

Signed at Washington, DC, this 20th day of April 2009.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E9-9935 Filed 4-29-09; 8:45 am]

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (09-038)]

### National Space-Based Positioning, Navigation and Timing (PNT) Advisory Board; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a meeting of the National Space-Based Positioning, Navigation and Timing (PNT) Advisory Board. The agenda for the meeting includes updates from each of the three PNT Panels (Leadership, Strategic Engagement and Communication, Future Challenges), including discussion and deliberation of potential recommendations. The PNT Advisory Board will address U.S. Government interests in the following areas:

- Implementation of the President's 2004 U.S. Space-Based Positioning, Navigation and Timing Policy.
- National Space-Based PNT Executive Committee, and National Space-Based PNT Coordination Office.
- Global Positioning System (GPS) Constellation and Modernization Plans.
- U.S. GPS Technological Leadership and Competitiveness.
- Promoting and Branding Current and Future PNT Capabilities to the U.S. and International Communities.
- Global Technical and Market Trends for PNT Services.
- Future Areas of Study.

**DATES:** Thursday, May 14, 2009, 9 a.m.–5 p.m.; Friday, May 15, 2009, 9 a.m.–1 p.m.

**ADDRESSES:** Embassy Suites Hotel at Chevy Chase Pavilion, 4300 Military Road, NW., Washington, DC 20015-2020, phone: 202-362-9300.

**FOR FURTHER INFORMATION CONTACT:** Mr. James J. Miller, Space Operations Mission Directorate, National Aeronautics and Space Administration, Washington, DC, 20546. Phone 202-358-4417.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up

to the seating capacity of the room. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants.

Dated: April 24, 2009.

**P. Diane Rausch,**

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. E9-9880 Filed 4-29-09; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0155]

### Agency Information Collection Activities: Proposed Collection; Comment Request

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

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The NRC invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR part 150, "Exemptions and Continued Regulatory Authority in Agreement States and in Offshore Waters under section 274."

2. *Current OMB approval number:* 3150-0032.

3. *How often the collection is required:* 10 CFR 150.16(b), 150.17(c), and 150.19(c) require the submission of reports following specified events, such as the theft or unlawful diversion of licensed radioactive material. The source material inventory reports required under 10 CFR 150.17(b) must be submitted annually by certain licensees.

4. *Who is required or asked to report:* Agreement State licensees authorized to possess source or special nuclear material at certain types of facilities, or at any one time and location in greater than specified amounts. In addition, persons engaging in activities in non-Agreement States, in areas of exclusive Federal jurisdiction within Agreement States, or in offshore waters.

5. *The number of annual respondents:* 15.

6. *The number of hours needed annually to complete the requirement or request:* 190 hours.

7. *Abstract:* 10 CFR part 150 provides certain exemptions from NRC regulations for persons in Agreement States. Part 150 also defines activities in Agreement States and in offshore waters over which NRC regulatory authority continues, including certain information collection requirements. The information is needed to permit NRC to make reports to other governments and the International Atomic Energy Agency in accordance with international agreements. The information is also used to carry out NRC's safeguards and inspection programs.

Submit, by June 29, 2009, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2009-0155. You may submit your comments by any of the following methods. Electronic comments: Go to <http://www.regulations.gov> and search for Docket No. NRC-2009-0155. Mail comments to NRC Clearance Officer, Gregory Trussell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Questions about the information collection requirements may be directed to the NRC Clearance Officer, Gregory Trussell

(T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-6445, or by e-mail to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 24th day of April 2009.

For the Nuclear Regulatory Commission.

**Tremaine Donnell,**

*Acting NRC Clearance Officer, Office of Information Services.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-455; NRC-2009-0182]

### Exelon Generation Company, LLC, Byron Station, Unit No. 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Section 50.46, "Acceptance criteria for emergency core cooling systems for light-water nuclear power reactors," paragraph (a)(1)(i) for Facility Operating License No. NPF-66, issued to Exelon Generation Company, LLC (Exelon, the licensee), for operation of the Byron Station, Unit No. 2 (Byron 2), located in Ogle County, Illinois. Therefore, as specified in 10 CFR 51.21, the NRC staff has performed an environmental assessment as described in this notice and has made a finding of no significant impact.

#### Environmental Assessment

##### *Identification of the Proposed Action:*

The proposed action would grant an exemption from the requirement of 10 CFR 46(a)(1)(i) related to fuel cladding material. The proposed action would allow a third cycle of irradiation (i.e., burnup) for up to 16 twice-burned fuel rods in Westinghouse AXIOM™ cladding in a lead test assembly (LTA), with the remaining fuel rods in the LTA being fresh fuel rods in AXIOM™ cladding. This third cycle of irradiation is expected to begin in the Cycle 16 core for Byron 2 in the spring of 2010. Previously, by letter dated June 30, 2006 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML061380518), the NRC staff approved the irradiation of four LTAs containing AXIOM™ clad fuel rods in the Byron Station, Unit No. 1 (Byron 1) Cycle 15 core. In the same letter, the NRC staff also approved the re-insertion of two of the four LTAs into

the Byron 1 Cycle 16 core and the other two LTAs into the Byron 2 Cycle 15 core. Byron 1 is currently operating in Cycle 16; Byron 2 is currently operating in Cycle 15. Prior to re-insertion of the LTAs into the Cycle 16 and Cycle 15 cores, respectively, for the second cycle of irradiation, the licensee performed post-irradiation examination (PIE) for the LTAs. During the spring 2010, Byron 2 refueling outage, the licensee plans to perform PIE for the two LTAs, then re-insert one LTA into the Byron 2 Cycle 16 core to gain high burnup data. The LTA will consist of fresh fuel rods in AXIOM™ cladding along with up to 16 twice-burned fuel rods in AXIOM™ cladding selected from the irradiated LTAs. The licensee estimated that, at the beginning of this third cycle, the twice-burned fuel rods will have a burnup of approximately 50,000 megawatt days per metric ton uranium (MWD/MTU) and, at the end of this third cycle, the fresh fuel rods would reach an average burnup of approximately 27,500 MWD/MTU and the twice-burned fuel rods could reach a peak rod average burnup of 75,000 MWD/MTU.

The proposed action is in response to the licensee's exemption request dated March 24, 2008 (ADAMS Accession No. ML080850235). Also, information in the licensee's letter dated September 23, 2005 (ADAMS Accession No. ML060930560), that supported the exemption previously issued on June 30, 2006, has been considered in this action.

##### *The Need for the Proposed Action:*

Pursuant to 10 CFR 50.12, "Specific exemptions," the licensee, in its letter dated March 24, 2008, requested an exemption from the requirements of 10 CFR 50.46 and 10 CFR Part 50, Appendix K for one LTA using AXIOM™ cladding.

As the licensee stated in its letter dated March 24, 2008, "The purpose of irradiating the twice-burned AXIOM™ clad fuel rods in a fresh LTA is to: (1) Evaluate the AXIOM™ clad fuel rod performance at projected rod burnups between 72,000 to 75,000 MWD/MTU, (2) collect fuel clad profilometry data after one cycle for the fresh rods and after three cycles for the high burnup rods, and (3) evaluate AXIOM™ clad integral fuel burnable absorber fuel rod performance."

The regulation at 10 CFR 50.46(a)(1)(i) requires that "[e]ach boiling or pressurized light-water nuclear power reactor fueled with uranium oxide pellets within cylindrical zircaloy or ZIRLO cladding must be provided with an emergency core cooling system (ECCS) that must be designed so that its

calculated cooling performance following postulated loss-of-coolant accidents conforms to the criteria set forth in paragraph (b) of this section." The regulation at 10 CFR 50.46(a)(1)(ii) requires that, "[a]lternatively, an ECCS evaluation model may be developed in conformance with the required and acceptable features of appendix K ECCS Evaluation Models." Appendix K of 10 CFR Part 50 requires, in paragraph I.A.5, that "[t]he rate of energy release, hydrogen generation, and cladding oxidation from the metal/water reaction shall be calculated using the Baker-Johnston equation (Baker, L., Just, L.C., "Studies of Metal Water Reactions at High Temperatures, III. Experimental and Theoretical Studies of the Zirconium-Water Reaction," ANL-6548, page 7, May 1962)." The regulations make no provisions for use of fuel rods clad in a material other than zircaloy or ZIRLO™. As noted previously, the licensee plans to irradiate one LTA using fuel rods clad with AXIOM™ alloy in Byron 2. Because the material specification of the AXIOM™ alloy differs from the specification for zircaloy and ZIRLO™, the licensee requested a plant-specific exemption from the requirements of 10 CFR 50.46 and 10 CFR Part 50, Appendix K, to support the use of the LTA for Byron 2.

As a result of the NRC staff's safety evaluation, the details of which will be provided as part of the letter to the licensee approving the exemption from 10 CFR 50.46(a)(1)(i), the NRC staff determined that an exemption from 10 CFR Part 50, Appendix K, is not necessary in this circumstance and, therefore, is not issuing an exemption from 10 CFR Part 50, Appendix K.

##### *Environmental Impacts of the Proposed Action:*

The proposed action would grant an exemption from a regulation for the acceptance and analytical criteria for emergency core cooling systems; the exemption is not an exemption from regulations directly governing offsite dose/exposure, occupational exposure, or the environment.

The NRC staff has completed its evaluation of the proposed action and concludes that there are no significant environmental impacts associated with the use of one LTA using AXIOM™ cladding for a third cycle of irradiation up to a burnup of 75,000 MWD/MTU. The following is a summary of the NRC staff's evaluation:

In this environmental assessment, the NRC staff is relying, in addition to information submitted by the licensee, on the results of a study conducted for it by the Pacific Northwest National Laboratory (PNNL) entitled,