

## I. Introduction

The U.S. Nuclear Regulatory Commission (NRC or Commission) 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.

Regulatory Guide 1.213 was issued with a temporary identification as Draft Regulatory Guide, DG-1149. This regulatory guide describes a method that the staff of the NRC deems acceptable for complying with the Commission's regulations for qualification of safety-related motor control centers for nuclear power plants.

The Commission's regulations in Title 10, Part 50, "Domestic Licensing of Production and Utilization Facilities," of the *Code of Federal Regulations* (10 CFR part 50), require that structures, systems, and components in a nuclear power plant that are important to safety be designed to accommodate the effects of environmental conditions (i.e., they must remain functional under postulated design-basis events (DBEs)). Toward that end, General Design Criteria 1, 2, 4, and 23 of Appendix A, "General Design Criteria for Nuclear Power Plants," to 10 CFR Part 50 contain the general requirements. Augmenting those general requirements are the specific requirements pertaining to qualification of certain electrical equipment important to safety that appear in 10 CFR 50.49, "Environmental Qualification of Electric Equipment Important to Safety for Nuclear Power Plants." In addition, Criterion III, "Design Control," of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR part 50, requires that test programs, when used to verify the adequacy of a specific design feature, should include suitable qualification testing of a prototype unit under the most severe DBE.

## II. Further Information

In July 2008, DG-1149 was published with a public comment period of 60

days from the issuance of the guide. The public comment period closed on September 19, 2008. The staff's responses to the public comments are located in the NRC's Agencywide Documents Access and Management System (ADAMS), Accession Number ML083010458.

Electronic copies of Regulatory Guide 1.213 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), which is 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 8th day of May, 2009.

For the Nuclear Regulatory Commission.

**Richard A. Jervey,**

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

[FR Doc. E9-11389 Filed 5-14-09; 8:45 am]

**BILLING CODE 7590-01-P**

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review, Request for Comments

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding two (2) Information Collection Requests (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request extensions without change of currently approved collections of information. Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collections of information to

determine (1) The practical utility of the collections; (2) the accuracy of the estimated burden of the collections; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date

### 1. Application for Survivor Death Benefits; OMB 3220-0031

Under Section 6 of the Railroad Retirement Act (RRA), lump-sum death benefits are payable to surviving widow and widowers, children and certain other dependents. Lump-sum death benefits are payable after the death of a railroad employee *only* if there are no qualified survivors of the employee immediately eligible for annuities. With the exception of the residual death benefit, eligibility for survivor benefits depends on whether the employee was "insured" under the RRA at the time of death. If a deceased employee was not so insured, jurisdiction of any survivor benefits payable is transferred to the Social Security Administration and survivor benefits are paid by that agency instead of the RRB. The collection obtains the information required by the RRB to determine entitlement to and amount of the survivor death benefits applied for.

The RRB currently utilizes Form(s) AA-11a (*Designation for Change of Beneficiary for Residual Lump-Sum*), AA-21cert, (*Application Summary and Certification*), AA-21 (*Application for Lump-Sum Death Payment and Annuities Unpaid at Death*), G-131 (*Authorization of Payment and Release of All Claims to a Death Benefit or Accrued Annuity Payment*), and G-273a (*Funeral Director's Statement of Burial Charges*), to obtain the necessary information. One response is requested of each respondent. Completion is required to obtain benefits.

The estimated annual respondent burden is as follows:

### ESTIMATE OF ANNUAL RESPONDENT BURDEN

Form No.(s)	Annual responses	Time (min)	Burden (hrs)
AA-11a .....	200	10	33
AA-21cert (with assistance) .....	5,400	20	1,800

## ESTIMATE OF ANNUAL RESPONDENT BURDEN—Continued

Form No.(s)	Annual responses	Time (min)	Burden (hrs)
AA-21 manual (without assistance) .....	300	40	200
G-131 .....	600	5	50
G-273a .....	5,000	10	833
Total .....	11,500	.....	2,916

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74 FR 7274 & 7275 on February 13, 2009) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

#### Information Collection Request (ICR)

*Title:* Application for Survivor Death Benefits.

*OMB Control Number:* OMB 3220-0031.

*Form(s) submitted:* AA-11a, AA-21cert, AA-21, G-131, G-273a.

*Expiration date of current OMB clearance:* 5/31/2009.

*Type of request:* Extension without change of a currently approved collection.

*Affected public:* Individuals or households.

*Abstract:* The collection obtains the information needed to pay death benefits and annuities due but unpaid at death under the Railroad Retirement Act. Benefits are paid to designated beneficiaries or to survivors in a priority designated by law.

*Changes proposed:* The RRB proposes no changes to the forms in the collection.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* 11,500.

*Total annual responses:* 11,500.

*Total annual reporting hours:* 2,916.

#### 2. Pension Plan Reports; OMB 3220-0089

Under Section 2(b) of the Railroad Retirement Act (RRA), the Railroad Retirement Board (RRB) pays supplemental annuities to qualified RRB employee annuitants. A supplemental annuity, which is computed according to Section 3(e) of the RRA, can be paid at age 60 if the employee has at least 30 years of creditable railroad service or at age 65 if the employee has 25-29 years of railroad service. In addition to 25 years of service, a "current connection" with the railroad industry is required. Eligibility is further limited to employees who had at least one month of rail service before October 1981 and were awarded regular annuities after June 1966. Further, if an employee's 65th birthday was prior to September 2, 1981, he or she must not have worked in rail service after certain closing dates (generally the last day of the month following the month in which age 65 is attained).

Under Section 2(h)(2) of the RRA, the amount of the supplemental annuity is reduced if the employees receive monthly pension payments, or lump-sum pension payments, from their former railroad employer, which are based in whole or in part on contributions from that railroad employer. The employees' own contributions to their pension accounts do not cause a reduction. An employer private pension is described in 20 CFR 216.40-216.42.

The RRB requires the following information from railroad employers to calculate supplemental annuities: (a) The current status of railroad employer pension plans and whether such employer pension plans cause reductions to the RRB supplemental annuity; (b) the amount of the employer private pension being paid to the employee; (c) whether or not the employer made contributions to the pension; (d) whether or not the employee was cashed out before attaining retirement age under the employer pension plan or received the pension in a lump-sum payment in lieu of monthly pension payments; and (e) whether the employer pension plan continues when the employer status under the RRA changes. The requirement that railroad employers furnish pension information to the RRB is contained in 20 CFR 209.2.

The RRB currently utilizes Form(s) G-88p (Employer's Supplemental Pension Report), G-88r (Request for Information About New or Revised Pension Plan), and G-88r.1 (Request for Additional Information about Employer Pension Plan in Case of Change of Employer Status or Termination of Pension Plan), to obtain the necessary information from railroad employers. Multiple responses may be received from a respondent employer. Completion is mandatory.

The estimated annual respondent burden is as follows:

## ESTIMATE OF ANNUAL RESPONDENT BURDEN

Form No.(s)	Annual responses	Time (min)	Burden (hrs)
G-88p .....	750	8	100
G-88r .....	10	10	2
G-88r.1 .....	5	7	1
Total .....	765	.....	103

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (74 FR 10971 & 10972 on March 13, 2009) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

*Information Collection Request (ICR)*

*Title:* Pension Plan Reports.

*OMB Control Number:* OMB 3220-0089.

*Form(s) submitted:* G-88p, G-88r and G88r.1.

*Expiration date of current OMB clearance:* 5/31/2009.

*Type of request:* Extension with change of a currently approved collection.

*Affected public:* Business or other for profit.

*Abstract:* The Railroad Retirement Act provides for payment of a supplemental annuity to a qualified railroad retirement annuitant. The collection obtains information from the annuitant's employer to determine (a) the existence of a railroad employer pension plans and whether such plans, if they exist, require a reduction to supplemental annuities paid to the employer's former employees and (b) the amount of supplemental annuities due railroad employees.

*Changes Proposed:* The RRB proposes no changes to the forms in the collection.

*The total burden estimate for the ICR is as follows:*

*Estimated annual number of respondents:* 500.

*Total annual responses:* 765.

*Total annual reporting hours:* 103.

*Additional Information or Comments:* Copies of the form and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer at (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 or [Ronald.Hodapp@rrb.gov](mailto:Ronald.Hodapp@rrb.gov) and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Charles Mierzwa,**  
Clearance Officer.

[FR Doc. E9-11404 Filed 5-14-09; 8:45 am]

BILLING CODE 7905-01-P

## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration #11740 and #11741]

### Alabama Disaster #AL-00022

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for Public Assistance Only for the State of Alabama (FEMA-1836-DR), dated 05/08/2009.

*Incident:* Severe Storms, Flooding, Tornadoes, and Straight-line Winds.

*Incident Period:* 04/10/2009 through 04/13/2009.

*Effective Date:* 05/08/2009.

*Physical Loan Application Deadline Date:* 07/07/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 02/08/2010.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the President's major disaster declaration on 05/08/2009, Private Non-Profit organizations that provide essential services of governmental nature may file disaster loan applications at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties: Cullman, Dekalb, Jackson, Jefferson, Marshall.

The Interest Rates are:

	Percent
Other (Including Non-Profit Organizations) With Credit Available Elsewhere .....	4.500.
Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....	4.000.

The number assigned to this disaster for physical damage is 11740B and for economic injury is 11741B.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

Acting Associate Administrator for Disaster Assistance.

[FR Doc. E9-11391 Filed 5-14-09; 8:45 am]

BILLING CODE 8025-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

*Extension:* Rule 489 and Form F-N; SEC File No. 270-361; OMB Control No. 3235-0411.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below:

Rule 489 (17 CFR 230.489) under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) requires foreign banks and foreign insurance companies and holding companies and finance subsidiaries of foreign banks and foreign insurance companies that are exempted from the definition of "investment company" by virtue of Rules 3a-1 (17 CFR 270.3a-1), 3a-5 (17 CFR 270.3a-5), and 3a-6 (17 CFR 270.3a-6) under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) to file Form F-N (17 CFR 239.43), under the Securities Act of 1933 to appoint an agent for service of process when making a public offering of securities in the United States. Approximately 19 entities are required by Rule 489 to file Form F-N, which is estimated to require an average of one hour to complete. The estimated annual burden of complying with the rule's filing requirement is approximately 24 hours, as some of the entities submitted multiple filings.

The estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and are not derived from a comprehensive or even representative survey or study of the cost of Commission rules and forms.

The collection of information under Form F-N is mandatory. The information provided by the Form is not kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Management and Budget, Room 10102, New Executive