

impact their interests. The Judges seek comment on what action, if any, the Judges should take to remedy this issue. For example, would posting all incoming filings or a notice that a filing has been made in a matter on the CRB Web site be sufficient notice to potential claimants and other interested persons in those instances prior to commencement of a proceeding? In the alternative, the Judges could adopt a rule requiring service of process prior to the commencement of a proceeding. If the Judges adopted such a rule, what sort of service should be required and to whom?

For full consideration, comments should be received by September 19, 2007.

Dated: August 14, 2007.

**James Scott Sledge,**

*Chief Copyright Royalty Judge.*

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**BILLING CODE 1410-72-P**

## **NATIONAL SCIENCE FOUNDATION**

**RIN Z-RIN 3145-ZA02**

### **Proposed Addition of a Routine Use to NSF Systems of Records**

**Authority:** 44 U.S.C. 3101 and 42 U.S.C. 1870; OMB Memorandum M-07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information."

**ACTION:** Notice of alteration to existing Privacy Act systems of records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, the National Science Foundation is altering its existing systems of records in accordance with OMB Memorandum M-07-16, "Safeguarding Against and Responding to the Breach of Personally Identifiable Information." M-07-16 calls on agencies to publish a routine use for appropriate systems specifically applying to the disclosure of information in connection with response and remedial efforts in the event of a data breach.

A Federal agency's ability to respond quickly and effectively in the event of a breach of Federal data is critical to its efforts to prevent or minimize any consequent harm. An effective response may necessitate disclosure of information regarding the breach to those individuals affected by it, as well as to persons and entities in a position to cooperate, either by assisting in notification to affected individuals or playing a role in preventing or minimizing harms from the breach.

The information to be disclosed to such persons and entities may be subject to the Privacy Act, 5 U.S.C. 552a. The Privacy Act prohibits the disclosure of any record in a system of records absent the written consent of the subject individual, unless the disclosure falls within one of the twelve statutory exceptions, including a routine use, 5 U.S.C. 552a(b)(3).

As described in the President's Identity Theft Task Force's Strategic Plan, all agencies should publish a routine use for their systems of records allowing for the disclosure of information in the course of responding to a breach of Federal data. See Appendix B of the Identity Theft Task Force report (<http://www.identitytheft.gov/reports/StrategicPlan.pdf>). Such a routine use will serve to protect the interests of the individuals whose information is at issue by allowing agencies to take appropriate steps to facilitate a timely and effective response, thereby improving their ability to prevent, minimize, or remedy any harm resulting from a compromise of data maintained in their systems of records.

Accordingly, NSF proposes to add the following routine use to each of its Systems of Records Notices listed below:

To appropriate agencies, entities, and persons when (1) the NSF suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the NSF has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the NSF or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the NSF's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

**DATES:** Submit comments on or before August 30, 2007. The proposed altered systems will become effective on September 30, 2007.

**ADDRESSES:** Send comments to Leslie Jensen, National Science Foundation, Office of the General Counsel, Room 1265, 4201 Wilson Boulevard, Arlington, Virginia 22230 or by electronic mail (e-mail) to: [ljensen@nsf.gov](mailto:ljensen@nsf.gov).

**SUPPLEMENTARY INFORMATION:** This publication is in accordance with the Privacy Act requirement that agencies publish their amended systems of records in the **Federal Register** when

there is a revision, change, or addition. NSF's Office of the General Counsel (OGC) has reviewed its Systems of Records notice and has determined that its records systems notices must be revised to incorporate the change described herein. As required by 5 U.S.C. 552a(R) and Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records about Individuals," dated November 30, 2000, a report of an altered system of records has been submitted to the Committee on Government Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Office of Management and Budget.

Submit comments as an ASCII file avoiding the use of special characters and any form of encryption. Identify all comments sent in electronic E-mail with Subject Line: Comments on proposed changes to Privacy Act SORNs.

#### **FOR FURTHER INFORMATION CONTACT:**

Leslie Jensen (703) 292-5065.

Dated: August 14, 2007.

**Lawrence Rudolph,**

*General Counsel.*

System Names:

NSF-3 Application and Account for Advance of Funds

NSF-6 Doctorate Records File

NSF-8 Employee Grievance Files

NSF-10 Employee's Payroll Jacket

NSF-12 Fellowships and Other

Awards

NSF-13 Fellowship Payroll

NSF-16 Individual Retirement Record (SF-2806)

NSF-18 Integrated Personnel System (IPERS)

NSF-19 Medical Examination Records for Service in the Polar Regions

NSF-22 NSF Payroll System

NSF-23 NSF Staff Biography

NSF-24 Official Passports

NSF-26 Personnel Security

NSF-34 Integrated Time and

Attendance System (ITAS)

NSF-36 Personnel Tracking System (Antarctic)

NSF-38 Visa Applications and Alien Application for Consideration of

Waiver of Two-Year Foreign

Residence Requirements—NSF

NSF-43 Doctorate Work History File

NSF-48 Telephone Call Detail

Program Records

NSF-49 Frequent Traveler Profile

NSF-50 Principal Investigator/

Proposal File & Associated Records

NSF-51 Reviewer/Proposal File & Associated Records

NSF-52 Office of Inspector General Investigative Files

NSF-53 Public Transportation Subsidy Program

NSF-54 Reviewer/Fellowship & Other Award File & All Associated Records  
 NSF-55 Debarment/Scientific Misconduct Files  
 NSF-56 Antarctic Conservation Act Files  
 NSF-57 Delinquent Debtors File  
 NSF-59 Science & Technology Centers (STC) Database  
 NSF-60 Antarctica Service Records  
 NSF-61 Diving Safety Records (Polar Regions)  
 NSF-62 Radiation Safety Records (Polar Regions)  
 NSF-63 Accident & Injury Reports (Antarctic)  
 NSF-64 Project Participant File  
 NSF-65 NSF Electronic Payment File  
 NSF-66 NSF Photo Identification Card System  
 NSF-67 Invention, Patent & Licensing Documents  
 NSF-68 Project Results Information Database  
 NSF-69 Education and Training Records Files  
 NSF-70 NSF Visitor Credentials System  
 NSF-71 General Correspondence Files

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## NUCLEAR REGULATORY COMMISSION

### Notice of Consideration of Issuance of Amendment to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing (TAC Nos. J60622 and J60626); Plum Brook Reactor Facility, Docket Nos. 50-30 and 50-185, Sandusky, OH

*Dates of amendment requests:* May 18, 2005, May 12, 2006, February 9, 2007, and January 10, 2007.

*Description of amendment request:* The licensee (National Aeronautics and Space Administration (NASA)) has proposed to amend the Facility Operating Licenses (TR-3 and R-93) of the two research reactors located at Plum Brook Reactor Facility, Sandusky, Ohio. The amendments to the licenses include revisions to the Technical Specifications (TS), and incorporating a Final Status Survey Plan (Revision 1). The same TS set applies equally to both licenses.

The Decommissioning Plan (DP) for the Plum Brook Reactor Facility, approved by the Commission by issuance of license amendment dated March 20, 2002, will remain unchanged.

Proposed revisions to the TS include but are not limited to administrative

changes, revised facility descriptions, new definitions and minor program changes. Specific proposed revisions include the following:

Section 1 of the TS is revised to state that the TS apply to all activities conducted under the provisions of the Licenses. It clarifies that both reactors are both shutdown and dismantled, and there is no fuel remaining at the facility. The facility was shutdown and ceased operations in March 1973. The last shipment of irradiated fuel was made on May 25, 1973, and all remaining fuel contaminated components were shipped offsite by July 1973. Disposal of the Plum Brook reactor vessel was completed in early 2005 and the core support components for the Mock Up reactor were removed by the summer of 2003.

The 'Definitions' in Section 2 of the TS are renumbered to comply with ANSI/ANS-15.1 format, and the definitions that follow are numbered as subparagraphs with the format 1.1.x. Some definitions are revised, deleted, or redefined.

Section 2.0 of the TS are revised to identify that there are no Safety Limits or Limiting Safety System Settings applicable to the facility, since all reactor components and fuel have been removed.

Sections 3.1 and 4.1 of the TS were revised to identify that the Access Control Program was changed to more accurately reflect the current site conditions.

Sections 3.2 and 4.2 of the TS relating to Alarm Response are revised so that the Containment Vessel (CV) Door Open alarm was removed from this section and incorporated into the specifications related to 'Containment'.

The specifications related to sump level alarms are revised to provide quantitative criteria on when sump level alarms are required rather than the subjective criteria of 'kept dry'. The requirement for the sump alarms to annunciate at the Plum Brook Station Communications Center is also revised to require that the alarms annunciate at a remote manned location which is typically the Plum Brook Station Communications Center.

Sections 3.3 and 3.4 relating to Containment and Ventilation and the associated Section 4 surveillance requirements are revised to reflect that the fact the airborne activity must be controlled during all decommissioning activities rather than only during the time period that a 'major portion of the source term is present'.

Sections 3.5 and 3.6 relating to Radiation and Effluent Monitoring and the associated Section 4 surveillance

requirements are revised to reflect the current site conditions and to provide assurance that a program is implemented that assures the worker exposure to radiological hazards is maintained as low as reasonably achievable and in compliance with 10 CFR Part 20 limits. In addition, they assure that effluents from the facility are adequately monitored to protect the public and environment from radiological hazards.

Sections 5.0 relating to Site Features are revised to conform to the format suggested in ANSI/ANS-15.1 and to more accurately reflect the current site conditions that have evolved as the decommissioning program has progressed.

Sections 6.0 relating to Administrative Controls contain multiple revisions. The requirement to perform an annual review is relocated to section 6.9.2 to incorporate into the annual review performed at the direction of the Executive Safety Board. The requirement to have Level 3 approval of temporary procedure changes is removed since such changes are controlled through site established administrative procedures; and, the responsibilities of the Decommissioning Safety Committee are more clearly defined.

The last sentence in Section 6.5 of the TS is deleted.

Section 6.5 of the TS is revised to read, "The Senior Project Engineer will have direct authority over all activities that take place at the Plum Brook Reactor Facility (PBRF) and will be the primary interface with on-site Contractors supporting the Decommissioning project."

The last sentence of Section 6.7 of the TS is revised to read, "The authority to fulfill this responsibility and perform these functions will be granted by Chairman of the NASA Safety, Health, and Environmental Board."

The second sentence in Section 6.9.2 of the TS is revised to read, "Personnel performing these reviews shall be appropriately qualified and experienced, and shall be members of, or appointed by the NASA Safety, Health, and Environmental Board."

Figure 1 on page 24 of the Technical Specifications is revised to reflect the change in the name of the Executive Safety Board and to depict the direct reporting relationship of the Health Physics and Radiation Protection staff to the NASA Project Radiation Safety Officer.

Licenses TR-3 and R-93 are also revised. The revision numbers associated with issuance of this License Amendment are inserted in place of