

Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, comments must be brought to the Library of Congress, James Madison Memorial Building, LM-401, 101 Independence Avenue, SE, Washington, DC 20559-6000. If delivered by a commercial courier, comments must be delivered to the Congressional Courier Acceptance Site located at 2nd and D Street, NE., Washington, DC. The envelope must be addressed to: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:**

Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or e-mail at [crb@loc.gov](mailto:crb@loc.gov).

**SUPPLEMENTARY INFORMATION:** On October 27, 2009, representatives of the Phase I claimant categories (the "Phase I Claimants")<sup>1</sup> filed with the Judges a motion requesting a partial distribution of 50% of the 2004, 2005, 2006, and 2007 satellite royalty funds pursuant to section 801(b)(3)(C) of the Copyright Act. That section requires that the Judges publish a notice in the **Federal Register** seeking responses to the motion for partial distribution to ascertain whether any claimant entitled to receive such fees has a reasonable objection to the requested distribution before ruling on the motion. Consequently, by today's Notice, the Judges seek comments from interested claimants on whether any reasonable objection exists that would preclude the distribution of 50% of the 2004, 2005, 2006 and 2007 satellite royalty funds to the Phase I claimants.

The Motion of the Phase I Claimants for Partial Distribution is posted on the Copyright Royalty Board Web site at <http://www.loc.gov/crb>.

Dated: January 22, 2010.

**William J. Roberts,**

*Copyright Royalty Judge.*

[FR Doc. 2010-1646 Filed 1-26-10; 8:45 am]

**BILLING CODE 1410-72-P**

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before *February 26, 2010*. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [request.schedule@nara.gov](mailto:request.schedule@nara.gov).

*FAX:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:** Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records

Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: 301-837-1539. E-mail: [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1225.12(e).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full

<sup>1</sup> The "Phase I Claimants" are the Program Suppliers, Joint Sports Claimants, Broadcaster Claimants Group, Music Claimants (American Society of Composers, Authors and Publishers, Broadcast Music, Inc., and SESAC, Inc.), and Devotional Claimants.

description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

*Schedules Pending:*

1. Department of the Army, Agency-wide (N1-AU-10-3, 1 item, 1 temporary item). Master files of an electronic information system that contains promotion data for enlisted personnel, including eligibility rosters, selection lists, and review documentation.

2. Department of the Army, Agency-wide (N1-AU-10-5, 1 item, 1 temporary item). Master files of an electronic information system that contains field, scientific, and engineering data used in connection with environmental remediation and restoration activities at Army installations.

3. Department of the Army, Agency-wide (N1-AU-10-6, 1 item, 1 temporary item). Master files of an electronic information system that contains information concerning forensic evidence used in criminal investigations, such as related case number, date evidence was gathered, and examiners' reports.

4. Department of the Army, Agency-wide (N1-AU-10-7, 1 item, 1 temporary item). Master files of an electronic information system that contains resource management data concerning criminal investigative activities that is used for budget planning and execution, personnel management, training, and agent accreditation.

5. Department of the Army, Agency-wide (N1-AU-10-16, 2 items, 2 temporary items). Master files of electronic information systems used in connection with civilian employee personnel management matters, such as recruitment, placement, and workforce planning and analysis.

6. Department of Defense, Joint Staff (N1-218-09-7, 5 items, 5 temporary items). Master files and reports associated with an electronic information system used by the U.S. European Command for personnel and casualty reporting. Most of the information included in these records is also contained in records that were previously approved for permanent retention.

7. Department of Health and Human Services, Centers for Medicare and Medicaid Services (N1-440-09-13, 8 items, 8 temporary items). Content and management records associated with the agency's internal and external Web sites.

8. Department of Health and Human Services, Centers for Medicare and Medicaid Services (N1-440-09-19, 2 items, 2 temporary items). Master files and outputs of an electronic information system used to track executive correspondence, congressional reports, and Freedom of Information Act requests and appeals.

9. Department of Health and Human Services, Centers for Medicare and Medicaid Services (N1-440-10-2, 1 item, 1 temporary item). Records of three standardized patient assessments submitted by health care quality improvement organizations that were never used.

10. Department of Justice, Justice Management Division (N1-60-09-50, 1 item, 1 temporary item). Records of agency-wide programs established to ensure equal employment opportunities for women, minorities, persons with disabilities, and other groups.

11. Department of Justice, Office of the Inspector General (N1-60-09-61, 5 items, 5 temporary items). Content and management records relating to the office's internal Web site.

12. Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (N1-436-09-1, 2 items, 2 temporary items). Digital images and metadata relating to bullets and cartridges recovered from crime scenes and test fires of weapons.

13. Department of Justice, Executive Office of U.S. Trustees (N1-60-09-36, 1 item, 1 temporary item). Master files of automated case tracking system used to maintain data on bankruptcy cases.

14. Department of the Navy, U.S. Marine Corps (N1-127-09-7, 1 item, 1 temporary item). Master files of an electronic information system used in connection with career planning and the assignment of personnel.

15. Department of State, Bureau of East Asian and Pacific Affairs (N1-59-09-14, 5 items, 3 temporary items). Subject files, biographical files and daily activity reports. Proposed for permanent retention are briefing books and historical files. The proposed disposition instructions are limited to paper records for permanent items.

16. Department of Transportation, Federal Aviation Administration (N1-237-09-26, 4 items, 4 temporary items). Electronic data and other records used in connection with credentialing of aviation safety inspectors.

17. Department of Transportation, Federal Highway Administration (N1-406-09-28, 2 items, 2 temporary items). Master files of two electronic information systems maintained by the agency's aerodynamics laboratory. One of the systems contains bridge wind

event data recorded at the Deer Isle Bridge in Maine. The other system contains bridge and cable data.

18. Department of the Treasury, Internal Revenue Service (N1-58-10-1, 4 items, 4 temporary items). Master files, outputs, and system documentation associated with an electronic information system that contains data used for scheduling computer runs at agency service centers.

19. Department of the Treasury, Internal Revenue Service (N1-58-10-2, 3 items, 3 temporary items). Master files and system documentation associated with electronic information systems that contain data concerning the examination of returns from employee plans and exempt organizations.

20. Department of the Treasury, Internal Revenue Service (N1-58-10-3, 3 items, 3 temporary items). Master files and system documentation associated with an electronic information system that contains data concerning agency information technology assets.

21. Department of the Treasury, Internal Revenue Service (N1-58-10-4, 4 items, 4 temporary items). Master files, outputs, and system documentation associated with an electronic information system that contains data concerning the case loads and hours worked by Tax Exempt and Government Entities staff.

22. Federal Communications Commission, Wireless Telecommunications Bureau (N1-173-08-1, 32 items, 32 temporary items). Master files of an electronic information system that contain information concerning licensing of wireless and public safety radio services. Included are applications for licenses, designated entity licensees' annual reports, pleadings, correspondence, license records for auctionable and non-auctionable services, granted registrations and leases, audit records, and antenna application and registration information.

23. Federal Energy Regulatory Commission, Agency-wide (N1-138-10-1, 1 item, 1 temporary item). Plans submitted by Federal and state agencies relating to waterway use and improvements and energy conservation.

24. National Prison Rape Elimination Commission, Agency-wide (N1-220-09-1, 4 items, 2 temporary items). Working papers, routine correspondence, recordings of meetings that have been transcribed, and other non-substantive records. Proposed for permanent retention are the Commission's substantive records, including agendas and minutes of meetings, briefing books, reports, and the Commission Web site.

25. Railroad Retirement Board, Office of Programs (N1-184-09-2, 21 items, 21 temporary items). Records relating to administration of the Medicare program and contracted Part B claims on behalf of qualified railroad retirement beneficiaries. Included are electronic case files, input files, reports, and electronic data.

Dated: January 21, 2010.

**Michael J. Kurtz,**

*Assistant Archivist for Records Services—Washington, DC.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-250 and 50-251; NRC-2010-0025]**

### **Florida Power and Light Company; Turkey Point Nuclear Generating Units 3 and 4; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of an Exemption, pursuant to 10 CFR 50.12 and 10 CFR 50.60(b) from the requirements of 10 CFR 50.61 and 10 CFR part 50, Appendix G for Facility Operating License Nos. DPR-31 and DPR-41, issued to Florida Power and Light Company (the licensee), for operation of the Turkey Point Units 3 and 4, located in Miami, Florida. In accordance with 10 CFR 51.21, the NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed actions will have no significant environmental impact.

#### **Environmental Assessment**

##### *Identification of the Proposed Action*

The proposed action would exempt the licensee from certain requirements of 10 CFR 50.61, "Fracture Toughness Requirements for Protection Against Thermal Shock Events," and 10 CFR Part 50, Appendix G, "Fracture Toughness Requirements."

The proposed action is in accordance with the licensee's application dated March 18, 2009.

##### *The Need for the Proposed Action*

The proposed exemption would allow the licensee to use an alternative method, described in Framatome ANP Topical Report BAW-2308, Revisions 1-A and 2-A (supplemental), for

determining the adjusted RT<sub>NDT</sub> (reference nil-ductility temperature) of the Linde 80 weld materials present in the beltline region of the Turkey Point Units 3 and 4 reactor pressure vessels.

##### *Environmental Impacts of the Proposed Action*

The NRC has completed its environmental assessment of the proposed exemption. The staff concluded that the change would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring. The proposed action would not result in an increased radiological hazard beyond those previously analyzed. There will be no change to radioactive effluents that effect radiation exposures to plant workers and members of the public. The proposed action will be performed inside existing plant buildings. No changes will be made to plant buildings or the site property. Therefore, no changes or different types of radiological impacts are expected as a result of the proposed exemption.

The proposed action does not result in changes to land use or water use, or result in changes to the quality or quantity of non-radiological effluents. No changes to the National Pollution Discharge Elimination System permit are needed. No effects on the aquatic or terrestrial habitat in the vicinity of the plant, or to threatened, endangered, or protected species under the Endangered Species Act, or impacts to essential fish habitat covered by the Magnuson-Steven's Act are expected. There are no impacts to the air or ambient air quality. There are no impacts to historical and cultural resources. There would be no impact to socioeconomic resources. Therefore, no changes or different types of non-radiological environmental impacts are expected as a result of the proposed exemption. Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

The details of the staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation if granted.

##### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed actions, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the exemption

request would result in no change in current environmental impacts. The environmental impacts of the proposed exemption and the "no action" alternative are similar.

##### *Alternative Use of Resources*

The action does not involve the use of any different resources than those considered in the Final Environmental Statement for the Turkey Point Units 3 and 4, Docket No. 50-250 and 50-251, issued in 1972.

##### *Agencies and Persons Consulted*

In accordance with its stated policy, on January 6, 2010, the staff consulted with the Florida State official, Charles Hamilton of the Bureau of Radiation Control, regarding the environmental impact of the proposed action. The State official had no comments.

##### **Finding of No Significant Impact**

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated March 18, 2009 (Agencywide Document Access and Management System (ADAMS) No. ML090920408). Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 1555 Rockville Pike, Rockville, Maryland 20852. Publicly available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site: <http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or send an e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 19th day of January 2010.

For the Nuclear Regulatory Commission.

**Jason C. Paige,**

*Project Manager, Plant Licensing Branch II-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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