

South Carolina (located approximately 2 miles from the proposed VCSNS Units 2 and 3) requested an extension of the scoping period. NRC staff has concluded that Mayor Ginyard's reasonable request, coupled with comments provided during the scoping meetings, amounts to a special circumstance that warrants an extension of the scoping period.

The purpose of this notice is to inform the public that the NRC is extending the current scoping period by 30 days. Members of the public may send written comments on the scope of the VCSNS COLs environmental review to the Chief, Rulemaking, Directives and Editing Branch, Office of Administration, Mailstop TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. To ensure that comments will be considered, written comments must be postmarked by April 6, 2009. Electronic comments may be sent by e-mail to the NRC at [Summer.COLEIS@nrc.gov](mailto:Summer.COLEIS@nrc.gov). Electronic submissions must be sent no later than April 6, 2009, to ensure that they will be considered.

Information about the proposed action, the EIS, and the scoping process may be obtained from Ms. Patricia Vokoun or Mr. Paul Michalak at 1-800-368-5642, extensions 3470 or 7612, respectively; at the U.S. Nuclear Regulatory Commission, Mailstop T-6D32, Washington, DC 20555-0001; or via e-mail at [Patricia.Vokoun@nrc.gov](mailto:Patricia.Vokoun@nrc.gov) or [Paul.Michalak@nrc.gov](mailto:Paul.Michalak@nrc.gov).

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

For the Nuclear Regulatory Commission.

**Nilesh Chokshi,**

*Deputy Director, Division of Site and Environmental Reviews, Office of New Reactors.*

[FR Doc. E9-4336 Filed 2-27-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52-029-COL, 52-030-COL; ASLBP No. 09-879-04-COL-BD01]

### Progress Energy Florida, Inc.; Establishment of Atomic Safety and Licensing Board

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28,710 (1972), and the Commission's regulations, *see* 10 CFR 2.104, 2.300, 2.303, 2.309, 2.311, 2.318, and 2.321,

notice is hereby given that an Atomic Safety and Licensing Board (Board) is being established to preside over the following proceeding:

#### Progress Energy Florida, Inc.

*Levy County Nuclear Power Plant, Units 1 and 2*

This proceeding concerns a Petition to Intervene and Request for Hearing from the Green Party of Florida, the Ecology Party of Florida, and Nuclear Information and Resource Service, which was submitted in response to a December 8, 2008 Notice of Order, Hearing, and Opportunity to Petition for Leave to Intervene on a Combined License for the Levy County Nuclear Power Plant, Units 1 and 2 (73 FR 74,532). The petitioners challenge the application filed by Progress Energy Florida, Inc. pursuant to Subpart C of 10 CFR Part 52 for a combined license for Levy County Nuclear Power Plant, Units 1 and 2, which would be located in Levy County, Florida.

The Board is comprised of the following administrative judges:

Alex S. Karlin, Chair, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Anthony J. Baratta, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

William H. Murphy, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

All correspondence, documents, and other materials shall be filed in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007 (72 FR 49,139).

Issued at Rockville, Maryland, this 23rd day of February 2009.

**E. Roy Hawkens,**

*Chief Administrative Judge, Atomic Safety and Licensing Board Panel.*

[FR Doc. E9-4338 Filed 2-27-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Week of March 2, 2009.

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

**STATUS:** Public and Closed.

**ADDITIONAL ITEMS TO BE CONSIDERED:**

### Week of March 2, 2009

*Wednesday, March 4, 2009*

2:45 p.m. Discussion of Security Issues (Closed—Ex. 1).

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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.

\* \* \* \* \*

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](mailto: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 by mail to several hundred 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). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: February 25, 2009.

**Rochelle C. Baval,**

*Office of the Secretary.*

[FR Doc. E9-4436 Filed 2-26-09; 11:15 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-00]

### Office of Federal and State Materials and Environmental Management Programs, Annual Decommissioning Report; Notice of Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** The Nuclear Regulatory Commission's (NRC's) Office of Federal and State Materials and Environmental Management Programs (FSME) is announcing the availability of NUREG-1814, Revision 2, "Status of Decommissioning Program—2008 Annual Report." This NUREG provides a comprehensive overview of the NRC's decommissioning program. Its purpose is to provide a stand-alone reference document, which describes the decommissioning process and summarizes the current status of all decommissioning activities including the decommissioning of complex decommissioning sites, commercial reactors, research and test reactors, uranium mill tailings facilities, and fuel cycle facilities. In addition, this report discusses accomplishments in the decommissioning program since publication of the 2007 Annual Report (SECY-07-0209); identifies the key decommissioning program issues, which the staff will address in fiscal year 2009; and provides information Agreement States have supplied on decommissioning in their States.

**ADDRESSES:** NUREG-1814, Revision 2, is available for inspection and copying for a fee at the Commission's Public Document Room, U.S. NRC's Headquarters Building, 11555 Rockville Pike (First Floor), Rockville, Maryland. The Public Document Room is open from 7:45 a.m. to 4:15 p.m., Monday through Friday, except on Federal holidays. NUREG-1814, Revision 2, also is available electronically from the ADAMS Electronic Reading Room on the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>, and on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collection>.

Copies of NUREG-1814, Revision 2, also may be purchased from one of these two sources: (1) The Superintendent of Documents, U.S. Government Printing Office, Mail Stop: SSOP, Washington, DC 20402-0001; Internet: <http://bookstore.gpo.gov/>; telephone: 202-512-1800; fax: 202-512-2250; or (2) The National Technical Information Service, Springfield, VA 22161-0002, Internet: <http://www.ntis.gov>; telephone 1-800-553-6847 or, locally, 703-605-6000.

**FOR FURTHER INFORMATION, CONTACT:** Mr. Richard Chang, Mail Stop: T-8F5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-7188; Internet: [richard.chang@nrc.gov](mailto:richard.chang@nrc.gov).

#### Small Business Regulatory Enforcement Fairness Act

In accordance with the Small Business Regulatory Enforcement

Fairness Act of 1996, the NRC has determined that this action is not a rule and has verified this determination with the NRC's Office of the General Counsel.

Dated at Rockville, MD, this 23 day of February, 2009.

For the Nuclear Regulatory Commission.

**Keith I. McConnell,**

*Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. E9-4331 Filed 2-27-09; 8:45 am]

**BILLING CODE 7590-01-P**

#### PENSION BENEFIT GUARANTY CORPORATION

##### Pendency of Request for Approval of Special Withdrawal Liability Rules; Service Employees International Union Local 1 Pension Trust Fund

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of pendency of request.

**SUMMARY:** The Pension Benefit Guaranty Corporation ("PBGC") has received a request from the Service Employees International Union Local 1 Pension Trust Fund for approval of a plan amendment providing for special withdrawal liability rules. Under section 4203(f) of the Employee Retirement Income Security Act of 1974 and the PBGC's regulation on Extension of Special Withdrawal Liability Rules, a multiemployer pension plan may, with PBGC approval, be amended to provide for special withdrawal liability rules similar to those that apply to the construction and entertainment industries. Such approval is granted only if the PBGC determines that the plan amendment will be used in an industry with characteristics that would make use of the special rules appropriate and that the plan amendment would not pose a significant risk to the PBGC. This notice advises interested persons of the pendency of this request and invites public comment.

**DATES:** Comments must be submitted by April 16, 2009.

**ADDRESSES:** Comments may be mailed to the Office of the Chief Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to Suite 340 at the above address. Comments also may be submitted electronically through the PBGC's Web site at <http://reg.comments@pbgc.gov> or by fax to 202-326-4112. Copies of the request for

approval and any comments may be obtained by writing to the PBGC's Communications and Public Affairs Department at Suite 1200 at the above address or by visiting that office or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.) Copies of the PBGC's regulation on Extension of Special Withdrawal Liability Rules (29 CFR part 4203) and of the originating request for approval may be accessed through the PBGC's Web site (<http://www.pbgc.gov>).

**FOR FURTHER INFORMATION CONTACT:** Eric Field, Attorney, Office of the Chief Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; telephone 202-326-4020. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020).

#### SUPPLEMENTARY INFORMATION:

##### Background

Under section 4203(a) of ERISA, a complete withdrawal from a multiemployer plan generally occurs when an employer permanently ceases to have an obligation to contribute under the plan or permanently ceases all covered operations under the plan. Under section 4205 of ERISA, a partial withdrawal generally occurs when an employer (1) Reduces its contribution base units by seventy percent in each of three consecutive years, or (2) permanently ceases to have an obligation to contribute under one or more but fewer than all collective bargaining agreements under which the employer has been obligated to contribute under the plan, while either continuing to perform work in the jurisdiction of the collective bargaining agreement of the type for which contributions were previously required or transferring such work to another location or to an entity or entities owned or controlled by the employer, or (3) permanently ceases to have an obligation to contribute under the plan for work performed at one or more but fewer than all of its facilities, while continuing to perform work at the facility of the type for which the obligation to contribute ceased.

Although the general rules on complete and partial withdrawal are based on events that normally result in a diminution of the plan's contribution base, Congress recognized that, in certain industries and under certain circumstances, a complete or partial cessation of the obligation to contribute