

Washington, DC 20555-0001. Questions about the information collection requirements may be directed to the NRC Clearance Officer, Tremaine Donnell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-6258, or by e-mail to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 5th day of October 2009.

For the Nuclear Regulatory Commission.  
**Tremaine Donnell,**  
NRC Clearance Officer, Office of Information Services.

[FR Doc. E9-24720 Filed 10-13-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0394]

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The NRC invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

*Information pertaining to the requirement to be submitted:*

1. *The title of the information collection:* 10 CFR Part 5, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance."

2. *Current OMB approval number:* 3150-XXXX.

3. *How often the collection is required:* 10 CFR 5 follows provisions covered in 10 CFR 4, Section 4.331 Compliance Reviews, which indicates NRC may conduct compliance reviews and Pre-Award reviews of recipients or use other similar procedures that will permit it to investigate and correct violations of the act and these regulations. NRC may conduct these reviews even in absence of a complaint against a recipient. The reviews may be as comprehensive as necessary to determine whether a violation of these regulations has occurred.

4. *Who is required or asked to report:* Recipients of Federal Financial Assistance provided by the NRC (including Educational Institutions, Other Nonprofit Organizations receiving Federal Assistance, and Agreement States).

5. *The number of annual respondents:* 200.

6. *The number of hours needed annually to complete the requirement or request:* 3,600 hours (3,000 hrs for reporting (5 hrs per respondent) and 600 hrs for recordkeeping (3 hrs per recordkeeper)).

7. *Abstract:* The regulations under 10 CFR part 5 implements the provisions of title IX of the Education Amendments of 1972, as amended (except Section 904 and 906 of these amendments) (20 U.S.C. 1681, 1682, 1683, 1685, 1686, 1687, 1688), which is designed to eliminate (with certain exceptions) discrimination on the basis of sex in any education program or activity receiving Federal financial assistance, whether or not such program or activity is offered or sponsored by an educational institution as defined in these Title IX regulations.

*Submit, by December 14, 2009, comments that address the following questions:*

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. 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. Comments submitted should reference Docket No. NRC-2008-0394. You may submit your comments by any of the

following methods. Electronic comments: Go to <http://www.regulations.gov> and search for Docket No. NRC-2009-0394. Mail comments to NRC Clearance Officer, Tremaine Donnell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Questions about the information collection requirements may be directed to the NRC Clearance Officer, Tremaine Donnell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-6258, or by e-mail to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 2nd day of October 2009.

For the Nuclear Regulatory Commission.  
**Tremaine Donnell,**  
NRC Clearance Officer, Office of Information Services.

[FR Doc. E9-24724 Filed 10-13-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0449; Docket No. 50-244]

### R.E. Ginna Nuclear Power Plant, LLC; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of R.E. Ginna Nuclear Power Plant, LLC (the licensee) to withdraw its October 7, 2008, application for proposed amendment to Facility Operating License No. 18 for the R.E. Ginna Nuclear Power Plant located in Wayne County, New York.

The proposed amendment would have revised the operating license by introducing a new license condition requiring the reporting of reactor vessel inservice inspection information and analyses as specified in a **Federal Register** Notice dated October 3, 2007 (72 FR 56275), "Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events."

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on December 16, 2008 (73 FR 76413). However, by letter dated September 28, 2009, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated October 7, 2008, and the licensee's letter dated September 28, 2009, which withdrew the application for license amendment. Documents may

be examined, and/or copied for a fee, 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, 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/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 to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 6th day of October 2009.

For the Nuclear Regulatory Commission.

**Douglas V. Pickett,**

*Senior Project Manager, Plant Licensing Branch I-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-24726 Filed 10-13-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0453]

### Draft Regulatory Guide: Issuance, Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Draft Regulatory Guide, DG-1199, "Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors."

#### FOR FURTHER INFORMATION CONTACT:

Mark Blumberg, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 415-1083 or e-mail [Mark.Blumberg@nrc.gov](mailto:Mark.Blumberg@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft regulatory guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and

data that the staff needs in its review of applications for permits and licenses.

The draft regulatory guide (DG), titled, "Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors," is temporarily identified by its task number, DG-1199, which should be mentioned in all related correspondence. DG-1199 is proposed Revision 1 of Regulatory Guide 1.183, dated July 2000. This regulatory guide describes a method that the staff of the NRC considers acceptable in complying with alternative source term (AST) regulations for design basis accident dose consequence analysis. This guidance for light-water reactor designs includes the scope, nature, and documentation of associated analyses, evaluations; consideration of impacts on analyzed risk; and content of submittals. This guide establishes the AST based on NUREG-1465, "Accident Source Terms for Light-Water Nuclear Power Plants," and identifies significant attributes of other accident source terms that may be acceptable. This guide also identifies acceptable radiological analysis assumptions for use in conjunction with the AST. In some cases, unusual site characteristics, plant design features, or other factors may require different assumptions, which will be considered on an individual case basis.

The draft guide references Regulatory Guide 1.89, "Environmental Qualification of Certain Electric Equipment Important to Safety for Nuclear Power Plants," regarding environmental qualification analyses that may be affected by implementing alternate source terms. This guidance will be available in the forthcoming revision of Regulatory Guide 1.89 and is currently available in Appendix I of Regulatory Guide 1.183, Revision 0.

##### II. Further Information

The Commission invites advice and recommendations on the content of DG-1199. Specifically, comments are solicited for the following questions. Each comment should include supporting basis or rationale to enable the staff to fully understand the point of view being provided.

1. The alternative source term methodology described in the draft regulatory guide permits the assumption that the release of radioactive effluent to the environment occurs at some time period following the onset of the accident within the plant facility. Section 5.3, Meteorology Assumptions, provides guidance on pairing atmospheric dispersion factors ( $\chi/Q$  values) with the periods of maximum

postulated release of radioactive effluent to the environment.

a. Is it equally or more appropriate to include consideration of engineering factors such as time of control room isolation and initiation of filtration, in addition to the time sequence release of radiological effluent to the environment, when assessing the limiting dose to control room operators?

2. Table 3 of DG-1199 provides revised non-loss of coolant accident fission product gap inventories applicable to all current fuel designs. The purpose of revising Table 3 was to expand its applicability by replacing the prior footnote 11 limitation (*i.e.*, 6.3 kw/ft beyond 54 GWd/MTU) with bounding fuel rod power envelopes.

a. Does the bounding fuel rod power envelopes depicted in Figure 1 of DG-1199 provide sufficient fuel management flexibility such that current and anticipated fuel loading patterns will be able to utilize the Table 3 fission product gap fractions?

b. Fission gas release and the resulting fission product gap inventory are sensitive to fuel rod design and rod power history. To maintain consistency with current regulatory guidance, the revised Table 3 remains applicable to all current pressurized water reactor (PWR) and boiling water reactor (BWR) fuel rod designs (limited only by the bounding power envelope). Significant reductions in fission product gap inventories are achievable with specific fuel rod design calculations (*e.g.*, PWR 17×17 versus PWR 14×14) and/or less bounding rod power histories. Should RG 1.183 provide alternate versions of Table 3, each with its own set of applicability criteria?

3. Reference 18 of DG-1199 documents the expanded fission gas release empirical database and methods used to calculate the revised Table 3 and Table 4 fission product gap inventories. Are any further fission gas measurements available which would help enhance the gap inventories listed in Table 3 and 4?

Comments should mention DG-1199 in the subject line. Comments submitted in writing or in electronic form will be made available to the public in their entirety through the NRC's Agencywide Documents Access and Management System (ADAMS).

Personal information will not be removed from the comments. Comments may be submitted by any of the following methods:

1. *Mail comments to:* Rulemaking and Directives Branch, Division of Administrative Services, Mail Stop: TWB-05-B01M, Office of Administration, U.S. Nuclear Regulatory