

**DEPARTMENT OF LABOR****Office of the Secretary****Submission for OMB Review:  
Comment Request**

January 5, 2010.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202–693–4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/ Fax: 202–395–5806 (these are not toll-free numbers), E-mail:

[OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

*The OMB is particularly interested in comments which:*

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Bureau of Labor Statistics.

*Type of Review:* Revision of a currently approved collection.

*Title of Collection:* The Consumer Expenditure Surveys: The Quarterly Interview and the Diary.

*OMB Control Number:* 1220–0050.  
*Affected Public:* Individuals or households.

*Total Estimated Number of Respondents:* 8,825.

*Total Estimated Annual Burden Hours:* 72,614.

*Total Estimated Annual Costs Burden (does not include hourly wage costs):* \$0.

*Description:* The Consumer Expenditure Surveys are used to gather information on expenditures, income, and other related subjects. These data are used to periodically update the national Consumer Price Index. In addition the data are used by a variety of researchers in academia, government agencies, and the private sector. The data are collected from a national probability sample of households designed to represent the total civilian non-institutional population. For additional information, see related notice published in the **Federal Register** on October 1, 2009 (Vol. 74, page 50822).

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. 2010–202 Filed 1–8–10; 8:45 am]

**BILLING CODE 4510–24–P**

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Comment Request**

January 5, 2010.

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Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Employment and

Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–5806 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

*The OMB is particularly interested in comments which:*

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Trade Adjustment Assistance/NAFTA Financial Status/ Request for Funds Report.

*OMB Control Number:* 1205–0275.

*Agency Form Number:* ETA–9117.

*Affected Public:* State Governments.

*Total Estimated Number of*

*Respondents:* 25.

*Total Estimated Annual Burden*

*Hours:* 50.

*Total Estimated Annual Costs Burden (does not include hour costs):* \$0.

*Description:* The Department of Labor requires financial data for the Trade Adjustment Assistance (TAA) and NAFTA–TAA programs administered by States. The required data are necessary in order to meet statutory requirements prescribed in the Trade Act of 1974 (section 250 (a) Subchapter D, Chapter 2, Title II), as amended by the American Recovery and Reinvestment Act of 2009; the Omnibus Trade and Competitiveness Act of 1988 and the North American Free Trade Act. For additional information, see related notice published in the **Federal Register**

on September 29, 2009 (Volume 74, page 49893).

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. 2010-177 Filed 1-8-10; 8:45 am]

**BILLING CODE 4510-FN-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2010-0007]

### Final Memorandum of Understanding Between the U.S. Nuclear Regulatory Commission and the North American Electric Reliability Corporation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice.

#### FOR FURTHER INFORMATION CONTACT:

Kenneth Miller, Electrical Engineer, Electrical Engineering Branch, Division of Engineering, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555. *Telephone:* (301) 415-3152; *fax number:* (301) 415-3031; *e-mail:* [kenneth.miller2@nrc.gov](mailto:kenneth.miller2@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

This notice is to advise the public of the issuance of a Final Memorandum of Understanding (MOU) between the U.S. Nuclear Regulatory Commission (NRC) and the North American Electric Reliability Corporation (NERC). The purpose of this MOU is to set forth and coordinate the roles and responsibilities of each organization as they relate to the application of their respective cyber security requirements for the protection of digital assets at commercial nuclear power plants operating in the USA.

##### II. Effective Date

This MOU is effective December 30, 2009.

##### III. Further Information

Documents related to this action are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession number for the document related to this notice is: Memorandum of Understanding between the NRC and NERC ML093510905. If you do not have access to ADAMS or if there are problems in accessing the documents

located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdrr@nrc.gov](mailto:pdrr@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 5th day of January, 2010.

For the Nuclear Regulatory Commission.

**George A Wilson,**

*Chief, Electrical Engineering Branch, Division of Engineering, Office of Nuclear Reactor Regulation.*

### Memorandum of Understanding Between the U.S. Nuclear Regulatory Commission and the North American Electric Reliability Corporation

#### I. Purpose

1. This Memorandum of Understanding (MOU) is entered into by the U.S. Nuclear Regulatory Commission (NRC) and the North American Electric Reliability Corporation (NERC) (hereafter "Party" or "Parties").

2. Consistent with their statutory authority and regulations, the NRC and NERC each have responsibility for establishing and enforcing cyber security requirements at commercial nuclear power plants operating in the United States of America (USA). The NRC's primary focus is on the prevention of radiological sabotage (*i.e.*, significant core damage) that could result in harm to public health and safety or the environment or have an adverse impact upon the common defense and security of the USA. NERC's primary focus is on the reliability of the bulk power system (BPS). It accomplishes this in part by enforcing compliance with applicable NERC Reliability Standards, including, but not limited to, the Critical Infrastructure Protection (CIP) Reliability Standards.

3. The purpose of this MOU is to set forth and coordinate the roles and responsibilities of each organization as they relate to the application of their respective cyber security requirements for the protection of digital assets at commercial nuclear power plants operating in the USA. This cooperation will ensure that the common responsibilities of each organization are achieved in the most efficient and effective manner without diminishing or interfering with their respective responsibilities and authorities. The goal of this cooperation is to maintain the safety and security of commercial nuclear power plants operating in the USA while optimizing the reliability of the BPS to the maximum extent possible.

4. This memorandum supplements an existing Memorandum of Agreement (MOA) between the NRC and NERC dated July 10, 2007.

#### II. Roles and Responsibilities

##### 1. NRC:

a. The NRC has statutory responsibility for licensing and regulating commercial nuclear

facilities operating in the USA as well as the civilian use of byproduct, source, and special nuclear materials in order to protect public health and safety, promote the common defense and security, and protect the environment. Public Law 93-438, 88 Stat. 1233 (42 U.S.C. 5801 *et seq.*).

b. The NRC carries out its statutory responsibilities by promulgating regulations and issuing licenses, certificates and orders for commercial nuclear power plants and other nuclear facilities and materials in the USA.

c. The NRC has issued orders and promulgated regulations imposing cyber security requirements on commercial nuclear power plants under its jurisdiction. Portions of these facilities also fall under the concurrent jurisdiction of NERC's CIP reliability standards.

d. The NRC's cyber security regulations set forth at 10 CFR 73.54 govern digital systems and networks that can affect commercial nuclear power reactor safety, security, and emergency preparedness functions. Those regulations do not govern systems within nuclear facilities, such as those related to continuity of power that could not have an adverse impact on safety, security, or emergency preparedness functions.

##### 2. NERC:

a. NERC has statutory responsibility for improving the reliability and security of the BPS in the United States. NERC conducts equivalent activities in Canada. NERC's authority and jurisdiction in the USA is set forth in the Federal Power Act pursuant to Title XII of the Energy Policy Act of 2005, FERC's implementing regulations at 18 CFR Part 39, and applicable FERC Orders, including but not limited to, the Electric Reliability Organization (ERO) Certification Order, Order Nos. 672, 693, 706 and 706-B. NERC is a not-for-profit, self-regulatory corporation.

b. NERC develops and enforces reliability standards; monitors the BPS; analyzes BPS events; assesses the adequacy of the BPS annually via a 10-year forecast and winter and summer forecasts; audits owners, operators, and users of the BPS; and educates and trains industry personnel.

#### III. NRC/NERC Consultations on the FERC Order 706-B Exception Process

1. On January 18, 2008, FERC issued Order No. 706 imposing eight NERC-developed cyber security CIP reliability standards on BPS owners, operators, and users. This Order exempted facilities regulated by the NRC from compliance with NERC's CIP standards.

2. On March 19, 2009, FERC issued Order No. 706-B, significantly narrowing the nuclear facilities exemptions from NERC's CIP standards in order to ensure comprehensive cyber security protection of appropriate digital assets at nuclear power plants. Order No. 706-B allows nuclear facilities to seek exceptions from NERC's CIP standards on a case-by-case basis for those digital assets subject to the NRC's cyber security requirements.

3. The NRC and NERC agree to cooperate regarding NERC's disposition of exception requests received from nuclear facilities subject to NERC's CIP standards. NERC