

**FOR FURTHER INFORMATION CONTACT:** Mr. Joseph E. Donoghue, Chief, Reactor Systems, Nuclear Performance and Code Review Branch, Division of Safety Systems & Risk Assessment, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-1193 or e-mail at [joseph.donoghue@nrc.gov](mailto:joseph.donoghue@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/>).

The NRC staff is issuing this notice to solicit public comments on the proposed DC/COL-ISG-019. After the NRC staff considers any public comments, it will make a determination regarding the proposed DC/COL-ISG-019.

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

For the Nuclear Regulatory Commission.

**William F. Burton,**

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

[FR Doc. E9-27151 Filed 11-10-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[NRC-2009-0488]

### **Withdrawal of Regulatory Guide**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Withdrawal of Regulatory Guide 1.83.

**FOR FURTHER INFORMATION CONTACT:** John N. Ridgely, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7458 or e-mail [John.Ridgely@nrc.gov](mailto:John.Ridgely@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC or Commission) is withdrawing Regulatory Guide (RG) 1.83, "Inservice Inspection of Pressurized Water Reactor Steam Generator Tubes," Revision 1, which was issued July 1975. RG 1.83 describes a program of periodic inservice inspection and nondestructive examination using a prescriptive sampling approach of steam generator tubing to detect defects and deterioration of the tubes in pressurized water reactors (PWRs). The RG was developed to demonstrate compliance with portions of General Design Criterion (GDC) 14, "Reactor Coolant

Pressure Boundary," GDC 15, "Reactor Coolant System Design," GDC 31, "Fracture Prevention of Reactor Coolant Pressure Boundary," and GDC 32, "Inspection of Reactor Coolant Pressure Boundary."

RG 1.83 is being withdrawn because it no longer describes a preferred approach. It is a prescriptive regulatory guide which recommends the use of eddy current testing for the inspection of steam generator tubes. RG 1.83 may not ensure steam generator tube integrity as required by other rules/regulations. In addition, many of the methods/techniques discussed in the regulatory guide would not be considered acceptable, feasible, or practical given improvements in technology. Given the technological improvements and the recognition of the importance of maintaining tube integrity from a safety and economic perspective, the need for such prescriptive guidance has been superseded. In addition, simply following this guidance may not be sufficient to ensure tube integrity consistent with NRC regulations.

The NRC now endorses a more risk-informed and performance-based approach to regulatory compliance. The performance-based approach relies upon measurable (or calculable) outcomes (*i.e.*, performance results) to be met, but provides more flexibility to the licensee as to the means of meeting those outcomes.

The high level requirements that must be met are contained in the standard technical specifications. These technical specifications are based on Nuclear Energy Institute (NEI) 97-06, "Steam Generator Program Guidelines," and Technical Specification Task Force (TSTF) Traveller, TSTF-449. This latter document has been reviewed and approved by the NRC staff as documented in Generic Letter 2006-01. In addition, the current version of this Standard Review Plan discusses the high level requirements which an acceptable steam generator program must meet. RG 1.83 is no longer needed since the NRC has adopted the performance-based approach. The use of a performance-based approach to steam generator tube inspection does not supplant or displace the requirement for compliance with NRC regulations.

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

Withdrawal of RG 1.83 does not, in and of itself, alter any prior or existing licensing commitments based on its use. The guidance provided in this regulatory guide is no longer necessary. Regulatory guides may be withdrawn when their guidance is superseded by

Congressional action, the methods or techniques described in the Regulatory Guide no longer describe a preferred approach, or the Regulatory Guide does not provide useful information.

Regulatory guides are available for inspection or downloading through the NRC's public Web site under "Regulatory Guides" in the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections>. Regulatory guides are also available for inspection at the NRC's Public Document Room (PDR), Room O-1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738. The PDR's mailing address is US NRC PDR, Washington, DC 20555-0001. You can reach the staff 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 3rd day of November 2009.

For the Nuclear Regulatory Commission.

**John N. Ridgely,**

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

[FR Doc. E9-27058 Filed 11-10-09; 8:45 am]

**BILLING CODE 7590-01-P**

## **OFFICE OF PERSONNEL MANAGEMENT**

### **Proposed Collection; Comment Request for Review of a Revised Information Collection: (OMB Control No. 3206-0208; Form RI 38-115)**

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget (OMB) a request for review of a revised information collection. This information collection, "Representative Payee Survey" (OMB Control No. 3206-0208, Form RI 38-115), is used to collect information about how the benefits paid to a representative payee have been used or conserved for the benefit of the incompetent annuitant.

Comments are particularly invited on: whether this collection of information is necessary for the proper performance of functions of the Office of Personnel Management, and whether it will have practical utility; whether our estimate of

the public burden of the collection of information is accurate, and based on valid assumptions and methodology; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Approximately 11,000 RI 38–115 forms are completed annually. The form takes approximately 20 minutes to complete. The annual estimated burden is 3,667 hours.

For copies of this proposal, contact Cyrus S. Benson on (202) 606–0623, FAX (202) 606–0910 or via E-mail to [Cyrus.Benson@opm.gov](mailto:Cyrus.Benson@opm.gov). Please include a mailing address with your request.

**DATES:** Comments on this proposal should be received within 60 calendar days from the date of this publication.

**ADDRESSES:** Send or deliver comments to—James K. Freiert, Deputy Assistant Director, Retirement Services Program, Center for Retirement and Insurance Services, U.S. Office of Personnel Management, 1900 E Street, NW., Room 3305, Washington, DC 20415–3500.

For information regarding administrative coordination contact: Cyrus S. Benson, Team Leader, Publications Team, RIS Support Services/Support Group, U.S. Office of Personnel Management, 1900 E Street, NW.—Room 4H28, Washington, DC 20415, (202) 606–0623.

U.S. Office of Personnel Management.

**John Berry,**  
*Director.*

[FR Doc. E9–27138 Filed 11–10–09; 8:45 am]

**BILLING CODE 6325–38–P**

## OFFICE OF PERSONNEL MANAGEMENT

### Proposed Collection; Comment Request for Review of a Revised Information Collection: (OMB Control No. 3206–0228; Standard Form 3112)

**AGENCY:** Office of Personnel  
Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget (OMB) a request for review of a revised information collection. This information collection, “CSRS/FERS Documentation in Support of Disability Retirement Application” (OMB Control No. 3206–0228; Standard Form 3112), collects

information from applicants for disability retirement so that OPM can determine whether to approve a disability retirement. The applicant will only complete Standard Forms 3112A and 3112C. Standard Forms 3112B, 3112D and 3112E will be completed by the immediate supervisor and the employing agency of the applicant.

Comments are particularly invited on: Whether this collection of information is necessary for the proper performance of functions of the OPM, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Approximately 12,100 applicants for disability retirement complete this application annually. The SF 3112C requires approximately 60 minutes to complete. A burden of 12,100 hours is estimated for SF 3112C. SF 3112A is used each year by approximately 1,350 persons who are not Federal employees. SF 3112A requires approximately 30 minutes to complete and a burden of 675 hours is estimated for SF 3112A.

All 12,100 respondents must use SF 3112C; of the 12,100, only 1,350 of the applicants are not Federal Employees and use SF 3112A. The total annual burden for SF 3112 is 12,775 hours.

For copies of this proposal, contact Cyrus S. Benson on (202) 606–4808, FAX (202) 606–0910 or via E-mail to [Cyrus.Benson@opm.gov](mailto:Cyrus.Benson@opm.gov). Please include a mailing address with your request.

**DATES:** Comments on this proposal should be received within 60 calendar days from the date of this publication.

**ADDRESSES:** Send or deliver comments to—James K. Freiert, Deputy Assistant Director, Retirement Services Program, Center for Retirement and Insurance Services, U.S. Office of Personnel Management, 1900 E Street, NW., Room 3305, Washington, DC 20415–3500.

For information regarding administrative coordination contact: Cyrus S. Benson, Team Leader, Publications Team, RIS Support Services/Support Group, U.S. Office of Personnel Management, 1900 E Street, NW., Room 4H28, Washington, DC 20415, (202) 606–0623.

U.S. Office of Personnel Management.

**John Berry,**  
*Director.*

[FR Doc. E9–27139 Filed 11–10–09; 8:45 am]

**BILLING CODE 6325–38–P**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28991; File No. 812–13638]

### FaithShares Trust, et al.; Notice of Application

November 5, 2009.

**AGENCY:** Securities and Exchange Commission (“Commission”).

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from sections 2(a)(32), 5(a)(1), 22(d), and 22(e) of the Act and rule 22c–1 under the Act; and under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act; and under section 12(d)(1)(J) for an exemption from sections 12(d)(1)(A) and 12(d)(1)(B) of the Act.

**APPLICANTS:** FaithShares Trust (“Trust”), FaithShares Advisors, LLC (“Advisor”) and SEI Investments Distribution Company.

**SUMMARY OF APPLICATION:** Applicants request an order that would permit: (a) Series of an open-end management investment company to issue shares (“Fund Shares”) that can be redeemed only in large aggregations (“Creation Unit Aggregations”); (b) secondary market transactions in Fund Shares to occur at negotiated prices; (c) certain series to pay redemption proceeds, under certain circumstances, more than seven days after the tender of Fund Shares for redemption; (d) certain affiliated persons of the series to deposit securities into, and receive securities from, the series in connection with the purchase and redemption of Creation Unit Aggregations; and (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the series to acquire Fund Shares.

**FILING DATES:** The application was filed on March 4, 2009, and amended on April 21, 2009, October 23, 2009, and November 4, 2009.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on November 30, 2009, and should be accompanied by proof of service on applicants, in the form of an affidavit, or for lawyers, a certificate of