1, 2, and 3.

- Compel Entergy and its affiliates to comply on or before September 20, 2011, with the requirements in paragraphs F and G for all the fire zones in Indian Point Units 2 and 3 and any Indian Point Unit 1 fire zone or system, structure, or component relied on by Indian Point Units 2 and 3.

- Convene an evidentiary hearing before the Commission to adjudicate the violations by Entergy and its affiliates of paragraphs F and G at Indian Point Units 1, 2, and 3.

As the basis for the request, the petitioner stated, in part, the following:

- The petitioner cited the population centers adjacent to the Indian Point facility. The petitioner described past investigations by both the NRC Office of Investigations and the Government Accountability Office on fire barriers, most specifically Thermo-Lag and Hemyc. The petitioner implied that the NRC staff has not been aggressive in resolving fire barrier issues or in taking

meaningful enforcement action toward Indian Point.

- The petitioner focused on the exemptions to Appendix R to 10 CFR Part 50 that the licensee submitted in March 2009. The exemptions include operator manual actions in a large number of fire areas at Indian Point. The petitioner stated that the regulations do not authorize operator manual actions as a means for protecting a redundant system from fire. The petitioner referenced the ongoing situation in Japan and questioned whether plant operators would be physically able to perform these duties.

- The petitioner stated that (1) the NRC should reserve exemptions for extraordinary circumstances, (2) the NRC should not approve the exemptions, and (3) Entergy has not made a serious effort to comply with Federal regulations.

The NRC is treating the request under 10 CFR 2.206, "Requests for Action under This Subpart," and has referred the request to the Director of the Office of Nuclear Reactor Regulation (NRR). In accordance with 10 CFR 2.206, the NRC will take appropriate action on this petition within a reasonable period of time. The petitioner met with the NRR Petition Review Board on May 9, 2011, to discuss the petition. The Petition Review Board considered the results of that discussion in its determination of the petitioner's request for immediate action and in the establishment of the schedule for the review of the petition. A copy of the petition is available for inspection at the NRC's Public Document Room (PDR) located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, MD. Publicly available documents created or received at the NRC are accessible electronically through the Agencywide Documents Access and Management System (ADAMS) in the NRC Library 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 PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by e-mail at [PDR.Resources@nrc.gov](mailto:PDR.Resources@nrc.gov).

Dated at Rockville, Maryland, this 30th day of June 2011.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-17438 Filed 7-11-11; 8:45 am]

**BILLING CODE 7590-01-P**

## RAILROAD RETIREMENT BOARD

### Sunshine Act; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on July 20, 2011, 10 a.m. at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois 60611. The agenda for this meeting follows:

#### Executive Committee Reports

The entire meeting will be open to the public. The person to contact for more information is Martha P. Rico, Secretary to the Board, Phone No. 312-751-4920.

Dated: July 5, 2011.

**Martha P. Rico,**

*Secretary to the Board.*

[FR Doc. 2011-17620 Filed 7-8-11; 4:15 pm]

**BILLING CODE 7905-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29715; 812-13885]

### WNC Tax Credits 40, LLC, WNC Tax Credits 41, LLC, WNC Housing Tax Credits Manager 2, LLC, WNC National Partners, LLC and WNC & Associates, Inc.; Notice of Application

July 6, 2011.

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

**ACTION:** Notice of an application for an order under sections 6(c) and 6(e) of the Investment Company Act of 1940 (the "Act") granting relief from all provisions of the Act, except sections 37 through 53 of the Act and the rules and regulations under those sections other than rule 38a-1 under the Act.

*Applicants:* WNC Tax Credits 40, LLC ("Fund 40") and WNC Tax Credits 41, LLC ("Fund 41") (each a "Fund," and collectively, the "Funds"), WNC Housing Tax Credits Manager 2, LLC (the "Manager"), WNC National Partners, LLC ("WNC National Partners") and WNC & Associates, Inc. ("WNC & Associates").

*Summary of the Application:* Applicants request an order to permit each Fund to invest in limited liability companies that engage in the ownership and operation of apartment complexes for low and moderate income persons ("Apartment Complexes").

**DATES: Filing Date:** The application was filed on April 4, 2011.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the Commission orders a

hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on August 1, 2011, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicants, 17782 Sky Park Circle, Irvine, CA 92614.

#### FOR FURTHER INFORMATION CONTACT:

Emerson S. Davis, Sr., Senior Counsel, (202) 551-6868, or Daniele Marchesani, Branch Chief, (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant by using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

#### Applicants' Representations

1. Fund 40 and Fund 41 each was formed as a California limited company in 2011. Each Fund will operate as a "two-tier" partnership, *i.e.*, each Fund will invest as a limited partner or member in other limited partnerships or limited liability companies that are characterized as partnerships for Federal income tax purposes ("Local Limited Partnerships"). The Local Limited Partnerships in turn will engage in the ownership and operation of Apartment Complexes expected to be qualified for the low income housing tax credit under the Internal Revenue Code of 1986, as amended. The Manager is a California limited liability company whose sole member is WNC National Partners. WNC National Partners is a California limited liability company whose sole member is WNC & Associates, a California corporation. The objectives of each Fund are to provide current tax benefits in the form of (a) A predictable stream of low income housing credits which investors may use to offset their Federal income tax liabilities, and (b) tax losses.