

Administration approves retention and disposal schedule, records will be treated as permanent).

**SYSTEM MANAGER(S) AND ADDRESS:**

Defense Information Systems Agency (DISA), Center for Computing Services, P.O. Box 4502, Arlington, VA 22204-4502.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system of records should e-mail *idss@disa.mil* or address written inquiries to Defense Information Systems Agency (DISA), Center for Computing Services, P.O. Box 4502, Arlington, VA 22204-4502.

Requests must include the individual's full name, rank, grade or title, component affiliation, work e-mail address, telephone number, assigned office or unit, and complete mailing address.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to get information about themselves contained in this system of records should e-mail *idss@disa.mil* or address written inquiries to Defense Information Systems Agency (DISA), Center for Computing Services, P.O. Box 4502, Arlington, VA 22204-4502.

Requests must include the individual's full name, rank, grade or title, component affiliation, work email address, telephone number, assigned office or unit, and complete mailing address.

**CONTESTING RECORD PROCEDURES:**

DISA's rules for accessing records, for contesting content and appealing initial agency determinations are published in DISA Instruction 210-225-2; 32 CFR part 316; or may be obtained from the system.

**RECORD SOURCE CATEGORIES:**

DoD Component directories (such as Army Enterprise Directory Service-Lite (EDS-Lite) and the Air Force Directory Service (AFDS)), the Defense Eligibility Enrollment Reporting System (DEERS), and the DISA DoD PKI Global Directory Service (GDS).

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 2010-28752 Filed 11-12-10; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Renewal of Department of Defense Federal Advisory Committees**

**AGENCY:** Department of Defense.

**ACTION:** Renewal of Federal Advisory Committee.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972, (5 U.S.C. Appendix), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b, as amended), and 41 CFR 102-3.50(d), the Department of Defense gives notice that it is renewing the charter for the Defense Health Board (hereafter referred to as the "Board").

The Board is a non-discretionary Federal advisory committee that shall provide independent scientific advice and recommendations on matters relating to:

- a. Operational programs;
- b. Health policy development;
- c. Health research programs and requirements for the treatment and prevention of disease and injury; and
- d. Promotion of health and delivery of efficient, effective and high quality health care services to Department of Defense beneficiaries.

The Board is not established to provide advice on individual DoD procurements. No matter shall be assigned to the Board for its considerations that would require any Board members to participate personally and substantially in the conduct of a specific procurement or place him or her in the position of acting as a contracting or procurement official.

The Secretary of Defense, through the Under Secretary of Defense (Personnel and Readiness), may act upon the advice and recommendations of the Board.

The Board shall be composed of not more than 30 members who are eminent authorities within their respective disciplines related to clinical health care, disease and injury prevention, health care delivery and administration, and/or strategic decision-making in government, industry or academia.

The Board members shall be appointed by the Secretary of Defense, and their appointments must be renewed on an annual basis. Those members, who are not full-time or permanent part-time federal officers or employees, shall be appointed as experts and consultants under the authority of 5 U.S.C. 3109 and shall serve as special government employees.

Members may serve for periods up to four years. Such appointments will

normally be staggered among the Board membership to ensure an orderly turnover in the Board's overall composition on a periodic basis. No Board member shall serve more than four consecutive years on the Board. Regular government officers or employees who participate in DoD's decision-making process for this Board are prohibited from serving on the Board or its subcommittees.

With the exception of travel and per diem for official travel, Board members shall normally serve without compensation, unless the Secretary of Defense authorizes compensation for a particular member(s).

The Secretary of Defense, after considering the recommendation of the Under Secretary of Defense (Personnel and Readiness), shall appoint the President of the Board from the Board membership. The Under Secretary of Defense (Personnel and Readiness), prior to his recommendation, may consult the Board membership. No Board member shall serve more than four years as Board President.

The Board shall select from within its membership a First Vice President and a Second Vice President. The First Vice President shall undertake the duties of the President in his or her absence, or as requested by the President of the Board. The Second Vice President shall fulfill this role as necessary.

With DoD approval, the Board is authorized to establish subcommittees, as necessary and consistent with its mission. These subcommittees shall operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act of 1976 (5 U.S.C. 552b), and other governing Federal statutes and regulations.

Such subcommittees shall not work independently of the chartered Board, and shall report all their recommendations and advice to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions on behalf of the chartered Board; nor can they report directly to the Department of Defense or any Federal officers or employees who are not Board members.

Subcommittee members, who are not Board members, shall be appointed by the Secretary of Defense according to governing DoD policy and procedures. Such individuals, if not full-time government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. 3109, and serve as special government employees, whose appointments must be renewed on an annual basis.

**FOR FURTHER INFORMATION:** Contact Jim Freeman, Deputy Advisory Committee Management Officer for the Department of Defense, 703-601-6128.

**SUPPLEMENTARY INFORMATION:** The Committee shall meet at the call of the Committee's Designated Federal Officer, in consultation with the Board's President. The estimated number of Board meetings is four per year.

The Designated Federal Officer, pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with established DoD policies and procedures. In addition, the Designated Federal Officer is required to be in attendance for the full duration at all Board and subcommittee meetings; however, in the absence of the Designated Federal Officer, an Alternate Designated Federal Officer shall attend the entire Board or subcommittee meeting.

Pursuant to 41 CFR 102-3.105(j) and 102-3.140, the public or interested organizations may submit written statements to the Defense Health Board's membership about the Board's mission and functions. Written statements may be submitted at any time or in response to the stated agenda of planned meeting of Defense Health Board.

All written statements shall be submitted to the Designated Federal Officer for the Defense Health Board, and this individual will ensure that the written statements are provided to the membership for their consideration. Contact information for the Defense Health Board Designated Federal Officer can be obtained from the GSA's FACA Database—<http://www.fido.gov/facadatabase/public.asp>.

The Designated Federal Officer, pursuant to 41 CFR 102-3.150, will announce planned meetings of the Defense Health Board. The Designated Federal Officer, at that time, may provide additional guidance on the submission of written statements that are in response to the stated agenda for the planned meeting in question.

Dated: November 9, 2010.

**Morgan F. Park,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEFENSE NUCLEAR FACILITIES SAFETY BOARD

[Recommendation 2010-1]

### Safety Analysis Requirements for Defining Adequate Protection for the Public and the Workers

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Notice, recommendation.

**SUMMARY:** Pursuant to 42 U.S.C. 2286a(a)(5), the Defense Nuclear Facilities Safety Board has made a recommendation to the Secretary of Energy requesting an amendment to the Department of Energy's nuclear safety rule, 10 CFR part 830.

**DATES:** Comments, data, views, or arguments concerning the recommendation are due on or before December 15, 2010.

**ADDRESSES:** Send comments, data, views, or arguments concerning this recommendation to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004-2001.

**FOR FURTHER INFORMATION CONTACT:** Brian Grosner or Andrew L. Thibadeau at the address above or telephone number (202-694-7000).

Dated: November 9, 2010.

**Peter S. Winokur,**  
*Chairman.*

### RECOMMENDATION 2010-1 TO THE SECRETARY OF ENERGY

*Safety Analysis Requirements for Defining Adequate Protection for the Public and the Workers*

Pursuant to 42 U.S.C. § 2286a(a)(5) Atomic Energy Act of 1954, As Amended

Dated: October 29, 2010

#### Background

The Department of Energy's (DOE) nuclear safety regulations were developed as a result of a mandate by Congress in the Price Anderson Act Amendments of 1988. These regulations now appear in Parts 820, 830, and 835 of Title 10 in the Code of Federal Regulations (CFR). In this Recommendation, the Defense Nuclear Facilities Safety Board (Board) addresses recent changes in DOE's "interpretation" of certain critical provisions of Title 10 CFR Part 830, Nuclear Safety Management (10 CFR Part 830), provisions which are intended to provide adequate protection of the public health and safety. As explained below, in the Board's view this revised interpretative posture weakens the safety structure the rule is designed to hold firmly in place.

10 CFR Part 830 imposes a requirement that a documented safety analysis, or DSA, is to be prepared for every DOE nuclear facility. This DSA, once approved by DOE, forms the regulatory basis for safety of the facility or

operation. 10 CFR Part 830 does more, however: its Appendix A provides "safe harbors" for the preparation and approval of DSAs. These safe harbors are, in the main, references to detailed guidance issued by DOE. A DSA that is prepared following applicable guidance found in "safe harbors" should be found acceptable, meaning that the facility's safety systems are adequate to protect public health and safety from nuclear hazards.

One of the key safe harbor guides for the preparation of DSAs is DOE Standard 3009-94, Preparation Guide for U.S. Department of Energy Nonreactor Nuclear Facility Safety Analysis Reports.<sup>1</sup> First issued in July of 1994, this Standard was intended to provide guidance on meeting the requirements imposed by DOE Order 5480.23, Nuclear Safety Analysis Reports, a set of nuclear safety requirements that preceded and were supplanted by 10 CFR Part 830. The Standard stated that "Technical Standards, such as this document, support the guides by providing additional guidance into how the requirements [of Orders and Rules] should be met." As such, it did not contain any nuclear safety requirements. Five years after its initial issuance, DOE amended Standard 3009-94 by the addition of Appendix A, entitled "Evaluation Guidelines." These guidelines apply dose criteria to the results of accident calculations found in DSAs. Stated broadly, the Evaluation Guidelines mandate that safety class systems be installed if, as a result of a potential accident, the unmitigated dose consequences at the site boundary approach or exceed 25 rem Total Effective Dose Equivalent (TEDE).

When 10 CFR Part 830 was promulgated in final form in early 2001, the version of DOE Standard 3009-94 incorporated into Appendix A of the rule as a safe harbor included the Evaluation Guidelines. This combination of the rule's requirement for an approved DSA and the application of the Evaluation Guidelines of DOE Standard 3009-94 formed the basis upon which adequate protection of the public health and safety would be gauged. Whenever dose consequence calculations showed that an accident scenario would result in offsite doses approaching or exceeding 25 rem TEDE, safety class systems would have to be chosen and installed to reduce this dose to a small fraction of the Evaluation Guidelines.

#### Developments Since 2001

As a safe harbor for 10 CFR Part 830, the Evaluation Guidelines described in DOE Standard 3009-94 have been enforced and met for the majority of DOE's defense nuclear facilities, assuring adequate protection to the public, workers, and the environment. However, in December 2008, the National Nuclear Security Administration (NNSA) approved a DSA for the Plutonium Facility at Los Alamos National Laboratory that represented a significant departure from the accepted methodology, as discussed in the Board's Recommendation 2009-2, Los Alamos National Laboratory Plutonium

<sup>1</sup> When DOE issued Change Notice 2, the title of this Standard was revised to Preparation Guide for U.S. Department of Energy Nonreactor Nuclear Facility Documented Safety Analyses.