

NUCLEAR REGULATORY COMMISSION**Sunshine Act Meetings**

AGENCY HOLDING THE MEETINGS: Nuclear Regulatory Commission.

DATES: Weeks of November 9, 16, 23, 30, December 7, 14, 2009.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

Week of November 9, 2009

Tuesday, November 10, 2009

9:30 a.m.—Briefing on NRC International Activities (Public Meeting) (Contact: Karen Henderson, 301-415-0202)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of November 16, 2009—Tentative

Tuesday, November 17, 2009

9:30 a.m.—Briefing on Equal Employment Opportunity (EEO) and Small Business Programs (Public Meeting) (Contact: Elva Bowden Berry, 301-415-1536)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of November 23, 2009—Tentative

There are no meetings scheduled for the week of November 23, 2009.

Week of November 30, 2009—Tentative

Friday, December 4, 2009

9:30 a.m.—Meeting with the Advisory Committee on Reactor Safeguards (Public Meeting) (Contact: Antonio Dias, 301-415-6805)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of December 7, 2009—Tentative

Tuesday, December 8, 2009

9:30 a.m.—Briefing on the Proposed Rule: Enhancements to Emergency Preparedness Regulations (Public Meeting) (Contact: Lauren Quiñones, 301-415-2007)

This meeting will be Webcast live at the Web address—<http://www.nrc.gov>.

Week of December 14, 2009—Tentative

There are no meetings scheduled for the week of December 14, 2009.

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* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at rohn.brown@nrc.gov. Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to darlene.wright@nrc.gov.

Dated: November 5, 2009.

Rochelle C. Baval,
Office of the Secretary.

[FR Doc. E9-27146 Filed 11-6-09; 11:15 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2009-0487]

Notice of Opportunity for Public Comment on the Proposed Model Safety Evaluation for Plant-Specific Adoption of Technical Specification Task Force Traveler-493, Revision 4, "Clarify Application of Setpoint Methodology for LSSS Functions"

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Notice of opportunity for public comment.

SUMMARY: The NRC is requesting public comment on the enclosed proposed model application, model no significant hazards consideration determination, and model safety evaluation for plant-specific adoption of Technical Specification Task Force (TSTF) Traveler-493, Revision 4, "Clarify Application of Setpoint Methodology for LSSS Functions." The TSTF Traveler-493, Revision 4, is available in the Agencywide Documents Access and Management System (ADAMS) under Accession Number ML092150990. The proposed changes revise Standard

Technical Specifications (STS) with respect to limiting safety system settings (LSSSSs) assessed during periodic testing and calibration of instrumentation that may have an adverse effect on equipment operability. This model safety evaluation will facilitate expedited approval of plant-specific adoption of TSTF Traveler-493, Revision 4.

DATES: Comment period expires November 25, 2009. Comments received after this date will be considered, if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any one of the following methods. Please include Docket ID NRC-2009-0487 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site Regulations.gov. 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.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2009-0487. Address questions about NRC dockets to Carol Gallagher 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

Mail comments to: Michael T. Lesar, Chief, Rulemaking and Directives Branch (RDB), Division of Administrative Services, Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to RDB at (301) 492-3446.

You can access publicly available documents related to this notice using the following methods:

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 O1 F21, 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 are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov. The Proposed Models for Plant-Specific Adoption of TSTF Traveler-493, Revision 4, are available electronically under ADAMS Accession Number ML093080028.

Federal Rulemaking Web site: Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2009-0487.

FOR FURTHER INFORMATION CONTACT: Ms. Michelle C. Honcharik, Senior Project Manager, Special Projects Branch, Mail Stop: O-12 D1, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-1774 or e-mail at michelle.honcharik@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

This notice provides an opportunity for the public to comment on proposed changes to the STS after a preliminary assessment and finding by the NRC staff that the agency will likely offer the changes for adoption by licensees. This notice solicits comment on a proposed change to the STS, which if implemented by a licensee will modify the plant-specific TS. The NRC staff will evaluate any comments received for the proposed change to the STS and reconsider the change or announce the availability of the change for adoption by licensees. Licensees opting to apply for this TS change are responsible for reviewing the NRC staff's safety evaluation, referencing the applicable technical justifications, and providing any necessary plant-specific information. The NRC will process and note each amendment application responding to the notice of availability according to applicable NRC rules and procedures.

Applicability

TSTF Traveler-493, Revision 4, is applicable to all nuclear power reactors. The Traveler revises the TS instrument function values related to those

variables that have a significant safety function.

The NRC staff requests that each licensee applying for the changes proposed in TSTF Traveler-493, Revision 4, include documentation regarding the following in their license amendment request (LAR):

Adoption of TSTF Traveler-493, Option A With Changes to Setpoint Values

- The licensee must propose to add footnotes to all the functions identified in TSTF Traveler-493, Revision 4, Appendix A, and must incorporate the related TS Bases changes.
- The licensee must provide summary calculations for the revised setpoints as documentation of the plant-specific instrument setpoint methodology for TSTF Traveler-493, Revision 4, consistent with Option A. This includes the calculation basis for the Limiting Trip Setpoint (LTSP), Nominal Trip Setpoint (NTSP), Allowable Value (AV), As-Found Tolerance band, and As-Left Tolerance band for each change to an automatic protection instrumentation function setpoint value. If multiple similar setpoints are proposed to be revised, a summary calculation for each type of setpoint being changed may be provided, if the LAR contains a reasoned quantitative or qualitative analysis, as appropriate, of how the summary calculation(s) represent the type of setpoint values proposed to be changed.

Adoption of TSTF Traveler-493, Option A Without Changes to Setpoint Values

- The licensee must add footnotes to all the functions identified in TSTF Traveler-493, Revision 4, Appendix A, and must incorporate the related TS Bases changes. No changes to any setpoint values are proposed. Since no setpoint changes are being proposed, there is no requirement to provide the setpoint methodology for review or to provide any full or summary calculations.

Adoption of TSTF Traveler-493 With Option B—the Setpoint Control Program Option

- The licensee must provide the plant-specific evaluation for the list of instrument Functions that are described in Setpoint Control Program (SCP) TS 5.5.[18] Paragraph a and must incorporate the related TS Bases changes.
- The licensee must provide the content and application of the plant-specific setpoint methodology required by the SCP TS 5.5.[18] Paragraph b. This includes the calculation basis for the

LTSP, NTSP, AV, As-Found Tolerance band, and As-Left Tolerance band for each automatic protection instrumentation function. The licensee must also describe the program methods for ensuring the requirements in Paragraph d will function as required by verifying the As-Left and As-Found settings are consistent with those established by the setpoint methodology. Discussion should include how the plant licensing basis meets the guidance provided in Regulatory Information Summary 2006-17, "NRC Staff Position on the Requirements of 10 CFR 50.36, "Technical Specifications," Regarding Limiting Safety System Settings During Periodic Testing and Calibration of Instrument Channels" and Regulatory Guide 1.105, Revision 3, "Setpoints for Safety-Related Instrumentation." Describe the measures to be taken to ensure that the associated instrument channel is capable of performing its safety function(s) in accordance with applicable design requirements and associated analyses. Include information on the controls employed to ensure that the As-Left trip setting after completion of periodic surveillance is consistent with the setpoint methodology. Also, discuss the plant corrective action processes (including plant procedures) for restoring channels to operable status. If the controls are located in a document other than the TS (e.g., plant test procedure), describe how it is ensured that the controls will be implemented.

- The licensee must provide the plant-specific evaluation identifying the Functions required by SCP TS 5.5.[18] Paragraph d. In accordance with Paragraph d, Functions described in SCP TS 5.5.[18] Paragraph a are evaluated to identify Functions that are automatic protective devices related to variables having significant safety functions as delineated by 10 CFR 50.36(c)(1)(ii)(A). Identify any deviation from TSTF Traveler-493, Revision 4, and explain the basis for each deviation. Paragraph d contains three exclusion criteria to be applied during the evaluation. Paragraph d also requires specifying TS Surveillance Requirements which are applicable to the performance testing criterion of Paragraph d. This requirement of Paragraph d should also be included. For Functions which are not under the scope of Setpoint Control Program Paragraph d, but are included in Setpoint Control Program Paragraph a, explain how the requirements of Paragraph c will be met.

The proposed change does not prevent licensees from requesting an alternate approach or proposing changes

other than those proposed in TSTF Traveler-493, Revision 4. However, significant deviations from the approach recommended in this notice or the inclusion of additional changes to the license require additional NRC staff review. This may increase the time and resources needed for the review or result in NRC staff rejection of the LAR. Licensees desiring significant deviations or additional changes should instead submit an LAR that does not claim to adopt TSTF Traveler-493, Revision 4.

Dated at Rockville, Maryland, this 30th day of October 2009.

For the Nuclear Regulatory Commission.

Eric E. Bowman,

*Acting Chief, Special Projects Branch,
Division of Policy and Rulemaking, Office
of Nuclear Reactor Regulation.*

[FR Doc. E9-27061 Filed 11-9-09; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Senior Executive Service— Performance Review Board

AGENCY: Office of Personnel
Management.

ACTION: Notice.

SUMMARY: Notice is hereby given of the appointment of members of the OPM Performance Review Board.

FOR FURTHER INFORMATION CONTACT: Tammy Van Keuren, Center for Human Capital Management Services, Office of Personnel Management, 1900 E Street NW., Washington, DC 20415, (202) 606-1402.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management Section 4314(c) (1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES performance review boards. The board reviews and evaluates the initial appraisal of a senior executive's performance by the supervisor, and considers recommendations to the appointing authority regarding the performance of the senior executive.

Office of Personnel Management.

John Berry,
Director.

Effective October 30, 2009; the following have been designated as members of the Performance Review Board of the U.S. Office of Personnel Management: Elizabeth A. Montoya, Chief of Staff and Director of External Affairs; Elaine Kaplan, General Counsel;

Kay T. Ely, Associate Director; Nancy H. Kichak, Associate Director; Mark Reger, Chief Financial Officer; Mark Reinhold, Deputy Associate Director for Human Capital Management Services—Executive Secretariat.

[FR Doc. E9-27099 Filed 11-9-09; 8:45 am]

BILLING CODE 6325-45-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60923; File No. SR-
NYSEArca-2009-96]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Rule 6.82— Lead Market Makers To Eliminate Obsolete Language and Clarify Rule Provisions

November 3, 2009.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the "Act")² and Rule 19b-4 thereunder,³ notice is hereby given that, on October 20, 2009, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. NYSE Arca filed the proposal pursuant to Section 19(b)(3)(A)⁴ of the Act and Rule 19b-4(f)(2)⁵ thereunder. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend Rule 6.82—Lead Market Makers to eliminate obsolete language and clarify rule provisions. A copy of this filing is available on the Exchange's Web site at <http://www.nyse.com>, at the Exchange's principal office and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change

and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this filing by NYSE Arca is to revise outdated and obsolete language in Rule 6.82—Lead Market Makers ("LMM").

Specifically, the Exchange proposes to amend Rule 6.82(c)(3) by adding a reference to Rule 6.37B—Market Maker Quotations, in order to clarify an LMM's obligation as it pertains to continuous quoting. In its current form, Rule 6.82 states that an LMM must provide continuous quotations in all appointed series. However, Rule 6.37B provides that LMMs must provide continuous quotations for 90% of the time the Exchange is open. To ensure that LMM obligations contained in Rule 6.82 are in accordance with Rule 6.37B, the Exchange proposes [sic] add language to Rule 6.82(c)(3) in order to clarify that LMMs need to provide quotations in accordance with Rule 6.37B. In addition, NYSE Arca no longer supports an Exchange auto-quoting system; all LMMs utilize proprietary quoting systems that supply electronic quotes directly to the NYSE Arca's trading system. Therefore the Exchange proposes deleting obsolete language in Rule 6.82(c)(3) referencing the Exchange's auto-quoting system.

The Exchange also proposes to delete Rule 6.82(c)(7). Under the structure of the Exchange's electronic trading systems, the automated execution system referenced in 6.82(c)(7) is part of the overall NYSE Arca trading system. Whenever an LMM provides electronic quotations to NYSE Arca, the LMM automatically participates in the automatic execution system. It is not possible for an LMM to submit quotes to the Exchange without being subject to the automatic execution system, nor is it possible for an LMM to participate in the automatic execution system without submitting electronic quotes. Because participation in the auto-execution system is not optional, it is not appropriate to designate participation in it as an obligation. The Exchange proposes to reserve Rule 6.82(c)(7) for future use.

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

⁴ 15 U.S.C. 78s(b)(3)(A).

⁵ 17 CFR 240.19b-4(f)(2).