

was extended by the Commission. By Order dated July 24, 2009, the NRC staff determined that good cause had been shown to extend the effectiveness of the Orders of July 28, 2008, through January 28, 2010. Similarly, by its terms, the Order of July 24, 2009, becomes null and void if the license transfers are not completed by January 28, 2010, unless upon application and for good cause shown, such date is extended by the Commission.

### III

By letter dated November 3, 2009, as supplemented by letter dated December 10, 2009, ENO, acting on behalf of itself, Entergy Nuclear, ENIP2, ENIP3, EN-FitzPatrick, EN-Vermont Yankee, and EN-Palisades (together the Applicants), submitted a request for an extension of the effectiveness of the Orders of July 28, 2008, such that they would remain effective through August 1, 2010. According to the submittal, diligent efforts have been made to obtain the required State and Federal regulatory approvals, and many of the required approvals have been obtained. ENO has expressed confidence that it will receive all of the required approvals for the transaction. However, proceedings are ongoing before the New York State Public Service Commission (PSC) and the State of Vermont Public Service Board (PSB) and these two State agencies may not complete their regulatory approval processes in time to complete the restructuring and establishment of Enexus Energy Corporation prior to January 28, 2010, as required by the NRC Orders consenting to the proposed restructuring and associated indirect license transfers.

As indicated in ENO's letter dated August 18, 2009, an amended petition has been submitted to the New York PSC that includes several enhancements to the transaction. In Vermont, Entergy Nuclear Vermont Yankee, LLC, ENO, and Enexus have entered into a Memorandum of Understanding (MOU) with the Vermont Department of Public Service. This MOU must be approved by the Vermont PSB.

The Applicants are concerned that the transaction may not be completed by January 28, 2010, as required by the current Orders. Moreover, beginning in early 2010, there are certain "blackout periods" imposed by Federal regulations in connection with efforts to finalize the audited 2009 annual financial results for Entergy Corporation. Once such blackout periods begin, limitations on access to the financial markets would likely delay completion of the transaction until the June or July 2010 time frame.

As stated in the licensee's submittal, the conditions under which the NRC issued the Orders approving the license transfers have not changed significantly. The technical qualifications of the new organization and other bases for approving the transfers remain intact and the various inter-company contractual arrangements and financial support described in the application and supplemental information submitted to support the NRC staff's review and issuance of its safety evaluation (SE), remain valid and fully support the staff's findings. In support of the claim that the financial qualifications have not significantly changed, ENO submitted revised proprietary financial projections for the plant licensees and Enexus for the 5 calendar years 2010–2014 along with responses to staff questions regarding decommissioning funding assurance. As such, the current conditions continue to support the staff's findings regarding the technical and financial qualifications of the affected licensees.

The NRC staff has considered the submittal of November 3, 2009, as supplemented by letter dated December 10, 2009, and has determined that good cause to extend the effectiveness of the Orders of July 28, 2008, has been shown in that the delay in completing the transaction was not caused by the licensee. The findings set forth above are supported by a SE dated January 22, 2010.

### IV

Accordingly, pursuant to Sections 161b, 161i, 161o, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2201(b), 2201(i), 2201(o), and 2234; and 10 CFR 50.80, *It is hereby ordered* that the effectiveness of the Orders of July 28, 2008, described herein are extended such that if the proposed corporate restructuring and establishment of Enexus Energy Corporation is not consummated by August 1, 2010, the Orders of July 28, 2008, and July 24, 2009, shall become null and void, unless upon application and for good cause shown, such date is further extended by Order.

*This Order is effective upon issuance.*

For further details with respect to this Order, see the submittal dated November 3, 2009 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093100496), as supplemented by letter dated December 10, 2009 (ADAMS Accession No. ML093630884), and the SE dated January 22, 2010 (ADAMS Accession No. ML093620895), which may be examined, and/or copied for a fee, at the NRC's Public Document

Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, MD, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site: <http://www.nrc.gov>.

Dated at Rockville, Maryland, this 22 day of January 2010.

For the Nuclear Regulatory Commission.

**Charles L. Miller,**

*Director, Office of Federal and State Materials and Environmental Management Programs.*

**Joseph G. Giitter,**

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

**Michael F. Weber,**

*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2010–2139 Filed 2–1–10; 8:45 am]

**BILLING CODE 7590–01–P**

## OFFICE OF PERSONNEL MANAGEMENT

### Submission for Review: Expiring Information Collection 3206–0165

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** 60-Day Notice and request for comments.

**SUMMARY:** The Federal Investigative Services Division (FISD), U.S. Office of Personnel Management (OPM) offers the general public and other Federal agencies the opportunity to comment on an expiring information collection request (ICR), Office of Management and Budget (OMB) Control No. 3206–0165, for the General Request for Investigative Information (INV 40), the Investigative Request for Employment Data and Supervisor Information (INV 41), the Investigative Request for Personal Information (INV 42), the Investigative Request for Educational Registrar and Dean of Students Record Data (INV 43), and the Investigative Request for Law Enforcement Data (INV 44).

As required by the Paperwork Reduction Act of 1995, (Pub. L. 104–13, 44 U.S.C. chapter 35) as amended by the Clinger-Cohen Act (Pub. L. 104–106), OPM is soliciting comments for this collection. The Office of Management and Budget (OMB) is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the

proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection 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.

**DATES:** Comments are encouraged and will be accepted until April 5, 2010. This process is conducted in accordance with 5 CFR 1320.1.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed information collection to the FISD, OPM, 1900 E Street, NW., Washington, DC 20415, Attention: Lisa Loss or sent via electronic mail to [FISDFormsComments@opm.gov](mailto:FISDFormsComments@opm.gov).

**FOR FURTHER INFORMATION CONTACT:** A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the FISD, OPM, 1900 E Street, NW., Washington, DC 20503, Attention: Lisa Loss or sent via electronic mail to [FISDFormsComments@opm.gov](mailto:FISDFormsComments@opm.gov).

**SUPPLEMENTARY INFORMATION:** Section 3(a) of Executive Order (E.O.) 10450, as amended, states that with specified exceptions, "the appointment of each civilian officer or employee in any department or agency of the Government shall be made subject to investigation," and that "in no event shall the investigation consist of less than a national agency check \* \* \* and written inquiries to appropriate local law enforcement agencies, former employers and supervisors, references, and schools attended by the persons under investigation." This minimum investigation for appointment in the civil service is called the National Agency Check with Inquiries (NACI).

The INV 40, 41, 42, 43, and 44 are used to conduct the "written inquiries" portion of the NACI. They are also used in any investigation requiring the same written inquiries, including suitability investigations under E.O. 10577, as amended and 5 CFR part 731, for employment in positions defined in 5 CFR 731.101(b); investigations for employment in a sensitive national security position under E.O. 10450, as amended and 5 CFR part 732; certain investigations for eligibility for access to classified information pursuant to standards promulgated under E.O.

12968, as amended; certain investigations for fitness for employment in the excepted service or as a contract employee, pursuant to investigative requirements prescribed by employing and contracting agencies; and investigations for identity credentials for long-term physical and logical access to Federally controlled facilities and information systems, pursuant to standards promulgated under the Federal Information Security Management Act. The INV forms 40 and 44, in particular, facilitate OPM's access to criminal history record information under 5 U.S.C. 9101.

The content of the INV forms is also designed to meet notice requirements for personnel investigations specified by 5 CFR 736.102(c). These notice requirements apply to any "investigation \* \* \* to determine the suitability, eligibility, or qualifications of individuals for Federal employment, for work on Federal contracts, or for access to classified information or restricted areas."

None of the forms is used for any purpose other than a personnel background investigation, as described above. The completed forms are maintained by OPM subject to the protections of the Privacy Act of 1974, as amended.

Procedurally, the subject of a personnel background investigation discloses the identity of relevant sources, such as supervisors, coworkers, neighbors, friends, current or former spouses, instructors, relatives, or schools attended, on the standard form (SF) 85, Questionnaire for Non-Sensitive Positions; the SF 85P, Questionnaire for Public Trust Positions; or the SF 86, Questionnaire for National Security Positions. After OPM receives a completed SF 85, SF 85P, or SF 86, the INV forms are distributed to the provided source contacts through an automated mailing operation.

The INV 40 is used to collect records from a Federal or State record repository or a credit bureau. The INV 44 is used to collect law enforcement data from a criminal justice agency. The INV 41, 42, and 43 are sent to employment references, associates, and schools attended. The forms disclose that the source's name was provided by the subject to assist in completing a background investigation to help determine the subject's suitability for employment or security clearance, and request that the source complete the form with information to help in this determination. Generally the subject of the investigation will identify these employment references, associates, and schools on his or her SF 85, SF 85P, or

SF 86 questionnaire. If information is omitted on the questionnaire, however, the information may be provided in a follow-up contact between the subject and an investigator. By their terms, the INV 41, 42, and 43 forms are not to be sent to employment references, associates, and schools that have not been identified by the subject of the investigation.

Approximately 279,000 INV 40 inquiries are sent to federal and non-federal agencies annually. The INV 40 takes approximately five minutes to complete. The estimated annual burden is 23,250 hours. Approximately 2,243,000 INV 41 inquiries are sent to previous and present employers and supervisors. The INV 41 takes approximately five minutes to complete. The estimated annual burden is 186,900 hours. Approximately 1,882,000 INV 42 inquiries are sent to individuals annually. The INV 42 takes approximately five minutes to complete. The estimated annual burden is 156,800 hours. Approximately 464,000 INV 43 inquiries are sent to educational institutions annually. The INV 43 takes approximately five minutes to complete. The estimated annual burden is 38,700 hours. Approximately 1,546,000 INV 44 inquiries are sent to law enforcement agencies annually. The INV 44 takes approximately five minutes to complete. The estimated annual burden is 128,800 hours. The total number of respondents for the INV 40, INV 41, INV 42, INV 43, and INV 44 is 6,135,200 and the total estimated burden is 511,200 hours.

U.S. Office of Personnel Management.

**John Berry,**  
Director.

[FR Doc. 2010-2193 Filed 2-1-10; 8:45 am]

**BILLING CODE 6325-53-P**

## SECURITIES AND EXCHANGE COMMISSION

[File No. 500-1]

**In the Matter of L. Luria & Son, Inc.,  
Lew Corp. (n/k/a Questus Global  
Limited), Library Bureau, Inc., Life  
Sciences, Inc., Lifesmart Nutrition  
Technologies, Inc., Lightning Rod  
Software, Inc., Lindatech, Inc.,  
Littlefield, Adams & Company, and  
Liuski International, Inc.; Order of  
Suspension of Trading**

January 29, 2010.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of L. Luria & Son, Inc. because it has not filed any