

**List of Subjects in 7 CFR Part 989**

Grapes, Marketing agreements, Raisins, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 989 is proposed to be amended as follows:

**PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA**

1. The authority citation for 7 CFR part 989 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

2. In § 989.154, the first sentence of paragraph (a) is revised to read as follows:

**§ 989.154 Marketing policy computations.**

(a) \* \* \* The desirable carryout level to be used in computing and announcing a crop year's marketing policy for Natural (sun-dried) Seedless raisins shall be 85,000 natural condition tons. \* \* \*

\* \* \* \* \*

Dated: May 9, 2011.

**Ellen King,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 2011–11715 Filed 5–12–11; 8:45 am]

**BILLING CODE 3410–02–P**

**NUCLEAR REGULATORY COMMISSION****10 CFR Parts 2 and 52**

[NRC–2011–0102]

**RIN 3150–AI77**

**Draft Regulatory Guide, Guidance for ITAAC Closure**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory guide; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment Draft Regulatory Guide (DG)–1250, “Guidance for ITAAC Closure Under 10 CFR Part 52.” The DG–1250 describes a method that the staff of the NRC considers acceptable for use in satisfying the requirements for documenting the completion of inspections, tests, analyses, and acceptance criteria (ITAAC).

**DATES:** Submit comments on Draft Regulatory Guide, DG–1250 by July 25, 2011. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments

received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

**ADDRESSES:** Please include Docket ID NRC–2011–0102 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, <http://www.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. You may submit comments by any one of the following methods:

- **Federal Rulemaking Web Site:** Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC–2011–0102. Address questions about NRC dockets to Carol Gallagher, telephone: 301–492–3668; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- **Mail comments to:** Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB–05–B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

- **Fax comments 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, O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** Publicly available documents created or received at the NRC are available online in the NRC Library 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 the 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, 301–415–4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). Electronic copies of DG–1250 are available through the NRC's public Web site under Draft Regulatory Guides in the “Regulatory Guides” collection of the NRC Library at <http://www.nrc.gov/reading-rm/doc-collections/>. Electronic copies are also available in ADAMS (<http://www.nrc.gov/reading-rm/adams.html>), under Accession No. ML102530401. The regulatory analysis may be found in ADAMS under Accession No. ML102530440.

- **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–2011–0102.

**FOR FURTHER INFORMATION CONTACT:**

R.A. Jervy, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: 301–251–7404; e-mail: [Richard.Jervy@nrc.gov](mailto:Richard.Jervy@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

The NRC is issuing for public comment a draft 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 is temporarily identified by its task number, DG–1250, which should be mentioned in all related correspondence. The DG–1250 is proposed Revision 1 of Regulatory Guide 1.215, dated October 2010.

This guide describes a method that the staff of the NRC considers acceptable for use in satisfying the requirements for documenting the completion of ITAAC. Since the ITAAC process has yet to be used for a combined license review under Title 10 of the Code of Federal Regulations (10 CFR) Part 52, this revision includes refinements in the ITAAC process as the NRC develops experience with expected practices by licensees. Further changes may be recommended following additional experience with this process. In general, this revision provides clarifying information sufficient to endorse the methodologies described in the industry guidance document, Nuclear Energy Institute (NEI) 08–01,

“Industry Guideline for the ITAAC Closure Process under 10 CFR Part 52,” Revision 4, issued July 2010, for the implementation of 10 CFR 52.99, “Inspection during Construction.”

Dated at Rockville, Maryland, this 4th day of May 2011.

For the Nuclear Regulatory Commission.

**Harriet Karagiannis,**

*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. 2011-11678 Filed 5-12-11; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 2 and 52

[NRC-2010-0012]

RIN 3150-A177

### Requirements for Maintenance of Inspections, Tests, Analyses, and Acceptance Criteria

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) is proposing to amend its regulations related to verification of nuclear power plant construction activities through inspections, tests, analyses, and acceptance criteria (ITAAC) under a combined license. Specifically, the NRC is proposing new provisions that apply after a licensee has completed an ITAAC and submitted an ITAAC closure notification. The new provisions would require licensees to report new information materially altering the basis for determining that either inspections, tests, or analyses were performed as required, or that acceptance criteria are met, and to notify the NRC of completion of all ITAAC activities. In addition, the NRC is proposing editorial corrections to existing language in the NRC’s regulations to correct and clarify ambiguous language and make it consistent with language in the Atomic Energy Act of 1954, as amended (AEA).

**DATES:** Submit comments on this proposed rule by July 27, 2011. Submit comments on the information collection aspects on this proposed rule by June 13, 2011. Comments received after the above dates will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after these dates.

**ADDRESSES:** Please include Docket ID NRC-2010-0012 in the subject line of your comments. You may submit

comments by any one of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0012. Address questions about NRC dockets to Carol Gallagher, *telephone:* 301-492-3668; *e-mail:* [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *Attn:* Rulemakings and Adjudications Staff.

- *E-mail comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at 301-415-1677.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. Federal workdays. (*telephone:* 301-415-1677).

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301-415-1101.

You may submit comments on the information collections by the methods indicated in the Paperwork Reduction Act Statement, Section XI.

See Section VI, Availability of Documents, for instructions on how to access NRC’s Agencywide Documents Access and Management System (ADAMS) and other methods for obtaining publicly available documents related to this action.

**FOR FURTHER INFORMATION CONTACT:** Mr. Earl Libby, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; *telephone:* at 301-415-0522; *e-mail:* [Earl.Libby@nrc.gov](mailto:Earl.Libby@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

- I. Submitting Comments
- II. Background
- III. Discussion
  - A. Licensee Programs That Maintain ITAAC Conclusions
  - B. Additional ITAAC Notifications
  - C. Conforming Changes to 10 CFR 2.340
- IV. Section-by-Section Analysis
- V. Guidance
- VI. Availability of Documents
- VII. Plain Language
- VIII. Agreement State Compatibility
- IX. Voluntary Consensus Standards
- X. Environmental Impact—Categorical Exclusion
- XI. Paperwork Reduction Act Statement
- XII. Regulatory Analysis
- XIII. Regulatory Flexibility Act Certification
- XIV. Backfitting and Issue Finality

#### I. Submitting Comments

Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site <http://www.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.

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#### II. Background

The Commission first issued Title 10 of the Code of Federal Regulations (10 CFR) part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants,” on April 18, 1989 (54 FR 15371). Section 52.99, “Inspection during construction,” was included to make it clear that the NRC’s inspection carried out during construction under a combined license would be based on ITAAC proposed by the applicant, approved by the NRC staff, and incorporated in the combined license. At that time, the Commission made it clear that, although 10 CFR 52.99 envisioned a “sign-as-you-go” process in which the NRC staff would sign off on inspection units and notice of the staff’s sign-off would be published in the **Federal Register**, the Commission itself would make no findings with respect to construction until construction was complete. See 54 FR 15371; April 18, 1989; at 15383 (second column).

On August 28, 2007 (72 FR 49351), the Commission revised 10 CFR part 52 to enhance the NRC’s regulatory effectiveness and efficiency in implementing its licensing and approval processes. In that revision, the NRC amended 10 CFR 52.99 to require licensees to notify the NRC that the prescribed inspections, tests, and analyses in the ITAAC have been completed and that the acceptance criteria have been met. The revision also requires that these notifications contain sufficient information to demonstrate that the prescribed inspections, tests, and analyses have been performed and that the prescribed acceptance criteria have been met. The NRC added this requirement to ensure that combined license applicants and holders were aware that it was the licensee’s burden to demonstrate compliance with the ITAAC and the NRC expected the notification of ITAAC completion to contain more information than just a simple statement that the licensee