

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on June 11, 2009.

1. *Type of submission: new, revision, or extension:* Extension.

2. *The title of the information collection:* Policy Statement on Cooperation with States at Commercial Nuclear Power Plants and Other Production or Utilization Facilities.

3. *Current OMB approval number:* 3150-0163.

4. *The form number if applicable:* N/A.

5. *How often the collection is required:* On occasion, when a State wishes to observe NRC inspections or perform inspections for NRC.

6. *Who will be required or asked to report:* Those States interested in observing or performing inspections.

7. *An estimate of the number of annual responses:* 80.

8. *The estimated number of annual respondents:* 56 (50 for nuclear facility licensees + 6 for materials security licensees).

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 800 hours (approximately 10 hours per response).

10. *Abstract:* States wishing to enter into an agreement with NRC to observe or participate in NRC inspections at nuclear power facilities or conduct materials security inspections against NRC Orders are requested to provide certain information to the NRC to ensure close cooperation and consistency with the NRC inspection program, as specified by the Commission's Policy of Cooperation with States at Commercial Nuclear Power Plants and Other Nuclear Production or Utilization Facilities and Section 274i of the Atomic Energy Act, as amended.

A copy of the final 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 and questions should be directed to the OMB reviewer listed below by October 16, 2009. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Christine J. Kymn, Office of Information and Regulatory Affairs (3150-0163), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

The NRC Acting Clearance Officer is Tremaine Donnell, (301) 415-6258.

Dated at Rockville, Maryland, this 3rd day of September 2009.

For the Nuclear Regulatory Commission.  
**Tremaine Donnell,**  
*Acting NRC Clearance Officer, Office of Information Services.*

[FR Doc. E9-22327 Filed 9-15-09; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-315; NRC-2009-0406; License No. DPR-058]

### Indiana Michigan Power Company Donald C. Cook Nuclear Plant, Unit 1; Notice of Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a director's decision with regard to a petition dated December 16, 2008, filed on behalf of the Union of Concerned Scientists (UCS) by Mr. David Lochbaum, hereinafter referred to as the "petitioner." In a letter dated February 2, 2009, Mr. Lochbaum designated Dr. Edwin Lyman as the petitioner and new point of contact for UCS. The petition concerns the safe future operation of Indiana Michigan Power Company's (the licensee) Donald C. Cook Nuclear Power Plant, Unit 1 (CNP-1).

The petition requested that the U.S. Nuclear Regulatory Commission (NRC) issue a demand for information requiring the licensee to docket information on four issues described below at least 30 days before restarting CNP-1 from the current outage.

As the basis for the December 16, 2008, request, the petitioner raised concerns stemming from the significant vibration resulting from the failure of the CNP-1 main turbine on September 20, 2008. Specifically, the petitioner stated that the event caused significant vibration levels that resulted in the spurious operation of standby

equipment and may have contributed to a breach that seriously impaired the fire protection system. The petitioner requested the information, in part, to ensure that the licensee had applied the proper lessons learned from the event to the future operation of the CNP-1 reactor. The petitioner further stated that without this information, the NRC could not be assured that the public was adequately protected from the significant adverse safety implications resulting from a safe shutdown earthquake event that causes the spurious actuation of equipment.

On January 21, 2009, the NRC Petition Review Board (PRB) convened to discuss the petition under consideration and determined that it met the criteria established in NRC Management Directive 8.11, "Review Process for 10 CFR 2.206 Petitions," dated October 25, 2000, for acceptance into the process under Title 10 of the *Code of Federal Regulations* (10 CFR) 2.206, "Requests for action under this subpart." On January 27, 2009, the NRC staff discussed this conclusion with the petitioner during a telephone conversation. The petitioner stated during this conversation that he would not need a public meeting to address the PRB.

The NRC sent a copy of the proposed director's decision to the petitioner and the licensee for comment on July 2, 2009. The staff did not receive any comments on the proposed director's decision.

The Director of the Office of Nuclear Reactor Regulation has determined that the agency should deny the request that the NRC issue a demand for information requiring Indiana Michigan Power Company to docket information on four issues at least 30 days before restarting CNP-1 from the current outage. The director's decision, DD-09-02, explains the reasons for this decision pursuant to 10 CFR 2.206. The complete text of the decision is available in the Agencywide Documents Access and Management System (ADAMS) Electronic Reading Room (ADAMS Accession No. ML092230012) on the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html>, and for inspection at the Commission's Public Document Room, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

In a letter dated May 12, 2009, the licensee provided a response to the petitioner's request for information. The NRC technical staff reviewed the licensee's response and other docketed information associated with the event. The NRC staff has concluded that public health and safety were not affected by

the event, nor would they be affected by a similar event in the future. Furthermore, the NRC has found the licensee's event response and corrective actions to be reasonable and technically sound.

Based on the above, the Office of Nuclear Reactor Regulation has concluded that future operation of CNP-1 provides reasonable assurance of the continued protection of public health and safety. There were no violations associated with the event. The licensee's corrective actions in response to the event appear appropriate. No further action is required.

In accordance with 10 CFR 2.206 of the Commission's regulations, the staff will file a copy of the director's decision with the Secretary of the Commission for the Commission's review. As provided for by this regulation, the director's decision will constitute the final action of the Commission 25 days after the date of the decision, unless the Commission, on its own motion, institutes a review of the director's decision within that time.

Dated at Rockville, Maryland, this 4th day of September 2009.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. E9-22323 Filed 9-15-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on AP1000; Notice of Meeting

The ACRS Subcommittee on the AP1000 will hold a meeting on October 6-7, 2009, 11555 Rockville Pike, Commissioners' Conference Room O1-F16, One White Flint North, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

*Tuesday, October 6, 2009—8:30 a.m.—5 p.m.*

*Wednesday, October 7, 2009—8:30 a.m.—5 p.m.*

The Subcommittee will review selected chapters of the Draft Safety Evaluation Report associated with the amendment to the AP1000 Design Certification Document. The Subcommittee will hear presentations by and hold discussions with representatives of the NRC staff and

other interested persons regarding this matter. 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, Mr. Michael Lee, telephone 301-415-6887, e-mail: [Mike.Lee@nrc.gov](mailto:Mike.Lee@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 Designated Federal Official 30 minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the Designated Federal Official 1 day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 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 6, 2008 (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 8:15 a.m. and 5:15 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: September 9, 2009.

**Antonio Dias,**

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

[FR Doc. E9-22333 Filed 9-15-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on Reactor Safeguards (ACRS); Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on October 7, 2009, Room T2-E2, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of

which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

*Wednesday, October 7, 2009, 12 p.m.—1 p.m.*

The Subcommittee will discuss proposed ACRS activities and related matters. 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 Officer, Mr. Sam Duraiswamy, Telephone: 301-415-7364, e-mail: [Sam.Duraiswamy@nrc.gov](mailto:Sam.Duraiswamy@nrc.gov) between 7:30 a.m. and 4 p.m. (ET) 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 Designated Federal Official 30 minutes before the meeting. In addition, one electronic copy of each presentation should be e-mailed to the Designated Federal Official 1 day before meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the Designated Federal Official with a CD containing each presentation at least 30 minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 6, 2008, (73 FR 58268-58269).

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: September 9, 2009.

**Cayetano Santos,**

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

[FR Doc. E9-22334 Filed 9-15-09; 8:45 am]

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## POSTAL REGULATORY COMMISSION

### Sunshine Act Meetings

**AGENCY:** Postal Regulatory Commission.

**TIME AND DATE:** Thursday, October 1, 2009 at 10:30 a.m.