

email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR*: You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Gratton, Office of Nuclear Reactor Regulation; U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1055; email: [Christopher.Gratton@nrc.gov](mailto:Christopher.Gratton@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Director, of NRR, has issued a director's decision with regard to a petition dated December 5, 2009, filed by Thomas Saporito (ADAMS Accession No. ML093430702). The petition was supplemented on January 7, 2010 (ADAMS Accession No. ML100200966) and consolidated with an additional August 6, 2010, petition (ADAMS Accession No. ML102220032). The petition concerns the operation of the Crystal River Nuclear Generating Plant, Unit 3 (CR-3).

In the December 5, 2009, petition, the petitioner raised concerns about the delamination (*i.e.*, the separation of the different layers) of the CR-3 containment that occurred during the fall 2009 refueling outage. The petitioner considers this condition to be potentially unsafe and to be in violation of Federal regulations. In the petition, a number of references to the condition of the CR-3 containment were cited that the petitioner believes prohibit operation of the facility.

The petition requested that CR-3 perform the following actions, as summarized below:

1. Physically remove the outer 25 centimeters (10 inches) of concrete surrounding the CR-3 containment building.

2. Test samples of the concrete removed from the CR-3 containment building for composition and compare the test results to a sample of concrete from a similarly designed facility.

3. Keep the CR-3 in cold shutdown mode until such time as the licensee can demonstrate full compliance with its NRC operating license for CR-3 within the safety margins delineated in the licensee's final safety analysis report (FSAR) and within the CR-3 site-specific technical specifications.

4. Provide the public with an opportunity to intervene at a public hearing before the NRC's Atomic Safety and Licensing Board to challenge any

certification made by the licensee to the NRC that it has reestablished full regulatory compliance.

The petition of December 5, 2009, provided the following basis for CR-3 remaining in cold shutdown, as summarized below:

1. The licensee has not determined the root cause of the separation.

2. No method of non-destructive or destructive testing is sufficient to satisfy the FSAR requirements.

3. The removal of the top 10 inches of concrete of the entire containment outer wall would allow for proper visual inspection.

4. The removal of the top 10 inches of concrete of the entire containment outer wall would ensure the best adhesion of the new concrete pour to the existing inner wall.

5. The licensee's FSAR requires that the CR-3 containment building be comprised of a monolithic concrete perimeter wall. The only way the licensee can fully achieve compliance with its FSAR is to remove 10 inches of concrete from the entire outer wall for proper visual inspect and repair activities.

On January 7, 2010, the petitioner participated in a teleconference with the staff's petition review board. The meeting gave the petitioner an opportunity to provide additional information and to clarify issues raised in the petition. The information provided during this teleconference was considered a supplement to the December 9, 2009, petition.

On August 6, 2010, the petitioner sent in an additional petition related to the original December 5, 2009, petition; however, it was not accepted for review under Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR) process. By letter dated September 3, 2010 (ADAMS Accession No. ML102290577), the NRC informed the petitioner that the August 6, 2010, petition would be considered a supplement to the December 5, 2009, petition.

The NRC sent a copy of the proposed director's decision to the petitioner and to Duke Energy Florida, Inc., for comment on January 24, 2014. The staff did not receive any comments on the proposed director's decision.

The Director of NRR has determined that the request, to require CR-3 to remain in cold shutdown mode, is moot and no action will be taken. The reasons for this decision are explained in the director's decision 14-03, pursuant to 10 CFR 2.206, the complete text of which is available in ADAMS under Accession No. ML14097A185.

The NRC will take no action on the request to require CR-3 to remain in cold shutdown because on February 20, 2013 (ADAMS Accession No. ML13056A005), the licensee provided the certification required by 10 CFR 50.82(a)(1)(i) and (ii) to the NRC staff that CR-3 had permanently ceased power operations and that all fuel had been permanently removed from the reactor vessel. Upon docketing of these two certifications, the licensee's 10 CFR Part 50 license no longer authorized operation of the CR-3 reactor or emplacement or retention of fuel into the reactor vessel. Accordingly, the licensee is prohibited by regulation from restarting CR-3 or loading fuel into the reactor vessel. Because the licensee is no longer authorized to operate the reactor, CR-3 may not enter a mode of operation that requires the containment to be in an operable condition.

A copy of the director's decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206 of the Commission's regulations. 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 in that time.

Dated at Rockville, Maryland, this 6th day of May 2014.

For the Nuclear Regulatory Commission.

**Jennifer L. Uhle,**

*Deputy Director, Office of Nuclear Reactor Regulation.*

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## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

*Summary:* In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d)

ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Title and purpose of information collection:* Supplemental Information on Accident and Insurance; OMB 3220-0036.

Under Section 12(o) of the Railroad Unemployment Insurance Act (RUIA), the Railroad Retirement Board (RRB) is entitled to reimbursement of the sickness benefits paid to a railroad employee if the employee receives a sum or damages for the same infirmity for which the benefits are paid. Section

2(f) of the RUIA requires employers to reimburse the RRB for days in which salary, wages, pay for time lost or other remuneration is later determined to be payable. Reimbursements under section 2(f) generally result from the award of pay for time lost or the payment of guaranteed wages. The RUIA prescribes that the amount of benefits paid be deducted and held by the employer in a special fund for reimbursement to the RRB.

The RRB currently utilizes Forms SI-1c, Supplemental Information on Accident and Insurance; SI-5, Report of Payments to Employee Claiming Sickness Benefits Under the RUIA; ID-

3s, Request for Lien Information—Report of Settlement; ID-3s-1, Lien Information Under Section 12(o) of the RUIA; ID-3u, Request for Section 2(f) Information; ID-30k, Notice to Request Supplemental Information on Injury or Illness; and ID-30k-1, Notice to Request Supplemental Information on Injury or Illness; to obtain the necessary information from claimants and railroad employers. Completion is required to obtain benefits. One response is requested of each respondent. The RRB proposes to add Internet versions of Forms ID-3s, and ID-3u. There are no changes proposed to the other forms in the collection.

ESTIMATE OF ANNUAL RESPONDENT BURDEN

Form No.	Annual responses	Time (minutes)	Burden (hours)
SI-1c .....	475	5	40
SI-5 .....	7	5	1
ID-3s (Paper & Telephone) .....	3,000	3	150
ID-3s (Email) .....	1,000	3	50
ID-3s (Internet) .....	2,000	3	100
ID-3s.1 (Paper & Telephone) .....	3,000	3	150
ID-3u (Paper & Telephone) .....	600	3	30
ID-3u (Email) .....	100	3	5
ID-3u (Internet) .....	500	3	25
ID-30k .....	55	5	5
ID-30k.1 .....	65	5	5
Total .....	10,802	.....	561

*Additional Information or Comments:* To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Dana Hickman at (312) 751-4981 or [Dana.Hickman@RRB.GOV](mailto:Dana.Hickman@RRB.GOV). Comments regarding the information collection should be addressed to Charles Mierzwa, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or emailed to [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV). Written comments should be received within 60 days of this notice.

**Charles Mierzwa,**  
 Chief of Information Resources Management.  
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**BILLING CODE 7905-01-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 20549-0004.

*Extension:*  
 Rule 32a-4, OMB Control No. 3235-0530, SEC File No. 270-473.

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 (“Commission”) has submitted to the Office of Management and Budget requests for extension of the previously approved collections of information discussed below.

Section 32(a)(2) of the Investment Company Act (15 U.S.C. 80a-31(a)(2)) requires that shareholders of a registered investment management or face-amount certificate company (collectively, “funds”) ratify or reject the selection of the fund’s independent public accountant. Rule 32a-4 (17 CFR 270.32a-4) exempts funds from this requirement if (i) the fund’s board of directors establishes an audit committee composed solely of independent directors with responsibility for overseeing the fund’s accounting and auditing processes,<sup>1</sup> (ii) the fund’s board of directors adopts an audit committee charter setting forth the committee’s structure, duties, powers and methods

of operation, or sets forth such provisions in the fund’s charter or bylaws,<sup>2</sup> and (iii) the fund maintains and preserves permanently in an easily accessible place a copy of the audit committee charter, and any modifications to the charter.<sup>3</sup>

Each fund that chooses to rely on rule 32a-4 incurs two collection of information burdens. The first, related to the board of directors’ adoption of the audit committee charter, occurs once, when the committee is established. The second, related to the fund’s maintenance and preservation of a copy of the charter in an easily accessible place, is an ongoing annual burden. The information collection requirement in rule 32a-4 enables the Commission to monitor the duties and responsibilities of an independent audit committee formed by a fund relying on the rule.

Commission staff estimates that on average the board of directors takes 15 minutes to adopt the audit committee charter. Commission staff has estimated that with an average of 8 directors on

<sup>1</sup> Rule 32a-4(a).

<sup>2</sup> Rule 32a-4(b).

<sup>3</sup> Rule 32a-4(c).