

requirements of 10 CFR 73.55, as issued on March 27, 2009.

#### 4.0 Conclusion for Part 73 Schedule Exemption Request

The staff has reviewed the licensee's submittals and concludes that the licensee has justified its request for an extension of the compliance date with regard to one specified requirement of 10 CFR 73.55 until May 28, 2010.

Accordingly, the Commission has determined that pursuant to 10 CFR 73.5, "Specific exemptions," an exemption from the March 31, 2010, compliance date is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the requested exemption.

The long-term benefits that will be realized when the PBNP security modifications are complete justifies exceeding the full compliance date in the case of this particular licensee. The security measure for which PBNP needs additional time to implement is a new requirement imposed by March 27, 2009, amendments to 10 CFR 73.55, and is in addition to those required by the security orders issued in response to the events of September 11, 2001. Therefore, the NRC concludes that the licensee's actions are in the best interest of protecting the public health and safety through the security changes that will result from granting this exemption.

As per the licensee's request and the NRC's regulatory authority to grant an exemption from the March 31, 2010, deadline for the one item specified in Enclosure 1 of PBNP letter dated March 11, 2010, the licensee is required to be in full compliance with 10 CFR 73.55 by May 28, 2010. In achieving compliance, the licensee is reminded that it is responsible for determining the appropriate licensing mechanism (*i.e.*, 10 CFR 50.54(p) or 10 CFR 50.90) for incorporation of all necessary changes to its security plans.

Pursuant to 10 CFR 51.32, "Finding of no significant impact," the Commission has previously determined that the granting of this exemption will not have a significant effect on the quality of the human environment [75 FR 14206; March 24, 2010].

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 24th day of March 2010.

For the Nuclear Regulatory Commission.

**Joseph G. Giitter,**

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

[FR Doc. 2010-7189 Filed 3-30-10; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

[DC/COL-ISG-017; NRC-2009-0380]

#### Office of New Reactors; Interim Staff Guidance on Ensuring Hazard-Consistent Seismic Input for Site Response and Soil Structure Interaction Analyses

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

**ACTION:** Notice of availability.

**SUMMARY:** The NRC staff is issuing its Final Interim Staff Guidance (ISG) DC/COL-ISG-017 titled "Ensuring Hazard-Consistent Seismic Input for Site Response and Soil Structure Interaction Analyses," (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100570203). This ISG supplements the guidance provided to the NRC staff in Sections 2.5 and 3.7 of NUREG-0800, "Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants," March 2007, and DC/COL-ISG-01, "Interim Staff Guidance on Seismic Issues Associated with High Frequency Ground Motion in Design Certification and Combined License Applications," issued May 19, 2008 (ADAMS Accession No. ML081400293). The NRC staff issues DC/COL-ISGs to facilitate timely implementation of current staff guidance and to facilitate activities associated with review of applications for design certifications and combined licenses by the Office of New Reactors. The NRC staff intends to incorporate the final approved DC/COL-ISG-017 into the next revision of SRP Sections 2.5 and 3.7 and Regulatory Guide 1.206, "Combined License Applications for Nuclear Power Plants (LWR Edition)," June 2007.

**Disposition:** On August 31, 2009, the NRC staff issued the proposed ISG, DC/COL-ISG-017, "Ensuring Hazard-Consistent Seismic Input for Site Response and Soil Structure Interaction Analyses," (ADAMS Accession No. ML092230455) to solicit public and industry comment. The NRC staff received comments on the proposed guidance. This final issuance incorporates changes from the comments. The NRC staff responses to

these comments can be found in ADAMS Accession No. ML100570289.

**ADDRESSES:** The NRC maintains ADAMS, which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <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 Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Dr. Kimberly A. Hawkins, Chief, Structural Engineering Branch 2, Division of Engineering, Office of the New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; *telephone:* 301-415-0564 or *e-mail:* [Kimberly.Hawkins@nrc.gov](mailto:Kimberly.Hawkins@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The agency posts its issued staff guidance in the agency external web page (<http://www.nrc.gov/reading-rm/doc-collections/isg/>).

Dated at Rockville, Maryland, this 24th day of March 2010.

For the Nuclear Regulatory Commission.

**William F. Burton,**

*Chief, Rulemaking and Guidance Development Branch, Division of New Reactor Licensing, Office of New Reactor.*

[FR Doc. 2010-7202 Filed 3-30-10; 8:45 am]

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### NUCLEAR REGULATORY COMMISSION

[NRC-2008-0644]

#### Notice of Issuance of Regulatory Guide

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide (RG) 1.126, Revision 2, "An Acceptable Model and Related Statistical Methods for the Analysis of Fuel Densification."

**FOR FURTHER INFORMATION CONTACT:** John C. Voglewede, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 251-7555 or e-mail [John.Voglewede@nrc.gov](mailto:John.Voglewede@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is issuing a revision to an existing guide in the agency's "Regulatory Guide" series. This series was developed to describe and make

available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency'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.

Revision 2 of RG 1.126 was issued with a temporary identification as Draft Regulatory Guide, DG-1189. This guide describes an analytical model and related assumptions and procedures that the staff of the NRC considers acceptable for predicting the effects of fuel densification in light-water-cooled nuclear power reactors. To meet these objectives, the guide describes statistical methods related to product sampling that will ensure that this and other approved analytical models will adequately describe the effects of densification for each initial core and reload fuel quantity produced.

## II. Further Information

In December 2008, DG-1189 was published with a public comment period of 60 days from the issuance of the guide. No formal comments were received and the public comment period closed on February 9, 2009. Electronic copies of RG 1.126 are available through the NRC's public Web site under "Regulatory Guides" at <http://www.nrc.gov/reading-rm/doc-collections/>.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR) located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

Dated at Rockville, Maryland, this 22nd day of March 2010.

For the Nuclear Regulatory Commission.

**Andrea D. Valentin,**

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

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on EPR; Notice of Meeting

The ACRS Subcommittee on the U.S. Evolutionary Power Reactor (EPR) will hold a meeting on April 20-21, 2010, at 11545 Rockville Pike, T2-B1, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed to protect information that is proprietary to AREVA NP, pursuant to 5 U.S.C. 552b(c)(4).

The proposed agenda for the subject meeting shall be as follows:

#### Tuesday, April 20, 2010, 8:30 a.m.-5 p.m.

The Subcommittee will review Chapters 4, 5 and 17 of the Safety Evaluation Report with Open Items associated with the staff's review of the Calvert Cliff's Unit 3 Combined License Application (COLA).

#### Wednesday, April 21, 2010, 8:30 a.m.-5 p.m.

The Subcommittee will review Chapter 12 of the Safety Evaluation Report with Open Items associated with the staff's review of the Calvert Cliff's Unit 3 COLA, and complete review of Chapter 19 of the Safety Evaluation Report with Open Items associated with the staff's review of the U.S. EPR Design Certification application.

The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Mr. Derek Widmayer (Telephone 301-415-7366, E-mail: [Derek.Widmayer@nrc.gov](mailto:Derek.Widmayer@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the DFO one day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted. Detailed procedures for the conduct of and

participation in ACRS meetings were published in the **Federal Register** on October 14, 2009 (74 FR 58268-58269).

Detailed meeting agendas and meeting transcripts are available on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the Web site cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in major inconvenience.

Dated: March 25, 2010.

**Antonio F. Dias,**

*Branch Chief, Reactor Safety Branch B,  
Advisory Committee on Reactor Safeguards.*

[FR Doc. 2010-7224 Filed 3-30-10; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Power Upgrades; Notice of Meeting

The ACRS Subcommittee on Power Upgrades will hold a meeting on April 23, 2010, at 11545 Rockville Pike, Rockville, Maryland, Room T2 B3.

The meeting will be open to public attendance, with the exception of a portion that may be closed to protect fuel design information that is proprietary to General Electric Hitachi (GEH) and Global Nuclear Fuels (GNF), pursuant to 5 U.S.C. 552b(c)(4).

The agenda for the subject meeting shall be as follows:

#### Friday, April 23, 2010, 8:30 a.m.-5 p.m.

The Subcommittee will review Supplement 3 to Topical Report NEDC-33173P-A, "Applicability of GE Methods to Expanded Domains." This supplement extends the GEH/GNF computational methods to include GNF-2 fuel design.

The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated