

SBE graduate students at 11 AGEF institutions.

Estimated Total number of

Respondents: 154.

Estimated Total Annual Burden on Respondents: 165 hours.

Dated: May 18, 2011.

Suzanne H. Plimpton,

Reports Clearance Officer, National Science Foundation.

[FR Doc. 2011-12663 Filed 5-23-11; 8:45 am]

BILLING CODE 7555-01-P

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

AGENCY: National Science Foundation.

ACTION: Notice of Permit Modification Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish a notice of requests to modify permits issued to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 part 670 of the Code of Federal Regulations. This is the required notice of a requested permit modification.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by June 23, 2011. Permit applications may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

FOR FURTHER INFORMATION CONTACT:

Nadene G. Kennedy at the above address or (703) 292-7405.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

Description of Permit Modification Requested: The Foundation issued a

permit (2011-001) to Dr. Steven D. Emslie on April 27 2011. The issued permit allows the applicant access to numerous Antarctic Specially Protected Areas (ASPA's) in the Antarctic Peninsula and McMurdo Sound/Ross Sea area to visit abandoned and active penguin colonies to excavate organic remains (bones, tissue, feathers, eggshell fragments, otoliths, squid beaks and other prey remains. Access to the ASPA is on an opportunistic basis.

The applicant requests a modification to his permit to add two additional ASPA's in the Ross Sea regions (ASPA 158—Cape Adair and ASPA 160—Cape Geology) in case there is an opportunity to access the sites.

Location: Ross Sea and McMurdo Sound area and the Antarctic Peninsula regions.

Dates: October 1, 2011 to September 30, 2012.

Nadene G. Kennedy,

Permit Officer, Office of Polar Programs.

[FR Doc. 2011-12664 Filed 5-23-11; 8:45 am]

BILLING CODE 7555-01-P

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SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

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The applications received are as follows:

1. *Applicant:* Jonathan Thom, Space Science and Engineering Center, University of Wisconsin-Madison, 1225 W. Dayton Street, Madison, WI 53706.

Permit Application No. 2012-002.

Activity for Which Permit is

Requested: Enter an Antarctic Specially Protected Area. The applicant plans to enter Cape Hallett (ASPA #106) to consolidate the two automatic weather stations (AWS) currently deployed into one station. The two existing stations will be removed and replaced with one new station. The new AWS will be installed on a tripod support and will include standard meteorological instrumentation (wind, pressure, solar radiation, temperature and relative humidity).

Location: Cape Hallett—ASPA #106.

Dates: November 2, 2011 to January 31, 2012.

1. *Applicant:* Jo-Ann Mellish, Alaska SeaLife Center, 301 Railway Avenue, Seward, AK 99664-1329.

Permit Application No. 2012-003.

Activity for Which Permit is

Requested: Take and Enter an Antarctic Specially Protected Area. The applicant plans capture up to a total of 40 Weddell seals (weaned pups through non-pregnant adults) over a two-year period to collect morphometric measurements, including weighing, collect blood samples and blubber samples. In addition, a telemetry pack will be glued to the fur in the mid-dorsal region to record diving depth, swim speed, ambient temperature and light levels, stomach temperature, heat flux and skin temperature. Also a stroke frequency sensor will be glued to the base of the tail. The glued instruments will be retrieved after approximately a week. Should an instrumented animal haul out in at Cape Royds (ASPA #121), they will attempt to usher the animal outside the ASPA before retrieving the instruments.

Despite being an essential physiological component of homeothermic life in polar regions, little is known about the energetic requirements for thermoregulation in

either air or water for high-latitude seals. Utilizing a two-part study including a hypothesis-driven field experiment and an objective driven model component, the applicant will quantify these costs for the Weddell seal under both ambient air and water conditions. The wide range of body size (80 kg pups–450 kg adults) and condition (10–45% total body fat) of these seals makes them an ideal model polar species to investigate both physiological costs and limitations of thermoregulation as a function of body mass and isolative properties.

Location: Delbrige Islands, Turtle Rock, Hutton Cliffs, the Erebus glacier tongue, Turks Head, other suitable areas in McMurdo Sound, and Cape Royds (ASPA #121).

Dates: October 2, 2011 to January 31, 2013.

Nadene G. Kennedy,

Permit Officer, Office of Polar Programs.

[FR Doc. 2011–12658 Filed 5–23–11; 8:45 am]

BILLING CODE 7555–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–010; NRC–2011–0108]

Exelon Nuclear, Dresden Nuclear Power Station, Unit 1; Exemption From Certain Security Requirements

1.0 Background

Exelon Nuclear is the licensee and holder of Facility Operating License No. DPR–2 issued for Dresden Nuclear Power Station (DNPS), Unit 1, located in Grundy County, Illinois. DNPS Unit 1 is a permanently shutdown nuclear reactor facility that began commercial operation in October 1960 and shutdown on October 31, 1978. The facility is in a SAFSTOR condition. Spent fuel has been removed from the facility and is currently stored either in an Independent Spent Fuel Storage Installation (ISFSI) or the DNPS Unit 3 spent fuel pool, both located within the protected area of DNPS Units 2 and 3. Additionally, the DNPS Unit 1 spent fuel pool has been drained and decontaminated. The reactor vessel and primary system piping remain in place. DNPS Unit 1 is currently licensed pursuant to Section 104(b) of the Atomic Energy Act of 1954, as amended, and 10 CFR 50, “Domestic Licensing of Production and Utilization Facilities,” to possess and maintain, but not to operate, the facility.

2.0 Action

Section 50.54(p)(1) of Title 10 of the Code of Federal Regulations states, in

part, “The licensee shall prepare and maintain safeguards contingency plan procedures in accordance with Appendix C of part 73 of this chapter for affecting the actions and decisions contained in the Responsibility Matrix of the safeguards contingency plan.”

Part 73 of Title 10 of the Code of Federal Regulations, “Physical Protection of Plant and Materials,” provides in part, “This part prescribes requirements for the establishment and maintenance of a physical protection system which will have capabilities for the protection of special nuclear material at fixed sites and in transit and of plants in which special nuclear material is used.” In Section 73.55, entitled “Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,” paragraph (b)(1) states, “The licensee shall establish and maintain a physical protection program, to include a security organization, which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety.”

The NRC revised 10 CFR 73.55, in part to include the preceding language, through the issuance of a final rule on March 27, 2009 (74 FR 13926). The revised regulation stated that it was applicable to all Part 50 licensees. The NRC became aware that many part 50 licensees with facilities in decommissioning status did not recognize the applicability of this regulation to their facility. Accordingly, the NRC informed licensees with facilities in decommissioning status and other stakeholders that the requirements of 10 CFR 73.55 were applicable to all part 50 licensees. By letter dated August 2, 2010, the NRC informed Exelon Nuclear of the applicability of the revised rule and stated that it would have to evaluate the applicability of the regulation to its facility and either make appropriate changes or request an exemption.

By letter dated December 3, 2010, Exelon Nuclear responded to the NRC’s letter and requested exemptions from the security requirements in 10 CFR Part 73 and 10 CFR 50.54(p).

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50, when (1) The exemptions are authorized by law, will not present an undue risk to

public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. Special circumstances are present when, for example, application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or when compliance would result in costs significantly in excess of those incurred by others similarly situated. Also, pursuant to 10 CFR 73.5, “Specific exemptions,” the Commission may, upon application of any interested person or upon its own initiative, grant exemptions from the regulations in part 73 as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

The purpose of the security requirements of 10 CFR part 73, as applicable to a 10 CFR part 50 licensed facility, is to prescribe requirements for a facility that possesses and utilizes SNM. With the completion of the transfer of the DNPS Unit 1 spent nuclear fuel to either the ISFSI site or DNPS Unit 3 spent fuel pool, both located within the protected area of Units 2 and 3, there is no longer any SNM located within DNPS Unit 1 other than that contained in plant systems as residual contamination.

The remaining radioactive material of concern (*i.e.*, reactor vessel, piping systems, and building structures) for DNPS Unit 1 is in a form that does not pose a risk of removal (*i.e.*, an intact reactor pressure vessel) and is well dispersed and is not easily aggregated into significant quantities. With the removal of the fuel containing SNM, the potential for radiological sabotage or diversion of SNM at the 10 CFR part 50 licensed site was eliminated. Therefore, the continued application of the fixed site physical protection requirements of 10 CFR part 73 to DNPS Unit 1 would no longer be necessary to achieve the underlying purpose of the rule. Additionally, as has been noted at other decommissioning nuclear power facilities, with the removal of the spent nuclear fuel from the site, the 10 CFR part 50 licensed site would be comparable to a source and byproduct licensee that uses general industrial security (*i.e.* locks and barriers) to protect the public health and safety. The continued application of the fixed site physical protection requirements of 10 CFR part 73 security requirements would cause the licensee to expend significantly more funds for security requirements than other source and byproduct facilities that use general industrial security. Therefore,