

and progress toward developing a policy and accompanying guidance document on the use of risk assessment at defense nuclear facilities. This DOE letter indicated that the draft policy and guidance document would be ready for submittal to the DOE directives system in March 2007. Despite periodic meetings with the Board's staff and briefings to the Board, as of July 2009, the draft policy and guidance document has not been entered into the DOE Directives system, and near-term resolution of the issue is not evident. Without such a policy, DOE has little basis to accept the validity of existing risk management tools that use quantitative risk assessment. This is particularly important since the managers of DOE's field elements are allowed to accept the safety risks that high-hazard operations pose toward workers and the public based on widely varying levels of assessments.

Though Title 10, Part 830 of the Code of Federal Regulations (10 CFR 830, *Nuclear Safety Management*) and its associated quality assurance considerations govern nuclear safety evaluations at a fundamental level, these existing requirements are not of sufficient specificity to guide the use of complex quantitative risk assessments. The continued pursuit of ad hoc applications of risk assessment in the absence of adequate DOE policy and guidance is contrary to the standards-based approach to nuclear safety espoused by DOE and endorsed by the Board.⁴

Recommendation

Therefore, the Board recommends that DOE:

1. Establish a policy on the use of quantitative risk assessment for nuclear safety applications.
2. Consistent with this policy, establish requirements and guidance in a DOE directive or directives that prescribe controls over the quality, use, implementation, and applicability of quantitative risk assessment in the design and operation of defense nuclear facilities.
3. Evaluate current ongoing uses of quantitative risk assessment methodologies at defense nuclear facilities to determine if interim guidance or special oversight is warranted pending the development of formal policy and guidance.
4. Establish a requirement to identify deficiencies and gaps in ongoing applications of quantitative risk assessment along with the additional research necessary to fill those gaps in support of the development and implementation of the final policy and guidance.

A. J. Eggenberger,
Chairman.

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⁴ The Board's Recommendation 2008-1 is similarly directed at DOE's use of a safety methodology (in this case, classifying fire protection systems as safety-class or safety-significant) in advance of developing criteria and guidance.

DEPARTMENT OF DEFENSE

Department of the Navy

Notice of Record of Decision for Undersea Warfare Training Range

AGENCY: Department of the Navy, DOD.

ACTION: Notice of record of decision.

SUMMARY: The United States (U.S.) Department of the Navy (Navy), after carefully weighing the environmental consequences of the installation and operation of the proposed action, announces its decision to develop an undersea warfare training range (USWTR) within the Preferred Alternative Site, the Jacksonville Operating Area (JAX OPAREA). At this time the Navy is implementing only a portion of the proposed action, a decision to move forward with installation of the USWTR, which consists of installing undersea cables and up to 300 nodes over a 500 square-nautical-mile area of the ocean. This location is approximately 50 nm from the northeast coast of Florida. The underwater nodes will be linked by underwater cable to a cable termination facility located ashore on Naval Station Mayport, Florida.

Although both the installation phase and training phase of the USWTR are fully analyzed in the Final Overseas Environmental Impact Statement/Environmental Impact Statement (OEIS/EIS), and informs the decision as to the site selected for installation of the USWTR, this Record of Decision (ROD) implements only a portion of the proposed action by authorizing the installation of the USWTR. Because the USWTR is not anticipated to be ready for operation until at least 2014, the analysis regarding the environmental effects from training on the range will be updated in a future OEIS/EIS document closer in time to the date when the training will begin. The principal type of training activities on the USWTR will be anti-submarine warfare. The decision to implement training on USWTR will be based on the updated analysis of environmental effects in a future OEIS/EIS in conjunction with appropriate coordination and consultation with the National Marine Fisheries Service.

SUPPLEMENTARY INFORMATION: The complete text of the ROD is available on the public web site: http://projects.earthtech.com/uswtr/USWTR_index.htm along with the complete Final OEIS/EIS and accompanying documentation. Single copies of the ROD will be made available upon request by contacting Naval Facilities Engineering Command

Atlantic, Attn: USWTR OEIS/EIS Project Manager, Code EV22LL, 6506 Hampton Boulevard, Lafayette River Annex Building A, Norfolk, Virginia 23508-1278.

Dated: August 5, 2009.

A.M. Vallandigham,

Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.

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DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 13, 2009.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper