

Issued at Rockville, Maryland, this 15th day of May 2009.

E. Roy Hawkens,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. E9-11985 Filed 5-21-09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC 2009-0214]

Announcement of a Proposed Process Change Regarding the Review of Research and Test Reactor License Renewal Applications; Notice of Public Meeting

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of stakeholder meeting regarding a proposed process change for the renewal of research and test reactor licenses.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing a streamlined review process for license renewal applications (LRAs) for research and test reactor (RTR) licenses with the objective of expeditiously resolving the backlog of LRAs while maintaining safety standards. Draft Interim Staff Guidance (ISG) proposed to be implemented will be published for public review prior to the meeting on the NRC Public Meeting Schedule Web site, <http://www.nrc.gov/public-involve/public-meetings/index.cfm>.

DATES: A public meeting for stakeholders will be held June 4, 2009, commencing at 1 p.m.

ADDRESSES: The meeting will be held at the Legacy Hotel and Meeting Center, 1775 Rockville Pike, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Alexander Adams Jr., Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-1127, e-mail alexander.adams@nrc.gov; or Marcus Voth, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-1210, e-mail marcus.voth@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

At the present time 21 of the 32 RTRs licensed to operate in the United States have LRAs before the NRC. Several issues have contributed to the large backlog, including NRC licensing

staffing levels, emergent issues, limited licensee resources, existing license infrastructure, regulatory requirements, and the broad scope of the RTR license renewal process as discussed in SECY-08-0161, "Review of Research and Test Reactor License Renewal Applications," dated October 24, 2008. In a staff requirements memorandum (SRM) dated March 26, 2009, the staff was directed to streamline the current license renewal process incorporating concepts discussed in SECY-08-0161 among other measures. These documents can be found on the NRC Agencywide Documents Access and Management system (ADAMS) under accession numbers ML0825501403 and ML0908501591, respectively. The staff is presently developing proposed guidance along with the rationale for the focused license renewal process for RTRs.

The traditional process currently being used for reviewing LRAs is to perform a full review based on the standard review plan for RTRs, NUREG-1537, "Guidelines for Preparing and Reviewing Applications for the Licensing of Non-Power Reactors, Part 2," February 1996. The standard review plan addresses all of the topics required to be addressed in applications by 10 CFR 50.33 and 50.34, the same process as used for an initial license issuance. The staff is proposing to continue this full review process for those LRAs well into the renewal review process and for RTRs licensed for power levels equal to or greater than 2 megawatts. The staff proposes to apply the new focused review process to the remaining LRAs in the backlog.

Two public meetings were held to discuss formulation of the proposed process with stakeholders, the first on September 15, 2008, and a second on March 25, 2009. In each meeting the staff presented aspects of the proposed streamlined review process and addressed questions from the public.

Objectives of the Focused Review Process for RTR License Renewal

The objective of the focused review process for license renewal is to provide a process that ensures that applications are properly evaluated, documented, and implemented in accordance with the following goals:

- To ensure the continued health and safety of the public and protection of the environment,
- To provide public confidence in the regulatory oversight process,
- To propose an effective, efficient, and timely method of processing the existing LRA backlog,

- To develop, document, and implement Interim Staff Guidance (ISG) for a focused review process,

- To acknowledge the safe operating histories of RTRs demonstrated over the facility lifetime documented in reports of periodic NRC inspections, and

- To meet requirements of Section 104.c of the Atomic Energy Act calling for " * * * only such minimum amount of regulation of the licensee as the Commission finds will permit the common defense and security to protect the health and safety of the public and will permit the conduct of widespread and diverse research and development."

The staff is proposing that a focused approach be implemented for those facilities in the current LRA backlog that have been reviewed in the past and found to have low risk to the public health and safety. ISG is being prepared that will define a focused review process which meets regulatory requirements and the goals stated above while taking credit for previous reviews of structures, systems, and components. Likewise, a Safety Evaluation Report will be prepared that contains fewer than the entire 18 topics addressed in the standard review plan but at a minimum will address the three areas most critical to safety; reactor design and operation, accident analysis, and technical specifications. The staff is proposing that the ISG not be applied in the following two situations.

First, the staff proposes that the traditional full review process be used for RTRs licensed for greater than 2 megawatts. The licensed maximum thermal power levels of the RTRs range from 5 watts to 20 megawatts. The staff routinely uses a graded approach to apply regulations commensurate with the risk of licensed RTRs. A long-standing demarcation used by the staff has required additional regulatory attention to RTRs licensed for 2 megawatts or greater. Part of the technical basis for this threshold is that reactor power is related to the potential fission product inventory which in turn determines the potential dose consequence of an accident.

Second, the review of some LRAs which are currently nearing completion using the traditional full review process will continue to be performed in that manner rather than using the ISG to allow for the efficient use of staff resources. In implementing the proposed ISG the staff may find that one or more exemptions to certain regulations may be required. If a need for an exemption should arise it is proposed to be processed using existing provisions in the regulations for granting exemptions.

Follow-on Actions

During implementation of the streamlined review process the staff will be considering other regulatory improvements to the RTR LRA process. Specific areas being considered are requirements for maintaining a periodically updated facility Safety Analysis Report and the requirement for earlier submittal of a LRA, allowing time for the licensee to make revisions in the event the NRC determines that the content of the application does not meet the regulatory requirement.

Dated at Rockville, Maryland, this 18th day of May 2009.

For the Nuclear Regulatory Commission.

Kathryn M. Brock,

Chief, Research and Test Reactor Branch A, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.

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PENSION BENEFIT GUARANTY CORPORATION

Proposed Submission of Information Collection for OMB Review; Comment Request; Qualified Domestic Relations Orders Submitted to PBGC

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intent to request extension of OMB approval of information collection.

SUMMARY: Pension Benefit Guaranty Corporation ("PBGC") intends to request that the Office of Management and Budget ("OMB") extend approval, under the Paperwork Reduction Act, of the collection of information in PBGC's booklet, *Qualified Domestic Relations Orders & PBGC* (OMB control number 1212-0054; expires August 31, 2009). The booklet provides guidance on how to submit a qualified domestic relations order (a "QDRO") to PBGC. This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

DATES: Comments must be submitted by July 21, 2009.

ADDRESSES: Comments may be submitted by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the Web site instructions for submitting comments.
- *E-mail:* paperwork.comments@pbgc.gov.
- *Fax:* 202-326-4224.
- *Mail or Hand Delivery:* Legislative and Regulatory Department, Pension

Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

PBGC will make all comments available on its Web site at <http://www.pbgc.gov>.

Copies of the collections of information may be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC at the above address or by visiting that office or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.) The current QDRO booklet is available on PBGC's Web site at <http://www.pbgc.gov>.

FOR FURTHER INFORMATION CONTACT: Jo Amato Burns, Attorney, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024. (For TTY/TDD users, call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

SUPPLEMENTARY INFORMATION: A defined benefit pension plan that does not have enough money to pay benefits may be terminated if the employer responsible for the plan faces severe financial difficulty, such as bankruptcy, and is unable to maintain the plan. In such an event, PBGC becomes trustee of the plan and pays benefits, subject to legal limits, to plan participants and beneficiaries.

The benefits of a pension plan participant generally may not be assigned or alienated. Title I of ERISA provides an exception for domestic relations orders that relate to child support, alimony payments, or marital property rights of an alternate payee (a spouse, former spouse, child, or other dependent of a plan participant). The exception applies only if the domestic relations order meets specific legal requirements that make it a qualified domestic relations order.

When PBGC is trustee of a plan, it reviews submitted domestic relations orders to determine whether the order is qualified before paying benefits to an alternate payee. The requirements for submitting a domestic relations order and the contents of such orders are established by statute. The models and the guidance provided by PBGC assist parties by making it easier for them to comply with ERISA's QDRO requirements in plans trusted by PBGC; they do not create any additional requirements and result in a reduction of the statutory burden.

OMB has approved the collection of information in PBGC's booklet,

Qualified Domestic Relations Orders & PBGC under control number 1212-0054 through August 31, 2009. PBGC intends to request that OMB extend its approval for another three years. 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 OMB control number.

PBGC estimates that it will receive 895 domestic relations orders each year from prospective alternate payees and participants. PBGC further estimates that the total average annual burden of this collection of information will be 2085 hours and \$496,302.

PBGC is soliciting public comments to—

- Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collections of information, including the validity of the methodologies and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collections of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Issued in Washington, DC, this 19th day of May 2009.

John H. Hanley,

Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation.

[FR Doc. E9-12021 Filed 5-21-09; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11707 and #11708]

North Dakota Disaster Number ND-00016

AGENCY: U.S. Small Business Administration.

ACTION: Amendment 3.

SUMMARY: This is an amendment of the Presidential declaration of a major disaster for the State of North Dakota (FEMA-1829-DR), dated 04/10/2009.

Incident: Severe storms and flooding.

Incident Period: 03/13/2009 and continuing.