

fraud, and other crimes relating to import and export.

11. Department of Justice, Office of the Inspector General (N1-60-09-25, 8 items, 5 temporary items). Audit and evaluation working files, investigation files lacking in historical value, and follow-up records. Proposed for permanent retention are final audit and evaluation reports. Investigation files that pertain to significant cases were previously approved for permanent retention.

12. Department of Justice, Federal Bureau of Investigation (N1-65-09-16, 5 items, 4 temporary items). Data contained in an electronic information system used to track terrorist threats that are not actionable. Also included are system outputs, audit files, and related records. Proposed for permanent retention are master files that contain data that is actionable.

13. Department of Justice, National Drug Intelligence Center (N1-523-09-2, 1 item, 1 temporary item). Master files of an electronic information system that contains intelligence data relating to illegal drug manufacturing, trafficking, and related activities.

14. Department of State, Bureau of Consular Affairs (N1-59-09-22, 2 items, 2 temporary items). Records relating to consular notifications and access for foreign nationals arrested in the United States. Also included are notification documents received in error from law enforcement agencies.

15. Department of Transportation, Federal Aviation Administration (N1-237-09-2, 2 items, 2 temporary items). Master files associated with an electronic information system used to manage flight inspection operations. Also included are paper copies of daily flight logs, which are input into the system.

16. Department of Transportation, Federal Aviation Administration (N1-237-09-3, 2 items, 2 temporary items). Master files associated with an electronic information system used to track maintenance of aircraft owned and operated by the agency for flight inspection missions.

17. Department of Transportation, Federal Aviation Administration (N1-237-09-4, 4 items, 4 temporary items). Records relating to fuel expenses for agency aircraft. Included are such records as receipts and invoices, reports on fuel usage, and master files associated with an electronic information system used for reconciling fuel expenses.

18. Department of Transportation, Federal Aviation Administration (N1-237-09-5, 1 item, 1 temporary item). Master files of an electronic information

system used to maintain information relating to the results of flight inspections.

19. Department of the Treasury, Internal Revenue Service (N1-58-09-31, 1 item, 1 temporary item). Forms used on a quarterly basis to document managerial awareness of security procedures.

20. Department of the Treasury, Internal Revenue Service (N1-58-09-32, 3 items, 3 temporary items). Master files and outputs associated with an electronic information system used as a project management tool in connection with transitioning new or modified systems from the developing organization to the organization receiving them.

21. Environmental Protection Agency, Office of Air and Radiation (N1-412-07-59, 13 items, 7 temporary items). Nonconforming motor vehicle case files; air quality management plans maintained regionally; chlorofluorocarbon certificates and registrations; certification records; Ann Arbor recall and in-use testing records, data records, and address correspondence file; and emission factor program test records. Paper copies of these files were previously approved for disposal. Proposed for permanent retention are State, Tribal and Federal implementation plans, State and local agency air monitoring files, and State inspection and maintenance program records, for which paper copies were previously approved as permanent.

Dated: August 19, 2009.

Michael J. Kurtz,

Assistant Archivist for Records Services—Washington, DC.

[FR Doc. E9-20569 Filed 8-24-09; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Senior Executive Service (SES) Performance Review Board; Members

AGENCY: National Archives and Records Administration.

ACTION: Notice; SES Performance Review Board.

SUMMARY: Notice is hereby given of the appointment of members of the National Archives and Records Administration (NARA) Performance Review Board.

DATES: *Effective Date:* This appointment is effective on August 25, 2009.

FOR FURTHER INFORMATION CONTACT: Steven G. Rappold, Human Resources Services Division (NAH), National Archives at College Park, 8601 Adelphi

Road, College Park, MD 20740-6001, (301) 837-2084.

SUPPLEMENTARY INFORMATION: Section 4314(c) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES Performance Review Boards. The Board shall review the initial appraisal of a senior executive's performance by the supervisor and recommend final action to the appointing authority regarding matters related to senior executive performance.

The members of the Performance Review Board for the National Archives and Records Administration are: Michael J. Kurtz, Assistant Archivist for Records Services—Washington, DC, Thomas E. Mills, Assistant Archivist for Regional Records Services, and Martha A. Morphy, Assistant Archivist for Information Services. These appointments supersede all previous appointments.

Dated: August 20, 2009.

Adrienne C. Thomas,

Acting Archivist of the United States.

[FR Doc. E9-20570 Filed 8-24-09; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Delegation of Authority

AGENCY: National Endowment for the Arts.

ACTION: Notice.

SUMMARY: Notice is hereby given of the order of succession in the absence of the Chairman for the National Endowment for the Arts.

DATES: Upon publication.

FOR FURTHER INFORMATION CONTACT:

Craig McCord, Director of Human Resources, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Room 627, Washington, DC 20506, (202) 682-5473.

In the absence of the Chairman, those listed below are designated to exercise the duties of Chairman:

Senior Deputy Chairman, or if the incumbent is unavailable,
Deputy Chairman for Management and Budget, or if the incumbent is unavailable,
Deputy Chairman for Grants and Awards, or if the incumbent is unavailable,
Deputy Chairman for State, Regions, and Local Arts Agencies, or if the incumbent is unavailable,

Director of the Office of Government Affairs, or if the incumbent is unavailable.

This delegation will remain in effect until revoked or otherwise superseded.

Kathleen Edwards,

Director of Administrative Services, National Endowment for the Arts.

[FR Doc. E9-20426 Filed 8-24-09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2009-0363]

Biweekly Notice; Applications and Amendments to Facility Operating Licenses Involving No Significant Hazards Considerations

I. Background

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC) is publishing this regular biweekly notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This biweekly notice includes all notices of amendments issued, or proposed to be issued from July 30, 2009 to August 12, 2009. The last biweekly notice was published on August 11, 2009 (74 FR 40233).

Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a

margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rulemaking and Directives Branch (RDB), TWB-05-B01M, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be faxed to the RDB at 301-492-3446. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is

available at the Commission's PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address, and telephone number of the requestor or petitioner; (2) the nature of the requestor's/petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also identify the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner/requestor intends to rely in proving the contention at the hearing. The petitioner/requestor must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner/requestor intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to