

establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

1. *Applicant*—Permit Application No. 2010-001; Ross Virginia, 6182 Steele Hall, Dartmouth College, Hanover, NH 03755.

#### *Activity for Which Permit Is Requested*

Enter Antarctic Specially Protected Areas, Take, and Import into the USA. The applicant plans to enter Cape Bird, Ross Island, Cape Crozier (ASPA 124) and Cape Royds (ASPA 121) to collect soil and moss samples and point-measurements of CO<sub>2</sub> flux using a LICOR gas analyzer. The applicant will sample these ornithogenic soils and associated microbial and plant life (moss and algae) to address the variable stoichiometric ratios of the rookeries that provide a contrast to the soils of the McMurdo Dry Valleys, whose native N and P contents are much lower and are largely determined by landscape history (N deposition, P weathering) and glacial till provenance. The variation in native soil N and P content may influence the ability of soil communities to respond to changes in nutrient availability associated with environmental change.

#### *Location*

Cape Bird, Ross Island, Cape Crozier (ASPA 124) and Cape Royds (ASPA 121).

#### *Dates*

December 10, 2009 to February 2, 2010.

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

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## NUCLEAR REGULATORY COMMISSION

[NRC-2008-0500]

### Proposed Revisions to the License Renewal Interim Staff Guidance Process and Regulatory Issue Summary 2007-16; Granting of Request To Extend the Comment Period

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

**ACTION:** Granting of request to extend the comment period.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Homiack, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-1683; or e-mail to [Matthew.Homiack@nrc.gov](mailto:Matthew.Homiack@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Introduction**

The NRC published in the **Federal Register**, 74 FR 13272, on March 26, 2009, a request for public comment on proposed revisions to the License Renewal Interim Staff Guidance (LR-ISG) Process and NRC Regulatory Issue Summary (RIS) 2007-16, "Implementation of the Requirements of 10 CFR 54.37(b) for Holders of Renewed Licenses." The proposed LR-ISG process revision incorporates changes to the existing process dated December 12, 2003, and basic framework for developing and implementing LR-ISGs. The proposed RIS revision clarifies the role of the LR-ISG process for including "newly identified" systems, structures, and components in accordance with Section 54.37(b) of Title 10, Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," of the Code of Federal Regulations (10 CFR 54.37(b)). After the NRC staff considers any public comments, it will make a final determination regarding the proposed revisions to the LR-ISG process and RIS 2007-16.

#### **II. Further Information**

The NRC staff requested receipt of comments on the proposed LR-ISG process and RIS revisions by April 27, 2009. By this action, the NRC staff is extending the comment period until May 27, 2009. Comments received after May 27, 2009, will be considered, if it is practical to do so, but the NRC staff is able to ensure consideration only for comments received on or before this date.

#### **III. Request To Extend the Comment Period**

##### *Basis for the Request*

By letter dated April 6, 2009, the Nuclear Energy Institute (NEI) requested the following extension:

"On March 26, 2009, a **Federal Register** Notice was issued to request public comments on draft Revisions to the License Renewal Interim Staff Guidance Process (LR-ISG) and Regulatory Issue Summary (RIS) 2007-16. The **Federal Register** notice requested comments on these documents by April 27, 2009. We believe the industry will have substantive comments on these

documents and feel that it would be beneficial to discuss the draft LR-ISG and the RIS in our next quarterly license renewal meeting (scheduled for April 28, 2009) before submitting our comments. Therefore, we respectfully request an extension of the April 27 date until May 29 to allow discussion with the Staff and time to collect industry comments after that discussion."

##### *Response to Request*

The request for an extension to the comment period is approved for 30 days.

The NRC staff understands that industry stakeholders may have substantive comments on the proposed document revisions. The NRC staff agrees that discussions at a public meeting could be beneficial so that NEI and other stakeholders can better prepare and submit their comments. The NRC staff believes that these comments could be helpful in finalizing the revised LR-ISG process and RIS 2007-16. Therefore, the staff is approving a 30-day extension to the original public comment period, with the public comment period to end on May 27, 2009. The staff plans to discuss the two documents with the NEI at a public meeting on April 29, 2009, from 1 p.m. to 3 p.m., at NRC's headquarters in Rockville, MD. The public will be provided the opportunity to participate in this meeting prior to its closing. Interested members of the public may participate by teleconference. Additional details are available in the meeting notice available on the NRC's public Web site at <http://adamswebsearch.nrc.gov/idmws/ViewDocByAccession.asp?AccessionNumber=ML090830226>.

Members of the public are invited and encouraged to submit comments electronically to <http://www.regulations.gov>. Search on Docket ID: NRC-2008-0500 and follow the instructions for submitting comments. Comments may also be sent by mail to Michael Lesar, Chief, Rulemaking and Directives Branch, Mail Stop TWB-05-B01M, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Requests for technical information may be directed to the NRC contact, Mr. Matthew Homiack, Division of License Renewal, Office of Nuclear Reactor Regulation, at (301) 415-1683, or e-mail to [Matthew.Homiack@nrc.gov](mailto:Matthew.Homiack@nrc.gov).

You can access publicly available documents related to the March 26, 2009, notice using the following methods:

*Regulations.gov:* Documents related to this notice, including public comments,

are accessible at <http://www.regulations.gov>, by searching on Docket ID: NRC-2008-0500.

**NRC's Electronic Reading Room:** Electronic copies of the proposed revisions to the LR-ISG process and RIS 2007-16 are available through the NRC's Electronic Reading Room on the NRC's public Web site. The proposed LR-ISG process revision can be found under tracking number LR-ISG-2007-01 under the "License Renewal" heading at <http://www.nrc.gov/reading-rm/doc-collections/isg>. The proposed revision to RIS 2007-16 can be found under the "Documents for Comment" heading at <http://www.nrc.gov/reading-rm/doc-collections/gen-comm>.

**NRC's Public Document Room (PDR):** The public may examine and have copied for a fee, publicly available documents at the NRC's PDR, Public File Area O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

**NRC's Agencywide Documents Access and Management System (ADAMS):** Publicly available documents created or received at the NRC after November 1, 1999, are available electronically at the NRC's Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. The proposed revisions to the LR-ISG process and RIS are available under ADAMS Accession Nos. ML082180346 and ML083500028, respectively. If you do not have access to the Internet or if there are any problems in accessing the documents located in ADAMS, contact the NRC Public Document Room reference staff at 1-800-397-4209, 301-415-4737, or by e-mail at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

Dated at Rockville, Maryland, this 21st day of April 2009.

For the Nuclear Regulatory Commission.

**Brian E. Holian,**

*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

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## PENSION BENEFIT GUARANTY CORPORATION

**Pendency of Request for Determination of Substantial Damage With Respect to the Cessation of the Obligation To Contribute by USF Red Star, Inc., to the Freight Drivers and Helpers Local Union No. 557 Pension Fund**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of Pendency.

**SUMMARY:** This notice advises interested persons that the Pension Benefit Guaranty Corporation ("PBGC") has received a request from the Freight Drivers and Helpers Local Union No. 557 Pension Fund for a determination of substantial damage under section 4203(d)(4) of the Employee Retirement Income Security Act, *as amended* ("ERISA"), with respect to the cessation of covered operations under the plan by USF Red Star, Inc. Section 4203(d) provides a special withdrawal rule for cessations of the obligation to contribute or the cessation of operations involving plans and employers in the trucking industry. Under that special rule, an employer ceasing covered operations is considered not to have withdrawn from the plan if certain conditions are met. One of these conditions is the employer must furnish a bond or deposit money in escrow with a bank or financial institution satisfactory to the plan. After the bond/escrow requirement has been satisfied, the PBGC may make a determination under section 4203(d)(4) that the cessation has caused substantial damage to the plan's contribution base, in which case the employer will be treated as having withdrawn from the plan and the bond/escrow will be paid to the plan. In making a determination, PBGC will consider the cessation of the obligation to contribute or cessation of covered operations by other employers. Thus, a determination in any one case may affect other cases involving the same plan. The purpose of this notice is to advise interested persons of this request for such a determination and to solicit their views on it.

**DATES:** Comments must be submitted on or before May 15, 2009, to be assured of consideration.

**ADDRESSES:** All written comments should be addressed to: Pension Benefit Guaranty Corporation, Office of the Chief Counsel, 1200 K Street, NW., Washington, DC 20005-4026. The request for a finding of substantial damage and the comments received will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 1100, at the above address, between the hours of 9 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Eric Field, Attorney, Office of the Chief Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; telephone 202-326-4000, ext. 3987 (202-326-4179 for TTY and TDD). These are not toll-free numbers.

## SUPPLEMENTARY INFORMATION:

### Background

Section 4203(a) of ERISA defines a complete withdrawal from a multiemployer plan as the permanent cessation of the obligation to contribute under the plan or the permanent cessation of all covered operations under the plan.

Section 4203(d) of ERISA, however, provides a special withdrawal liability rule for plans in the trucking industry. That industry, for purposes of this rule, is considered to include the long and short haul trucking industry, the household goods moving industry, and the public warehousing industry. The rule is limited to trucking plans in which substantially all of the contributions required are made by employers primarily engaged in the trucking industry. The rule is also limited to trucking employers, *i.e.*, those employers that have an obligation to contribute under a trucking plan primarily for work in the trucking industry.

Under section 4203(d), a trucking employer will not be considered to have withdrawn from a plan within the meaning of a trucking industry plan merely because the employer permanently ceases to have an obligation to contribute under the plan or permanently ceases all covered operations under the plan, if certain conditions are met. One condition is that the employer must not continue to perform work within the jurisdiction of the plan. Another condition is that the employer must furnish a bond or establish an escrow account in an amount equal to 50 percent of its withdrawal liability.

After the bond is posted or the escrow is established, the PBGC may, within 60 months after the cessation of the employer's covered operations or obligation to contribute, make a determination about whether the cessation (considered together with any cessations by other employers) substantially damaged the plan's contribution base. If the PBGC makes a finding under section 4203(d)(4) that the contribution base has suffered substantial damage, the employer will be treated as having withdrawn from the plan on the date when the obligation to contribute or covered operations ceased. In that event, the bond or escrow will be paid to the plan, and the employer will be liable for the remainder of the withdrawal liability. If the PBGC makes a finding under section 4203(d)(5) that no substantial damage has occurred, or if it does not make a finding of substantial damage under section