

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Proposed Information Collection Request Submitted for Public Comment and Recommendations; Ventilation Plans, Tests, and Examinations in Underground Coal Mines****ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506 (c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection related to the 30 CFR Sections 75.310, 312, 342, 351, 360, 361, 362, 363, 364, 370, 371, and 382.

**DATES:** Submit comments on or before March 15, 2010.

**ADDRESSES:** Send comments to John Rowlett, Management Services Division, 1100 Wilson Boulevard, Room 2141, Arlington, VA 22209-3939. Commenters are encouraged to send their comments via E-mail to [Rowlett.John@DOL.GOV](mailto:Rowlett.John@DOL.GOV). Mr. Rowlett can be reached at (202) 693-9827 (voice), or (202) 693-9801 (facsimile). Because of potential delays in receipt and processing of mail, respondents are strongly encouraged to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date.

**FOR FURTHER INFORMATION CONTACT:** Contact the employee listed in the **ADDRESSES** section of this notice.

**SUPPLEMENTARY INFORMATION:****I. Background**

An underground mine is a maze of tunnels that must be adequately ventilated with fresh air to provide a safe environment for miners. Methane is liberated from the strata, and noxious gases and dusts from blasting and other

mining activities may be present. The explosive and noxious gases and dusts must be diluted, rendered harmless, and carried to the surface by the ventilating currents. Sufficient air must be provided to maintain the level of respirable dust at or below 2 milligrams per cubic meter of air and air quality must be maintained in accordance with MSHA standards. Mechanical ventilation equipment of sufficient capacity must operate at all times while miners are in the mine. Ground conditions are subject to frequent changes, thus sufficient tests and examinations are necessary to ensure the integrity of the ventilation system and to detect any changes that may require adjustments in the system. Records of tests and examinations are necessary to ensure that the ventilation system is being maintained and that changes which could adversely affect the integrity of the system or the safety of the miners are not occurring. These examination requirements of §§ 75.310, 75.312, 75.342, 75.351, 75.360 through 75.364, 75.370, 75.371, and 75.382 also incorporate examinations of other critical aspects of the underground work environment such as roof conditions and electrical equipment which have historically caused numerous fatalities if not properly maintained and operated.

**II. Desired Focus of Comments**

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection that:

- 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;
- 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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 submissions of responses.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the "For Further Information Contact" section of this notice, or viewed on the Internet by accessing the MSHA home

page (<http://www.msha.gov/>) and selecting "Rules & Regs", and then selecting "FedReg. Docs". On the next screen, select "Paperwork Reduction Act Supporting Statement" to view documents supporting the **Federal Register** Notice.

**III. Current Actions**

Records of tests and examinations are necessary to ensure that the ventilation system is being maintained and that changes which could adversely affect the integrity of the system or the safety of the miners are not occurring.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Ventilation Plans, Tests, and Examinations in Underground Coal Mines.

*OMB Number:* 1219-0088.

*Frequency:* On Occasion.

*Affected Public:* Business or other for-profit.

*Respondents:* 457.

*Responses:* 1,022,636.

*Total Burden Hours:* 1,363,130.

*Total Burden Cost (operating/maintaining):* \$176,213.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated at Arlington, Virginia, this 6th day of January, 2010.

**John Rowlett,**

*Director of Management Services Division.*

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**BILLING CODE 4510-43-P**

**NUCLEAR REGULATORY COMMISSION****[NRC-2010-0001]****Biweekly Notice Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations****I. Background**

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant

hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from December 17, 2009, to December 30, 2009. The last biweekly notice was published on December 29, 2009 (74 FR 68867).

#### Notice of Issuance of Amendments to Facility Operating Licenses

During the period since publication of the last biweekly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application 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 Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for A Hearing in connection with these actions was published in the **Federal Register** as indicated.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has made a determination based on that assessment, it is so indicated.

For further details with respect to the action see (1) the applications for amendment, (2) the amendment, and (3) the Commission's related letter, Safety Evaluation and/or Environmental Assessment as indicated. All of these items are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area 01F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible 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>. If you do not have access to ADAMS or if there are problems in accessing the documents

located in ADAMS, contact the 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).

*Entergy Operations, Inc., Docket No. 50-313, Arkansas Nuclear One, Unit No. 1, Pope County, Arkansas*

*Date of amendment request:* August 5, 2009.

*Brief description of amendment:* Current Technical Specification (TS) 5.5.8, "Inservice Testing Program," contains references to the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code, Section XI as the source of requirements for the inservice testing (IST) of ASME Code Class 1, 2, and 3 pumps and valves. The amendment deleted the references to Section XI of the Code and incorporated references to the ASME Code for Operation and Maintenance of Nuclear Power Plants (ASME OM Code). The amendment utilized some nonstandard frequencies in the IST Program in which the provisions of Surveillance Requirement 3.0.2 are applicable. The changes are consistent with Technical Specification Task Force (TSTF) change travelers TSTF-479-A, "Changes to Reflect Revision to 10 CFR 50.55a," and TSTF-497-A, "Limit Inservice Testing Program SR 3.0.2 Application to Frequencies of 2 Years or Less."

*Date of issuance:* December 23, 2009.

*Effective date:* As of the date of issuance and shall be implemented within 90 days from the date of issuance.

*Amendment No.:* 240.

*Renewed Facility Operating License No. DPR-51:* Amendment revised the Technical Specifications/license.

*Date of initial notice in Federal Register:* October 6, 2009 (74 FR 51330).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 23, 2009.

*No significant hazards consideration comments received:* No.

*Entergy Operations, Inc., Docket No. 50-313, Arkansas Nuclear One, Unit No. 1, Pope County, Arkansas*

*Date of amendment request:* March 10, 2009.

*Brief description of amendment:* The amendment deleted the minimum pressurizer water level requirement in Technical Specification 3.4.9, "Pressurizer," and eliminated the verification of the minimum level requirement in Surveillance Requirement 3.4.9.1. This change is consistent with NUREG-1430, Revision

3, "Standard Technical Specifications, Babcock and Wilcox Plants."

*Date of issuance:* December 23, 2009.

*Effective date:* As of the date of issuance and shall be implemented within 90 days from the date of issuance.

*Amendment No.:* 241.

*Renewed Facility Operating License No. DPR-51:* Amendment revised the Technical Specifications/license.

*Date of initial notice in Federal Register:* April 21, 2009 (74 FR 18254).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated December 23, 2009.

*No significant hazards consideration comments received:* No.

Dated at Rockville, Maryland, this 30th day of December 2009.

For The Nuclear Regulatory Commission.

**Joseph G. Giitter,**

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

[FR Doc. 2010-226 Filed 1-11-10; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

[NRC-2009-0485]

#### Draft Safety Culture Policy Statement: Request for Public Comments; Extension of Comment Period

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

**ACTION:** Issuance of draft safety culture policy statement and notice of opportunity for public comment; Extension of comment period.

**SUMMARY:** On November 6, 2009, (74 FR 57525) (ML093030375), the Nuclear Regulatory Commission (NRC) published for public comment a draft policy statement on safety culture to include the unique aspects of nuclear safety and security, and to note the Commission's expectations that all NRC licensees and certificate holders establish and maintain a positive safety culture that protects public health and safety and the common defense and security when carrying out licensed activities. The comment period was scheduled to expire on February 4, 2010, which coincides with the final day of the first of three public workshops the NRC is conducting to solicit input relating to the development of the safety culture policy statement, including: (1) development of a common safety culture definition; and (2) development of high-level