

U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of the application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: January 11, 2011.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 2011-932 Filed 1-14-11; 8:45 am]

**BILLING CODE 3510-22-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XA152

#### Fisheries of the South Atlantic, Gulf of Mexico, and Caribbean; Southeast Data, Assessment, and Review (SEDAR); Public Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of SEDAR Steering Committee meeting.

**SUMMARY:** The SEDAR Steering Committee will meet via conference call to discuss the SEDAR process. *See SUPPLEMENTARY INFORMATION.*

**DATES:** The SEDAR Steering Committee will meet on Wednesday, March 2, 2011, from 10 a.m. to 12 p.m., EST.

**ADDRESSES:** The meeting will be held via conference call. Listening stations are available at the following locations: South Atlantic Fishery Management Council, 4055 Faber Place Drive #201, North Charleston, SC 29405; Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607; and Caribbean Fishery Management Council, 268 Muñoz Rivera Ave., Suite 1108, San Juan, Puerto Rico 00918.

**FOR FURTHER INFORMATION CONTACT:** John Carmichael, Science and Statistics Program Manager, SAFMC, 4055 Faber Place, Suite 201, North Charleston, SC 29405; telephone: (843) 571-4366 or toll free: (866) SAFMC-10; fax: (843) 769-4520.

**SUPPLEMENTARY INFORMATION:** The South Atlantic, Gulf of Mexico, and Caribbean Fishery Management Councils; in

conjunction with NOAA Fisheries, the Atlantic States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission; implemented the Southeast Data, Assessment and Review (SEDAR) process, a multi-step method for determining the status of fish stocks. The SEDAR Steering Committee provides oversight of the SEDAR process, establishes assessment priorities, and provides coordination of assessment and management activities. During this conference call the Steering Committee will discuss operational changes proposed for the SEDAR process, including the timing of workshops and the types of assessments conducted.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, provided the public has been notified of the Council's intent to take final action to address the emergency.

#### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the South Atlantic Fishery Management Council office (*see ADDRESSES*) at least 10 business days prior to the meeting.

Dated: January 12, 2011.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2011-873 Filed 1-14-11; 8:45 am]

**BILLING CODE 3510-22-P**

## CONSUMER PRODUCT SAFETY COMMISSION

### Sunshine Act Meeting Notice

**TIME AND DATE:** Wednesday, January 19, 2011; 10 a.m.–11 a.m.

**PLACE:** Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.

**STATUS:** Closed to the public.

#### Matter To Be Considered

##### *Compliance Status Report*

The Commission staff will brief the Commission on the status of compliance matters.

For a recorded message containing the latest agenda information, call (301) 504-7948.

#### CONTACT PERSON FOR MORE INFORMATION:

Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504-7923.

Dated: January 11, 2011.

**Todd A. Stevenson,**

*Secretary.*

[FR Doc. 2011-1031 Filed 1-13-11; 4:15 pm]

**BILLING CODE 6355-01-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Notice of Intent To Grant Exclusive and Co-Exclusive Patent License; NanoDynamics Life Sciences, Inc.

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** The Department of the Navy hereby gives notice of its intent to grant to NanoDynamics Life Sciences, Inc. a revocable, nonassignable, exclusive license to practice the Government-owned inventions described in U.S. Patent No. 5,492,696: Controlled Release Microstructures, Navy Case No. 76,896.//U.S. Patent No. 5,651,976: Controlled Release of Active Agents using Inorganic Tubules, Navy Case No. 76,652.//U.S. Patent No. 5,705,191: Sustained Delivery of Active Compounds from Tubules, with Rational Control, Navy Case No. 77,037.//U.S. Patent No. 6,280,759: Method of Controlled Release and Controlled Release Microstructures, Navy Case No. 78,215 and any continuations, divisionals or re-issues thereof in the field of use of metal related industry and a co-exclusive license to practice the field of use of building materials. The field of use of building materials means the use of Halloysite Microtubes for the elution from them of any and all biocidal substances into building materials including, but not limited to: Grouts, cements, parging materials, stuccos, mortars, wallboards; cellulose-based materials (such as particleboard, paneling, medium density fiberboard (MDF) paneling, plywood, lumber, chipboard, and ceiling tile); caulks, sealants and adhesives; high pressure laminates; wall, counter top and floor coverings or components thereof; ceramics, cultured marbles, tiles; non-cellulose (*i.e.* polymer) based wallpapers, paneling, and other wall,

counter top, and floor coverings or components; and insulations. The field of use of paint means the use of Halloysite Microtubules for the elution of any and all substances in paints, sealers, fillers, varnishes, shellac, polyurethane coatings, and any and all "paint-like" coatings applied in liquid form to any and all surfaces for the beautification or protection of surfaces in structures or components thereof, including but not limited to, buildings, marine structures (including boats), furniture and other normally "painted" materials in the United States.

**DATES:** Anyone wishing to object to the grant of this license must file written objections along with supporting evidence, if any, not later than February 2, 2011.

**ADDRESSES:** Written objections are to be filed with the Naval Research Laboratory, Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320.

**FOR FURTHER INFORMATION CONTACT:** Rita Manak, Head, Technology Transfer Office, NRL Code 1004, 4555 Overlook Avenue, SW., Washington, DC 20375-5320, telephone 202-767-3083. Due to U.S. Postal delays, please fax 202-404-7920, e-mail: [rita.manak@nrl.navy.mil](mailto:rita.manak@nrl.navy.mil) or use courier delivery to expedite response.

**Authority:** 35 U.S.C. 207, 37 CFR part 404.

Dated: January 7, 2011.

**D.J. Werner,**

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

[FR Doc. 2011-889 Filed 1-14-11; 8:45 am]

**BILLING CODE 3810-FF-P**

## DEPARTMENT OF EDUCATION

### Arbitration Panel Decision Under the Randolph-Sheppard Act

**AGENCY:** Department of Education.

**ACTION:** Notice of arbitration panel decision under the Randolph-Sheppard Act.

**SUMMARY:** The Department of Education (Department) gives notice that on March 31, 2010, an arbitration panel rendered a decision in the matter of *Daniel Czubak v. Illinois Department of Human Services, Division of Rehabilitation Services, Case no. R-S/08-5*. This panel was convened by the Department under 20 U.S.C. 107d-1(a), after the Department received a complaint filed by the petitioner, Daniel Czubak.

**FOR FURTHER INFORMATION CONTACT:** You may obtain a copy of the full text of the

arbitration panel decision from Suzette E. Haynes, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5022, Potomac Center Plaza, Washington, DC 20202-2800.

**Telephone:** (202) 245-7374. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS), toll-free, at 1-800-877-8339.

Individuals with disabilities may obtain this document in an accessible format (e.g., braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT**.

**SUPPLEMENTARY INFORMATION:** Under section 6(c) of the Randolph-Sheppard Act (the Act), 20 U.S.C. 107d-2(c), the Secretary publishes in the **Federal Register** a synopsis of each arbitration panel decision affecting the administration of vending facilities on Federal and other property.

### Background

Daniel Czubak (Complainant) alleged violations by the Illinois Department of Human Services, Division of Rehabilitation Services, the State licensing agency (SLA), under the Act and implementing regulations at 34 CFR part 395. The allegations pertained to his operation of a vending facility comprised of vending machines at the Shapiro Developmental Center (SDC) from November 2005 until February 2009 when his vending operator's agreement at the SDC was terminated by the SLA.

The Complainant began operation of the vending facility at SDC when granted a Temporary Income Opportunity in 2005. Later, after being the successful bidder and signing a vending operator's agreement in May 2006, he continued operating the facility until February 2009.

Appended to the May 2006 vending operator's agreement was a Memorandum of Understanding (MOU) dated April 2004 between the SLA and the SDC. As a part of the MOU, the SDC required that the SLA ensure that the vendor operating the vending machines would make monthly commission payments to the SDC in the amount of \$3,699.00 based upon the following: (a) Current vending machines at the SDC, (b) current prices established for items sold in the vending machines, and (c) the current amount of sales from the vending operation. This formula and the commission amount were based on a report from the private commercial operator, who previously operated the vending machines and made monthly

commission payments to SDC based on a percentage of its vending sales.

Additionally, the MOU limited the ability of the vendor to change prices on vended products without prior concurrence by the SDC. Moreover, the MOU stipulated that price changes could only reflect the increased cost of products provided for the vending facility. The MOU also stated that the SLA or the vendor would pay any and all claims, losses, liabilities, or other expenses, including repair expenses arising from the operation of the vending machine facility.

The vending facility operator's agreement signed by the Complainant in May 2006 required Complainant to comply with the MOU between the SLA and the SDC, including the amount of commissions to be paid to the SDC.

In mid-2007, after operating the vending machine facility for almost a year, the Complainant began having problems paying the commission to the SDC. The Complainant alleged that the resident population at the SDC had declined considerably since he began managing the facility. At the same time, the Complainant alleged that his costs for goods and supplies had increased.

On September 1, 2007, an agreement was reached between the SLA, the SDC, and the Complainant to reduce his monthly commission payments to \$2,500 with the SLA paying the \$1,199 difference to the SDC. From September 2007 through March 2008, the SLA made the payments of \$1,199 to the SDC out of Vocational Rehabilitation, Section 110 (VR 110) funds until the SLA was advised by the U.S. Department of Education, Rehabilitation Services Administration, that VR 110 funds could not be used for vendor commission payments.

Thus, beginning April 2008, the Complainant was again required to make the \$3,699 monthly payment to the SDC. In early September 2008, the director at the SDC sent a formal request to the SLA asking that the Complainant be removed, citing a combination of factors, including late commission payments, bounced checks, spoiled food, and safety-related operational problems based upon complaints that the director had received. The SLA contacted the director at the SDC and he withdrew his request for the Complainant's removal with the stipulation that the Complainant would be more closely supervised and that he would become current with his commission payments. However, after October 2008, the Complainant ceased making commission payments to the SDC.