

November 10, 2009

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
 )  
SHIELDALLOY METALLURGICAL CORP. ) Docket No. 40-7102-MLA  
 )  
(Licensing Amendment Request for )  
Decommissioning of the )  
Newfield, New Jersey Facility) )

NRC STAFF'S STATUS REPORT

In its Order dated October 21, 2009, the Board suspended the NRC Staff's obligation to file bi-monthly status reports regarding its review of Shieldalloy's decommissioning plan.<sup>1</sup> The Board also stated, however, that "the Staff remains obligated to inform the Board promptly of any significant developments relevant to this proceeding."<sup>2</sup>

On November 2, 2009, Shieldalloy filed a petition for review with the United States Court of Appeals for the District of Columbia Circuit. Shieldalloy's petition identifies the Nuclear Regulatory Commission as a respondent. Among the relief it seeks, Shieldalloy requests that the Court "[d]irect the NRC to revoke its transfer of regulatory authority over the Newfield Facility to the State of New Jersey and resume its regulatory authority over that facility[.]" The Staff is attaching a copy of Shieldalloy's petition for the Board's reference.

Respectfully submitted,

**/RA/**

\_\_\_\_\_  
Michael J. Clark  
Counsel for the NRC Staff

Dated at Rockville, Maryland  
this 10<sup>th</sup> day of November, 2009

<sup>1</sup> Order (October 21, 2007) (unpublished) at 2.

<sup>2</sup> *Id.*

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
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SHIELDALLOY METALLURGICAL CORP. ) Docket No. 40-7102-MLA  
 )  
(Licensing Amendment Request for )  
Decommissioning of the )  
Newfield, New Jersey Facility) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S STATUS REPORT" in the above captioned proceeding have been served on the following persons by deposit in the United States Mail; through deposit in the Nuclear Regulatory Commission internal mail system as indicated by an asterisk (\*); and by electronic mail as indicated by a double asterisk (\*\*) on this 10<sup>th</sup> day of November, 2009.

Alan S. Rosenthal, Chair \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [rsnthl@verizon.net](mailto:rsnthl@verizon.net)

William Reed \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [whrcville@embarqmail.com](mailto:whrcville@embarqmail.com)

Richard E. Wardwell \* \*\*  
Administrative Judge  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [richard.wardwell@nrc.gov](mailto:richard.wardwell@nrc.gov)

Adjudicatory File \*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Mail Stop: T-3 F23  
Washington, D.C. 20555

Office of Commission Appellate  
Adjudication \* \*\*  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 G4  
Washington, D.C. 20555  
E-mail: [OCAAMail@nrc.gov](mailto:OCAAMail@nrc.gov)

Office of the Secretary \* \*\*  
Attn: Rulemaking and Adjudications Staff  
U.S. Nuclear Regulatory Commission  
Mail Stop: O-16 G4  
Washington, D.C. 20555  
E-mail: [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov)

David R. Smith, Radiation Safety Officer  
Shieldalloy Metallurgical Corporation  
12 West Boulevard  
P.O. Box 768  
Newfield, NJ 08344-0768

Stuart Rabner, Esq.  
Attorney General of New Jersey  
Andrew W. Reese, Esq. \*\*  
Kenneth Elwell, Esq. \*\*  
Deputy Attorneys General  
New Jersey Office of the Attorney General  
Department of Law and Public Safety  
25 Market Street  
P.O. Box 093  
Trenton, NJ 08625  
E-mail: [reeseand@dol.lps.state.nj.us](mailto:reeseand@dol.lps.state.nj.us)  
[Kenneth.elwell@dol.lps.state.nj.us](mailto:Kenneth.elwell@dol.lps.state.nj.us)

Johanna Thibault, Law Clerk \*\*\*  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C.  
20555-0001  
E-mail: [johanna.thibault@nrc.gov](mailto:johanna.thibault@nrc.gov)

Jay E. Silberg \*\*  
Matias Travieso-Diaz \*\*  
R. Budd Haemer \*\*  
Pillsbury Winthrop Shaw Pittman, LLP  
2300 N St. NW  
Washington, DC 20037  
E-mail: [jay.silberg@pillsburylaw.com](mailto:jay.silberg@pillsburylaw.com)  
[matias.travieso-diaz@pillsburylaw.com](mailto:matias.travieso-diaz@pillsburylaw.com)  
[robert.haemer@pillsburylaw.com](mailto:robert.haemer@pillsburylaw.com)

SherVerne R. Cloyd \*\*\*  
Atomic Safety and Licensing Board Panel  
Mail Stop – T-3 F23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
E-mail: [sherverne.cloyd@nrc.gov](mailto:sherverne.cloyd@nrc.gov)

*/RA/*

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Michael J. Clark  
Counsel for the NRC Staff

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SHIELDALLOY METALLURGICAL CORPORATION )		
Petitioner, )		
	)	
v. )		
	)	No.
UNITED STATES NUCLEAR REGULATORY )		
COMMISSION and the )		
	)	
UNITED STATES OF AMERICA )		
Respondents. )		
	)	

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**PETITION FOR REVIEW**

Shieldalloy Metallurgical Corporation (“Shieldalloy”) petitions this Court for review of a final order of the United States Nuclear Regulatory Commission (“NRC”). Shieldalloy is the holder of NRC Source Materials License No. SMB-743 for its facility in Newfield, New Jersey (“the Newfield Facility”). Effective September 30, 2009 the NRC, acting pursuant to section 274 of the Atomic Energy Act of 1954, 42 U.S.C. § 2021, entered into an agreement with the State of New Jersey (the “Agreement”), by virtue of which the NRC transferred to the State of New Jersey the NRC’s regulatory authority over the possession and use of certain nuclear materials held under licenses granted by the NRC. The portion of the

Agreement that transferred regulatory authority over these licenses (Article I of the Agreement) is the order that is the subject of this Petition (the "Order").

Shieldalloy's NRC license for the Newfield Facility is one of the licenses for which regulatory authority was transferred to New Jersey by the Order. A copy of the Agreement, including the Order, as published in the Federal Register on October 8, 2009 (74 Fed. Reg. 51882), is attached as Exhibit A hereto.

The Court has jurisdiction over this matter pursuant to 28 U.S.C. § 2342(4), 42 U.S.C. § 2239(a) and 28 U.S.C. § 2344. The NRC Order was effective as of September 30, 2009 and became subject to review upon publication in the Federal Register on October 8, 2009. This Court is a proper venue pursuant to 28 U.S.C. § 2343.

Petitioner requests that the Court grant the following relief:

1. Declare that the NRC's Order, to the extent it transferred the NRC's regulatory authority over the Newfield Facility to the State of New Jersey, was arbitrary and capricious and contrary to applicable law;
2. Direct the NRC to revoke its transfer of its regulatory authority over the Newfield Facility to the State of New Jersey and resume its regulatory authority over that facility;

3. Grant such other relief as the Court deems just and proper.

Respectfully submitted,



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Jay E. Silberg  
Matias F. Travieso-Diaz

PILLSBURY WINTHROP  
SHAW PITTMAN LLP  
2300 N Street, N.W.  
Washington, D.C. 20037  
(202) 663-8000  
Counsel for Shieldalloy Metallurgical  
Corporation

Dated: November 2, 2009

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Petition for Review and of Shieldalloy Metallurgical Corporation's Corporate Disclosure Statement were served on the persons listed below by deposit in the U.S. Mail, first class, postage prepaid this 2<sup>nd</sup> day of November, 2009.

John Cordes, Jr., Esq., Solicitor  
Michael J. Clark, Esq.  
Office of the General Counsel  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Anne Milgram, Esq.  
Attorney General of New Jersey  
Andrew W. Reese, Esq.  
Deputy Attorney General  
New Jersey Office of the Attorney General  
Department of Law and Public Safety  
25 Market Street  
P.O. Box 093  
Trenton, NJ 08625-0093

  
\_\_\_\_\_  
Matias F. Travieso-Diaz

[FR Doc. Z9-23375 Filed 10-7-09; 8:45 am]  
BILLING CODE 1301-00-D

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation Training Division

[OMB Number 1110-NEW]

#### FBI National Academy Level 1 Evaluation Proposed Collection, Comments Requested

ACTION: 60-Day Notice of Information  
Collection Under Review: Approval of a  
New Collection.

*FBI National Academy Level 1  
Evaluation: Student Course  
Questionnaire.*

*FBI National Academy: General  
Remarks Questionnaire.*

The Department of Justice (DOJ),  
Federal Bureau of Investigation (FBI),  
Training Division's Office of  
Technology, Research, and Curriculum  
Development (OTRCD) will be  
submitting the following information  
collection request to the Office of  
Management and Budget (OMB) for  
review and approval in accordance with  
the Paperwork Reduction Act of 1995.  
The proposed information collection is  
published to obtain comments from the  
public and affected agencies. Comments  
are encouraged and will be accepted for  
60 days until December 7, 2009. This  
process is conducted in accordance with  
5 CFR 1320.10.

If you have comments (especially on  
the estimated public burden or  
associated response time), suggestions,  
or need a copy of the proposed  
information collection instrument with  
instructions or additional information,  
please contact *Candace Matthews,  
Evaluation Program Manager, Federal  
Bureau of Investigation, Training  
Division, Curriculum Development and  
Evaluation Unit, FBI Academy,  
Quantico, Virginia 22135 or facsimile at  
(703) 632-3111.*

Written comments and suggestions  
from the public and affected agencies  
concerning the proposed collection of  
information are encouraged. Your  
comments should address one or more  
of the following four points:

(1) Evaluate whether the proposed  
collection of information is necessary  
for the proper performance of the  
functions of the agency/component,  
including whether the information will  
have practical utility;

(2) Evaluate the accuracy of the  
agency's/component's estimate of the  
burden of the proposed collection of the

information, including the validity of  
the methodology and assumptions used;  
(3) Enhance the quality, utility, and  
clarity of the information to be  
collected; and

(4) Minimize the burden of the  
collection of information on those who  
are to respond, including 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.

*Overview of this information:*

1. *Type of Information Collection:*  
Approval of a New Collection.

2. *Title of the Forms:*

*FBI National Academy Level 1  
Evaluation: Student Course  
Questionnaire.*

*FBI National Academy: General  
Remarks Questionnaire.*

3. *Agency Form Number, if any, and  
the applicable component of the  
department sponsoring the collection:*

*Form Number: 1110-XXXX.*

*Sponsor: Training Division of the  
Federal Bureau of Investigation (FBI),  
Department of Justice (DOJ).*

4. *Affected Public who will be asked  
or required to respond, as well as a brief  
abstract:*

*Primary:* FBI National Academy  
students that represent State and local  
police and sheriffs' departments,  
military police organizations, and  
Federal law enforcement agencies from  
the United States and over 150 foreign  
nations.

*Brief Abstract:* This collection is  
requested by FBI National Academy.  
These surveys have been developed to  
measure the effectiveness of services  
that the FBI National Academy  
provides. We will utilize the students'  
comments to improve upon the current  
curriculum.

5. *An estimate of the total number of  
respondents and the amount of time  
estimated for an average respondent to  
respond:*

Approximately 1,020 FBI National  
Academy students per year will respond  
to two types of questionnaires. (1) FBI  
National Academy Level 1 Evaluation:  
Student Course Questionnaire and (2)  
FBI National Academy: General  
Remarks Questionnaire. It is predicted  
that we will receive a 75% respond rate  
for both surveys. Each student will  
respond to approximately six to seven  
Student Course Questionnaires—one for  
each class they have completed. The  
average time for reading the directions  
to each questionnaire is estimated to be  
2 minutes; the time to complete each  
questionnaire is estimated to be  
approximately 20 minutes. Thus the  
total time to complete the Student  
Course Questionnaire is 22 minutes.

For the FBI National Academy:

General Remarks Questionnaire,  
students will respond to one  
questionnaire. The average time for  
reading the directions to this  
questionnaire is estimated to be 2  
minutes; the time to complete each  
questionnaire is estimated to be  
approximately 10 minutes. Thus the  
total time to complete the General  
Remarks Questionnaire is 12 minutes.  
The total hour burden for both surveys  
is 2,822 hours.

6. *An estimate of the total public  
burden (in hours) associated with the  
collection:*

The average hour burden for  
completing all the surveys combined is  
2,822 hours.

If additional information is required,  
contact: Ms. Lynn Bryant, Department  
Clearance Officer, United States  
Department of Justice, Policy and  
Planning Staff, Justice Management  
Division, Suite 1600, Patrick Henry  
Building, 601 D Street, NW.,  
Washington, DC 20530.

Dated: October 5, 2009.

Lynn Bryant,

Department Clearance Officer, PRA, United  
States Department of Justice.

[FR Doc. E9-24307 Filed 10-7-09; 8:45 am]  
BILLING CODE 4410-02-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0142]

**State of New Jersey: Discontinuance  
of Certain Commission Regulatory  
Authority Within the State; Notice of  
Agreement Between the Nuclear  
Regulatory Commission and the State  
of New Jersey**

AGENCY: Nuclear Regulatory  
Commission.

ACTION: Notice of Agreement between  
the U.S. Nuclear Regulatory  
Commission and the State of New  
Jersey.

**SUMMARY:** This notice is announcing  
that on September 2, 2009, Gregory B.  
Jaczko, Chairman of the U.S. Nuclear  
Regulatory Commission (NRC or  
Commission), and on September 23,  
2009, Governor Jon S. Corzine, of the  
State of New Jersey, signed an  
Agreement as authorized by Section  
274b of the Atomic Energy Act of 1954,  
as amended (the Act). The Agreement  
provides for the Commission to  
discontinue its regulatory authority and  
for New Jersey to assume regulatory  
authority over the possession and use of  
byproduct material as defined in

Sections 11e.(1), 11e.(3), and 11e.(4) of the Act, source material, special nuclear materials (in quantities not sufficient to form a critical mass), and the regulation of land disposal of byproduct, source, or special nuclear material waste received from other persons. Under the Agreement, a person in New Jersey possessing these materials is exempt from certain Commission regulations. The exemptions have been previously published in the *Federal Register* (FR) and are codified in the Commission's regulations as 10 CFR part 150. The Agreement is published here as required by Section 274e of the Act.

**DATES:** The effective date of the Agreement is September 30, 2009.

**ADDRESSES:** You can access publicly available documents, including public comments 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](mailto:pdr.resource@nrc.gov). The ADAMS Accession numbers for the request for an Agreement by the Governor of New Jersey, including all information and documentation submitted in support of the request, and the NRC Draft Staff Assessment are: ML090510713, ML090510708, ML090510709, ML090510710, ML090510711, ML090510712, ML090770116, and ML091400097.

**FOR FURTHER INFORMATION CONTACT:** Torre Taylor, Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone (301) 415-7900; e-mail: [torre.taylor@nrc.gov](mailto:torre.taylor@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The NRC published the draft Agreement in the *Federal Register* for comment once each

week for 4 consecutive weeks on May 27, 2009 (74 FR 25283), June 3, 2009 (74 FR 26739), June 10, 2009 (74 FR 27572), and June 17, 2009 (74 FR 28728), as required by the Act. The comment period ended on June 26, 2009. The Commission received six comment letters—two supporting the Agreement, two opposed, one that supported the rationale of States assuming regulatory authority but not the fee differences that will occur, and one general comment that did not express support or opposition. The comments did not affect the NRC staff's assessment, which finds that the New Jersey Agreement State program is adequate to protect public health and safety and compatible with the NRC's program. The proposed New Jersey Agreement is consistent with Commission policy and thus meets the criteria for an Agreement with the Commission.

After considering the request for an Agreement by the Governor of New Jersey, the supporting documentation submitted with the request for an Agreement, and its interactions with the staff of the New Jersey Department of Environmental Protection, the NRC staff completed an assessment of the New Jersey program. The agency made a copy of the staff assessment available in the NRC's Public Document Room (PDR) and electronically on NRC's Web site. Based on the staff's assessment, the Commission determined on September 2, 2009, that the proposed New Jersey program for control of radiation hazards is adequate to protect public health and safety, and compatible with the Commission's program.

Dated at Rockville, Maryland, this 2nd day of October 2009.

For the Nuclear Regulatory Commission,  
J. Samuel Walker,  
*Acting Secretary of the Commission.*

**An Agreement Between the United States Nuclear Regulatory Commission and the State of New Jersey for the Discontinuance of Certain Commission Regulatory Authority and Responsibility Within the State Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended**

*Whereas*, The United States Nuclear Regulatory Commission (the Commission) is authorized under Section 274 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2011 *et seq.* (hereinafter referred to as the Act), to enter into Agreements with the Governor of any State/Commonwealth providing for discontinuance of the regulatory authority of the Commission within the State/Commonwealth under Chapters 6, 7, and 8, and Section 161 of the Act with respect to byproduct materials as defined in Sections 11e.(1), (2), (3), and (4) of the Act, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and,

*Whereas*, The Governor of the State of New Jersey is authorized under The Radiation Protection Act, N.J.S.A. 26:2D-1, to enter into this Agreement with the Commission; and,

*Whereas*, The Governor of the State of New Jersey certified on October 16, 2008, that the State of New Jersey (the State) has a program for the control of radiation hazards adequate to protect public health and safety with respect to the materials within the State covered by this Agreement and that the State desires to assume regulatory responsibility for such materials; and,

*Whereas*, The Commission found on September 2, 2009, that the program of the State for the regulation of the materials covered by this Agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect public health and safety; and,

*Whereas*, The State and the Commission recognize the desirability and importance of cooperation between the Commission and the State in the formulation of standards for protection against hazards of radiation and in assuring that State and Commission programs for protection against hazards of radiation will be coordinated and compatible; and,

*Whereas*, The Commission and the State recognize the desirability of the reciprocal recognition of licenses, and of the granting of limited exemptions from licensing of those materials subject to this Agreement; and,

*Whereas*, This Agreement is entered into pursuant to the provisions of the Act;

*Now, therefore*, It is hereby agreed between the Commission and the Governor of the State acting on behalf of the State as follows:

#### Article I

Subject to the exceptions provided in Articles II, IV, and V, the Commission shall discontinue, as of the effective date of this Agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and Section 161 of the Act with respect to the following materials:

1. Byproduct materials as defined in Section 11e.(1) of the Act;
2. Byproduct materials as defined in Section 11e.(3) of the Act;
3. Byproduct materials as defined in Section 11e.(4) of the Act;
4. Source materials;
5. Special nuclear materials in quantities not sufficient to form a critical mass; and
6. The regulation of the land disposal of byproduct, source, or special nuclear waste materials received from other persons.

#### Article II

This Agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to:

1. The regulation of the construction and operation of any production or utilization facility or any uranium enrichment facility;
2. The regulation of the export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;
3. The regulation of the disposal into the ocean or sea of byproduct, source, or special nuclear materials waste as defined in the regulations or orders of the Commission;

4. The regulation of the disposal of such other byproduct, source, or special nuclear materials waste as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be disposed without a license from the Commission;

5. The evaluation of radiation safety information on sealed sources or devices containing byproduct, source, or special nuclear materials and the registration of the sealed sources or devices for distribution, as provided for in regulations or orders of the Commission;

6. The regulation of byproduct material as defined in Section 11e.(2) of the Act.

#### Article III

With the exception of those activities identified in Article II.1 through 4, this Agreement may be amended, upon application by the State and approval by the Commission, to include one or more of the additional activities specified in Article II, whereby the State may then exert regulatory authority and responsibility with respect to those activities.

#### Article IV

Notwithstanding this Agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

#### Article V

This Agreement shall not affect the authority of the Commission under Subsection 161b or 161i of the Act to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data, or to guard against the loss or diversion of special nuclear material.

#### Article VI

The Commission will cooperate with the State and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that Commission and State programs for protection against hazards of radiation will be coordinated and compatible.

The State agrees to cooperate with the Commission and other Agreement States in the formulation of standards and regulatory programs of the State and the Commission for protection against hazards of radiation and to assure that the State's program will continue to be compatible with the program of the Commission for the regulation of materials covered by this Agreement.

The State and the Commission agree to keep each other informed of proposed changes in their respective rules and regulations, and to provide each other the opportunity for early and substantive contribution to the proposed changes.

The State and the Commission agree to keep each other informed of events, accidents, and licensee performance that may

have generic implication or otherwise be of regulatory interest.

#### Article VII

The Commission and the State agree that it is desirable to provide reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any other Agreement State.

Accordingly, the Commission and the State agree to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

#### Article VIII

The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend all or part of this Agreement and reassert the licensing and regulatory authority vested in it under the Act if the Commission finds that (1) such termination or suspension is required to protect public health and safety, or (2) the State has not complied with one or more of the requirements of Section 274 of the Act.

The Commission may also, pursuant to Section 274j of the Act, temporarily suspend all or part of this Agreement if, in the judgment of the Commission, an emergency situation exists requiring immediate action to protect public health and safety and the State has failed to take necessary steps. The Commission shall periodically review actions taken by the State under this Agreement to ensure compliance with Section 274 of the Act which requires a State program to be adequate to protect public health and safety with respect to the materials covered by this Agreement and to be compatible with the Commission's program.

#### Article IX

This Agreement shall become effective on September 30, 2009, and shall remain in effect unless and until such time as it is terminated pursuant to Article VIII.

Done at Rockville, Maryland, in triplicate, this 8th day of September, 2009.

#### FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

/RA/

Gregory B. Jaczko, Chairman.

Done at Trenton, New Jersey, in triplicate, this 23rd day of September, 2009.

#### FOR THE STATE OF NEW JERSEY

/RA/

Jon S. Corzine, Governor.

[FR Doc. E9-24281 Filed 10-7-09; 8:45 am]

BILLING CODE 7590-01-P

#### RAILROAD RETIREMENT BOARD

##### Sunshine Act; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on October 14, 2009, 10 a.m. at

the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois, 60611. The agenda for this meeting follows:

##### (1) Executive Committee Reports

The entire meeting will be open to the public. The person to contact for more information is Beatrice Ezerski, Secretary to the Board, Phone No. 312-751-4920.

Dated: October 5, 2009.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. E9-24372 Filed 10-6-09; 11:15 am]

BILLING CODE 7905-01-P

#### RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

##### Proposed Information Collection Activities

**ACTION:** Notice and request for comments.

**SUMMARY:** The Recovery Accountability and Transparency Board (Board) invites comments on the proposed information collection request as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before December 7, 2009.

**ADDRESSES:** Send all comments to Jennifer Dure, Office of General Counsel, Recovery Accountability and Transparency Board, 1717 Pennsylvania Avenue, NW., Suite 700, Washington, DC 20006.

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, section 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. 3501-3520), and its implementing regulations, 5 CFR Part 1320, require Federal agencies to provide 60 days' notice to the public for comment on information collection activities. Specifically, the Board invites interested respondents to comment on the following summary of proposed information collection activities regarding (i) whether the information collection activities are necessary for the Board to properly execute its functions; (ii) the accuracy of the Board's estimates of the burden of the information collection activities; (iii) ways for the Board to enhance the quality, utility, and clarity of the information being collected; and (iv) ways for the Board to minimize the burden of information collection activities on the public. The Office of Management and Budget (OMB) has approved, on an emergency basis, this collection of information.

**UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

SHIELDALLOY METALLURGICAL CORPORATION )

Petitioner, )

v. )

UNITED STATES NUCLEAR REGULATORY )  
COMMISSION and the )

No. )

UNITED STATES OF AMERICA )  
Respondents. )

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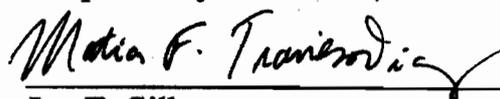
**SHIELDALLOY METALLURGICAL CORPORATION'S CORPORATE  
DISCLOSURE STATEMENT**

Pursuant to Rule 26.1 of the Federal Rules of Appellate Procedure and Circuit Rule 26.1, Shieldalloy Metallurgical Corporation ("Shieldalloy") by and through its undersigned counsel, hereby certifies that:

Shieldalloy is a Delaware Corporation and is a direct, wholly-owned subsidiary of Metallurg, Inc., a Delaware corporation, and an indirect subsidiary of Metallurg Holdings, Inc., a Delaware Corporation. It is also an indirect subsidiary of Metallurg Delaware Holdings Corporation, a privately-owned holding company, and of AMG Advanced Metallurgical Group N.V. ("AMG"), a publicly-owned company.

Shieldalloy is an industrial company that manufactured for a number of years metal alloys from ores containing small amounts of uranium and thorium. Shieldalloy has held for many years materials license No. SMB-743 issued by the U.S. Nuclear Regulatory Commission ("NRC") authorizing it to possess the uranium and thorium at its facility in Newfield, New Jersey. Such license has been transferred to the State of New Jersey by order of the NRC.

Respectfully submitted,



Jay E. Silberg

Matias F. Travieso-Diaz

PILLSBURY WINTHROP  
SHAW PITTMAN LLP

2300 N Street, N.W.

Washington, D.C. 20037

(202) 663-8000

Counsel For Shieldalloy Metallurgical  
Corporation

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