

ATTACHMENT 1—GENERAL TARGET SCHEDULE FOR PROCESSING AND RESOLVING REQUESTS FOR ACCESS TO SENSITIVE UNCLASSIFIED NON-SAFEGUARDS INFORMATION IN THIS PROCEEDING—Continued

Day	Event/Activity
20	Nuclear Regulatory Commission (NRC) staff informs the requestor of the staff's determination whether the request for access provides a reasonable basis to believe standing can be established and shows need for SUNSI. (NRC staff also informs any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information.) If NRC staff makes the finding of need for SUNSI and likelihood of standing, NRC staff begins document processing (preparation of redactions or review of redacted documents).
25	If NRC staff finds no "need" or no likelihood of standing, the deadline for requestor/petitioner to file a motion seeking a ruling to reverse the NRC staff's denial of access; NRC staff files copy of access determination with the presiding officer (or Chief Administrative Judge or other designated officer, as appropriate). If NRC staff finds "need" for SUNSI, the deadline for any party to the proceeding whose interest independent of the proceeding would be harmed by the release of the information to file a motion seeking a ruling to reverse the NRC staff's grant of access.
30	Deadline for NRC staff reply to motions to reverse NRC staff determination(s).
40	(Receipt + 30) If NRC staff finds standing and need for SUNSI, deadline for NRC staff to complete information processing and file motion for Protective Order and draft Non-Disclosure Affidavit. Deadline for applicant/licensee to file Non-Disclosure Agreement for SUNSI.
A	If access granted: Issuance of presiding officer or other designated officer decision on motion for protective order for access to sensitive information (including schedule for providing access and submission of contentions) or decision reversing a final adverse determination by the NRC staff.
A + 3	Deadline for filing executed Non-Disclosure Affidavits. Access provided to SUNSI consistent with decision issuing the protective order.
A + 28	Deadline for submission of contentions whose development depends upon access to SUNSI. However, if more than 25 days remain between the petitioner's receipt of (or access to) the information and the deadline for filing all other contentions (as established in the notice of hearing or opportunity for hearing), the petitioner may file its SUNSI contentions by that later deadline.
A + 53	(Contention receipt + 25) Answers to contentions whose development depends upon access to SUNSI.
A + 60	(Answer receipt + 7) Petitioner/Intervenor reply to answers.
>A + 60	Decision on contention admission.

[FR Doc. 2010-13617 Filed 6-7-10; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-338 and 50-339; Docket Nos. 50-280 and 50-281; NRC-2010-0116]

Virginia Electric and Power Company; North Anna Power Station, Unit Nos. 1 and 2; Surry Power Station, Unit Nos. 1 and 2; Exemption

1.0 Background

Virginia Electric and Power Company (the licensee) is the holder of Facility Operating License Nos. NPF-4, NPF-7, DPR-32, and DPR-37, which authorize operation of the North Anna Power Station, Unit Nos. 1 and 2 (NAPS) and Surry Power Station, Unit Nos. 1 and 2 (SPS) located in Lake Anna, Virginia, and Surry, Virginia, respectively. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facilities consist of two pressurized-water reactors each located in Lake Anna, Virginia, and Surry, Virginia, respectively.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR), Part 20, "Standards for Protection Against Radiation" Subpart H, "Respiratory

Protection and Controls to Restrict Internal Exposure in Restricted Areas," establishes the requirements for implementing a respiratory protection program. These programmatic requirements ensure that worker doses from airborne radioactive materials are maintained as low as reasonably achievable.

In summary, by letter dated November 24, 2009, as supplemented by letter dated February 11, 2010, the licensee requested an exemption from 10 CFR 20.1703(a), 10 CFR 20.1703(g)(1), and certain requirements of 10 CFR part 20, Appendix A, Footnote "a," to use the Mine Safety Appliances, Inc. (MSA), model Firehawk 7 Air Mask self-contained breathing apparatus (SCBA) with a gas mixture of 35% oxygen and 65% nitrogen at SPS and NAPS. The licensee's letter dated November 24, 2009, contains proprietary information and accordingly is not available to the public. In addition, the licensee requested NRC authorization under 10 CFR 20.1703(b) to use these SCBAs in a configuration not certified by the National Institute for Occupational Safety and Health (NIOSH). The regulations in 10 CFR 20.1703(b) allow a licensee to seek authorization to use respiratory equipment that has not been tested and certified by NIOSH. When seeking authorization to use equipment not certified by NIOSH, the licensee is required to demonstrate by testing that a respirator is capable of safely

providing the necessary level of protection under the anticipated conditions of use. An exemption from 20.1703(a) and an exemption from the protection factors listed in 10 CFR part 20, appendix A is not necessary when the NRC grants authorization under 20.1703(b) for use of the respiratory equipment.

3.0 Discussion

Pursuant to 10 CFR 20.2301, the Commission may, upon application by a licensee or upon its own initiative, grant an exemption from the requirements of 10 CFR part 20, as it deems appropriate or necessary to protect health or to minimize danger to life or property.

Authorized by Law

This exemption would allow the use of MSA model Firehawk M7 Air Mask SCBA with a gas mixture of 35% oxygen and 65% nitrogen. Section 20.1703(b) permits a licensee to request NRC approval to use equipment which has not been tested or certified by NIOSH. The application must supply evidence that equipment is capable of providing the proposed degree of protection under the anticipated conditions of use. Dominion has demonstrated, by documented third-party testing conducted by the National Aeronautics and Space Administration and Interek, that the equipment will continue to provide the proposed degree of protection under the anticipated conditions of use. Dominion also has

over 30 years of trouble-free operating experience with 35/65 charged SGBA (MSA Model 401/Ultraite/Custom 4500 model line).

As stated above, 10 CFR 20.2301, allows the NRC to grant exemptions from the requirements of 10 CFR part 20. The NRC staff has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

No Undue Hazard to Life or Property

The underlying purposes of 10 CFR 20.1703(g)(1) is to ensure that "Atmosphere-supplying respirators must be supplied with respirable air of Grade D quality or better as defined by the Compressed Gas Association" and that Grade D air criteria include oxygen content (v/v) of 19.5–23.5%. Section 20.1703(b) permits a licensee to request NRC approval to use equipment which has not been tested or certified by NIOSH. The application must supply evidence that the equipment is capable of providing the proposed degree of protection under the anticipated conditions of use. The licensee has demonstrated by documented third-party testing conducted by NASA and Intertek that the equipment will provide the proposed degree of protection under the anticipated conditions of use.

Based on the above, no new accident precursors are created by the use of MSA model Firehawk 7 Air Mask SCBA with a gas mixture of 35% oxygen and 65% nitrogen at SPS and NAPS, thus, the probability of postulated accidents is not increased. Also, based on the above, the consequences of postulated accidents are not increased. Therefore, there is no undue hazard to life or property.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 20.2301, the exemption is authorized by law and there is no undue hazard to life or property. Therefore, the Commission hereby grants Virginia Electric and Power Company an exemption from the 10 CFR 20.1703(g)(1), and certain requirements of 10 CFR part 20, appendix A, Footnote "a", to use the MSA model Firehawk 7 Air Mask SCBA with a gas mixture of 35% oxygen and 65% nitrogen at SPS and NAPS.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (Environmental Assessment published in the **Federal**

Register on March 22, 2010, 75 FR13600).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 28th day of May 2010.

For the Nuclear Regulatory Commission.

Robert A. Nelson,

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

[FR Doc. 2010-13676 Filed 6-7-10; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2010-0002]

Sunshine Act; Notice of Meeting

DATE: Weeks of June 7, 14, 21, 28, July 5, 12, 2010.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and closed.

Week of June 7, 2010

Wednesday, June 9, 2010

1:25 p.m.

Affirmation Session (Public Meeting) (Tentative).

a. Review of Final Rule Package, Export and Import of Nuclear Equipment and Material; Updates and Clarifications (10 CFR part 110, RIN 3150-AI16) (Tentative).

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.
1:30 p.m.

Meeting with the Advisory Committee on Reactor Safeguards (Public Meeting). (Contact: Cayetano Santos, 301-415-7270).

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of June 14, 2010—Tentative

Thursday, June 17, 2010

9 a.m.

Briefing on Blending (Public Meeting). (Contact: George Deegan, 301-415-7834).

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of June 21, 2010—Tentative

Friday, June 25, 2010

9 a.m.

Briefing on Office of Nuclear Material Safety and Safeguards (NMSS)—Programs, Performance and Future Plans and Integrated Strategy on Spent Fuel Management (Public Meeting). (Contact: Hipolito

Gonzalez, 301-492-3141).

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of June 28, 2010—Tentative

There are no meetings scheduled for the week of June 28, 2010.

Week of July 5, 2010

There are no meetings scheduled for the week of July 5, 2010.

Week of July 12, 2010

There are no meetings scheduled for the week of July 12, 2010.

* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify Angela Bolduc, Chief, Employee/Labor Relations and Work Life Branch, at 301-492-2230, TDD: 301-415-2100, or by e-mail at angela.bolduc@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to darlene.wright@nrc.gov.

Dated: June 3, 2010.

Rochelle C. Baval,

Policy Coordinator, Office of the Secretary.

[FR Doc. 2010-13876 Filed 6-4-10; 4:15 pm]

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PENSION BENEFIT GUARANTY CORPORATION

Proposed Submission of Information Collections for OMB Review; Comment Request; Payment of Premiums; Termination Premium

AGENCY: Pension Benefit Guaranty Corporation.