

2009 satellite funds, arguing that MPAA's "unfounded assertion . . . is simply inaccurate . . ." *Id.* at 6.<sup>3</sup>

Lastly, IPG discounts the above-quoted passage from the Judges' February 11, 2014 *Order Denying IPG Motion for Partial Distribution* regarding the Judges' concerns about IPG's ability and willingness to disgorge funds should the need arise. IPG contends that the Judges' concern expressed in that order (which IPG contends was "unwarranted") "was inspired by nothing more than inflammatory rhetoric of the [Settling Devotional Claimants]." *IPG Reply* at 7.

Before authorizing a partial distribution of royalty funds requested under Section 801(b)(3)(C) of the Copyright Act, the Judges must first publish a notice in the **Federal Register** seeking responses to the request to ascertain whether any claimant entitled to receive such royalty fees has a reasonable objection to the proposed distribution. This Notice seeks comments on whether any interested claimant asserts a reasonable objection to IPG's request. The Judges must receive written objections detailing the existence and extent of any entity's objection(s) by the end of the comment period. The Judges will not consider any objections with respect to the partial distribution motion that come to their attention after the close of that period.

In particular, the Judges seek comment on whether IPG should be considered an "established claimant" for purposes of receiving a partial distribution of royalties, and, if so, for what years and for which Phase I categories, and for which funds. For example, assuming for the sake of argument that IPG is deemed an "established claimant" with respect to the Phase I Program Suppliers Category for cable for a particular year, does that status carry over to other Phase I categories (e.g., Devotionals, Joint Sports, etc.)? Does it carry over to all years? If not, to which years does the "established claimant" status apply? Moreover, does the status of an established cable claimant (or claimant representative) carry over to satellite royalties, as IPG contends, or only to cable royalties? Does the reverse also apply (i.e., is an "established claimant" for purposes of satellite also an "established claimant" for cable)?

<sup>3</sup> The Judges note that MPAA proposed a Program Suppliers satellite share allocation to IPG of 0.20% in 2002 and 0.13% in 2004. For the eight remaining years in controversy, MPAA proposed shares higher than 0.20%. *MPAA-Represented Program Suppliers' Proposed Findings of Fact and Conclusions of Law* at 7 (Aug. 17, 2015).

If the Judges determine that IPG is an "established claimant" for the first time for any fund, are there safeguards (in addition to the pay-back agreement) the Judges can and should employ to ensure that IPG is able and willing to disgorge in the event of overpaid funds? Which safeguards would be appropriate or necessary? How long should they last and how would they be enforced?

If the Judges determine that IPG is entitled to the partial distribution it requests, what methodology should the Judges use to determine the dollar amount to which IPG is entitled? Would it be necessary for the Judges (or the Licensing Division of the Copyright Office, or both) to have access to all applicable Phase I confidential agreements to make the necessary calculations or is another means available? Commenters should consider what special calculations would have to be made to determine IPG's share of the various subfunds (Basic, Syndex and 3.75%) in addition to calculating interest on (and deductions of applicable expenses against) funds deposited with the Licensing Division.

The issues and questions set forth above are not necessarily exhaustive. Commenters may address any other issues or questions that they believe are relevant to the pending Motion.

The Copyright Royalty Board has posted IPG's Motion at <http://www.loc.gov/crb>.

Dated: December 10, 2015.

**Jesse M. Feder,**

*U.S. Copyright Royalty Judge.*

[FR Doc. 2015-31629 Filed 12-15-15; 8:45 am]

**BILLING CODE 1410-72-P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On November 5, 2015 the National Science Foundation published a notice in the

**Federal Register** of a permit application received. The permit was issued on December 11, 2015 to:

Joseph Wilson, Penguin Films, Ltd.  
Permit No. 2016-022

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2015-31637 Filed 12-15-15; 8:45 am]

**BILLING CODE 7555-01-P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

**FOR FURTHER INFORMATION CONTACT:** Nature McGinn, ACA Permit Officer, Division of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Or by email: [ACApermits@nsf.gov](mailto:ACApermits@nsf.gov).

**SUPPLEMENTARY INFORMATION:** On November 9, 2015 the National Science Foundation published a notice in the **Federal Register** of a permit application received. The permit was issued on December 10, 2015 to:

Vincent J. LiCata Permit No. 2016-017

**Nadene G. Kennedy,**

*Polar Coordination Specialist, Division of Polar Programs.*

[FR Doc. 2015-31591 Filed 12-15-15; 8:45 am]

**BILLING CODE 7555-01-P**

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-244 and 72-67; NRC-2015-0249]

### Exelon Generation Company, LLC; R.E. Ginna Nuclear Power Plant

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Finding of no significant impact with associated environmental assessment; final issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) related to a request to amend Renewed Facility Operating License No. DPR-18,

issued to Exelon Generation Company, LLC (Exelon, “the licensee”), for operation of the R.E. Ginna Nuclear Power Plant (hereinafter “Ginna,” or “the facility”), including the general-licensed Independent Spent Fuel Storage Installation, Docket No. 72–67, located in Wayne County, NY. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

**ADDRESSES:** Please refer to Docket ID NRC–2015–0249 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2015–0249. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if that document is available in ADAMS) is provided the first time a document is referenced. The application for amendment for Ginna dated August 14, 2013, was supplemented by letters dated November 4, 2013, May 14, 2014, and January 16, 2015 (ADAMS Accession Nos. ML13228A265, ML13312A921, ML14139A342, and ML15020A100, respectively). Those letters containing SUNSI are being withheld from public disclosure.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852

**FOR FURTHER INFORMATION CONTACT:** Diane Render, Office of Nuclear Reactor

Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001, telephone: 301–415–3629, email: [Diane.Render@nrc.gov](mailto:Diane.Render@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

The NRC is considering a request to amend Renewed Facility Operating License No. DPR–18, issued to Exelon for operation of Ginna, including the general-licensed Independent Spent Fuel Storage Installation, Docket No. 72–67, located in Wayne County, NY, in accordance with 10 CFR 50.90 of title 10 of the *Code of Federal Regulations* (10 CFR). Consistent with 10 CFR 51.21, the NRC has reviewed the requirements of 10 CFR 51.20(b) and 10 CFR 51.22(c) and determined that an EA is the appropriate form of environmental review. Based on the results of the EA, the NRC is issuing this final FONSI. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

The NRC published a draft EA and FONSI on the proposed action for public comment in the **Federal Register** on October 29, 2015 (80 FR 66586). No comments were received.

##### **II. Environmental Assessment**

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

The proposed action would permit security personnel at Ginna, in the performance of official duties, to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations, that otherwise prohibit such actions.

The proposed action is in accordance with Exelon’s application dated August 14, 2013, as supplemented by letters dated November 4, 2013, May 14, 2014, and January 16, 2015.

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

The proposed action would allow the transfer, receipt, possession, transportation, importation and use of those firearms and devices needed in the performance of official duties required for the protection of Ginna and associated special nuclear material, as stated in the Ginna NRC-approved security plan.

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

The NRC has completed its evaluation of the proposed action and concludes that the proposed action would only allow the use of those firearms and devices necessary to protect Ginna and associated special nuclear material, consistent with the Ginna NRC-approved security plan. Therefore, the proposed action would not significantly increase the probability or consequences of accidents. In addition, the proposed action would not change the types and the amounts of any effluents that may be released offsite. There would also be no significant increase in occupational or public radiation exposure. Therefore, there would be no significant radiological environmental impacts associated with the proposed action.

The proposed action would not impact land, air, or water resources, including biota. In addition, the proposed action would not result in any socioeconomic or environmental justice impacts or impacts to historic and cultural resources. Therefore, there would also be no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that the issuance of the requested amendment would not result in significant environmental impacts.

Details of the NRC’s evaluation will be included in a letter to the licensee.

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

As an alternative to the proposed action, the NRC staff considered denying the proposed action (*i.e.*, the “no-action” alternative). Denial of the license amendment request would result in no change in current environmental conditions at the Ginna.

###### *Alternative Use of Resources*

The proposed action would not involve the use of any resources.

###### *Agencies and Persons Consulted*

The staff did not consult with any other Federal Agency or State of New York agencies regarding the environmental impact of the proposed action.

##### **III. Finding of No Significant Impact**

The licensee has requested a license amendment to permit licensee security personnel, in the performance of official duties, to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain

Federal firearms laws, or regulations that would otherwise prohibit such actions.

On the basis of the information presented in this environmental assessment, the NRC concludes that the proposed action would not cause any significant environmental impact and would not have a significant effect on the quality of the human environment. In addition, the NRC has determined that an environmental impact statement is not necessary for the evaluation of this proposed action.

Other than the licensee's letter dated August 14, 2013, there are no other environmental documents associated with this review. This document is available for public inspection as indicated above.

Dated at Rockville, Maryland, this 8th day of December 2015.

For the Nuclear Regulatory Commission.

**Travis L. Tate,**

*Chief Plant, Licensing Branch I-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2015-31653 Filed 12-15-15; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-333 and 72-12; NRC-2015-0247]

**Entergy Nuclear Operations, Inc., James A. FitzPatrick Nuclear Power Plant**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Finding of no significant impact with associated environmental assessment; final issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and finding of no significant impact (FONSI) related to a request to amend Renewed Facility Operating License No. DPR-59, including the general licensed Independent Spent Fuel Storage Installation, issued to Entergy Nuclear Operations, Inc. (ENO, "the licensee"), for operation of the James A. FitzPatrick Nuclear Power Plant (hereinafter "JAFNPP" or "the facility"), located in Oswego County, New York. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

**ADDRESSES:** Please refer to Docket ID NRC-2015-0247 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2015-0247. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if that document is available in ADAMS) is provided the first time a document is referenced. The application for amendment for JAFNPP dated August 30, 2013, was supplemented by letters dated November 12, 2013, May 14 and July 11, 2014, and January 15, 2015 (ADAMS Accession Nos. ML13248A517, ML13317A928, ML14135A327, ML14195A040, and ML15015A637, respectively). Those letters containing SUNSI are being withheld from public disclosure.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Douglas V. Pickett, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-1364, email: [Douglas.Pickett@nrc.gov](mailto:Douglas.Pickett@nrc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The NRC is considering a request to amend Renewed Facility Operating License No. DPR-59, including the general licensed Independent Spent Fuel Storage Installation, issued to ENO for operation of the JAFNPP located in Oswego County, New York, in accordance with 10 CFR 50.90 of title 10

of the *Code of Federal Regulations* (10 CFR). Consistent with 10 CFR 51.21, the NRC has reviewed the requirements in 10 CFR 51.20(b) and 10 CFR 51.22(c) and determined that an EA is the appropriate form of environmental review. Based on the results of the EA, the NRC is issuing this final FONSI. The requested amendment would permit licensee security personnel to use certain firearms and ammunition feeding devices not previously permitted, notwithstanding State, local, and certain Federal firearms laws or regulations that otherwise prohibit such actions.

The NRC published a draft EA and FONSI on the proposed action for public comment in the **Federal Register** on October 29, 2015 (80 FR 66584). No comments were received.

## II. Environmental Assessment

### Identification of the Proposed Action

The proposed action would permit security personnel at the JAFNPP, in the performance of official duties, to transfer, receive, possess, transport, import, and use certain firearms and large capacity ammunition feeding devices not previously permitted to be owned or possessed, notwithstanding State, local, and certain Federal firearms laws, or regulations, that otherwise prohibit such actions.

The proposed action is in accordance with ENO's application dated August 30, 2013, as supplemented by letters dated November 12, 2013, May 14 and July 11, 2014, and January 15, 2015.

### The Need for the Proposed Action

The proposed action would allow the transfer, receipt, possession, transportation, importation and use of those firearms and devices needed in the performance of official duties required for the protection of the JAFNPP and associated special nuclear materials, consistent with the JAFNPP NRC approved security plan.

### Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action and concludes that the proposed action would only allow the use of those firearms and devices necessary to protect JAFNPP and associated special nuclear material, consistent with the JAFNPP NRC-approved security plan. Therefore, the proposed action would not significantly increase the probability or consequences of accidents. In addition, the proposed action would not change the types and the amounts of any effluents that may be released offsite. There would also be no