

Subsequently, both the Complainant and the Illinois Committee of Blind Vendors (ICBV) filed a complaint with the SLA alleging that staff of the Business Enterprise Program for the Blind (BEPB) entered into an illegal agreement with the Department of Mental Health regarding vending services at the SDC. The Complainant alleged that the SLA agreement with the Department of Mental Health had severely affected the Complainant's ability to earn a living. On November 12, 2008, a hearing on this matter was held.

On December 30, 2008, the hearing officer denied both the Complainant and ICBV's complaint stating that neither party had met the burden of proof required to show that BEPB's actions were not in accordance with State laws, regulations, or policy, were inappropriate, or violated any rights of the Complainant. On December 31, 2008, the SLA adopted the hearing officer's decision as final agency action. It was this decision that the Complainant sought review on appeal by a Federal arbitration panel.

Arbitration Panel Decision

After hearing testimony and reviewing all of the evidence, the panel majority ruled that the Illinois Department of Human Services, Division of Rehabilitation Services' determination that a blind vendor could be required to make monthly commission payments to the SDC regarding the vending machine facility was appropriate.

However, the panel majority concluded that the commission was too high, the manner in which the commission was calculated and assessed was inconsistent with the manner in which commission amounts being charged to blind vendors at other State facilities were being calculated and assessed, and that the commission payments were based on the private vendor's monthly payments without regard for the Complainant's seasonal costs or changes in the cost of purchasing products. Accordingly, the panel majority ruled that the SLA's actions were not in accordance with the Randolph-Sheppard Act, implementing regulations, and State laws, rules, and regulations.

Thus, the panel majority awarded the Complainant \$22,589 in compensatory damages for overpayment of commissions to the SDC, plus \$7,000 in partial compensation for attorney fees for a total award amount of \$29,589. The panel also retained jurisdiction for 60 days from the date of the final decision

and award to monitor compliance with the terms of the decision.

One panel member dissented from the panel majority's decision stating that the commission structure as a whole and the way the commission payments were determined did not violate the Act, implementing regulations, and State law, rules, and regulations. With regard to the remedy, the dissenter concluded that there is no authority for the arbitration panel to order any payments to the Complainant.

The views and opinions expressed by the panel do not necessarily represent the views and opinions of the Department.

Electronic Access to This Document: You can view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>. To use PDF you must have Adobe Acrobat Reader, which is available free at this site.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: January 12, 2011.

Alexa Posny,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 2011-922 Filed 1-14-11; 8:45 am]

BILLING CODE 4000-01-P

DEPARTMENT OF ENERGY

Blue Ribbon Commission on America's Nuclear Future

AGENCY: Office of Nuclear Energy, Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces an open meeting of the Blue Ribbon Commission on America's Nuclear Future (the Commission). The Commission was organized pursuant to the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) (the Act). This notice is provided in accordance with the Act.

DATES: Tuesday, February 1, 2011, 9 a.m.–4 p.m.; Wednesday, February 2, 2011, 8:30 a.m.–12:15 p.m.

ADDRESSES: Washington Marriott Metro Center, 775 12th Street, NW., Washington, DC 20005. Telephone: (202) 737-2200.

FOR FURTHER INFORMATION CONTACT: Timothy A. Frazier, Designated Federal Officer, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585; telephone (202) 586-4243 or facsimile (202) 586-0544; e-mail CommissionDFO@nuclear.energy.gov. Additional information will be available at <http://www.brc.gov>.

SUPPLEMENTARY INFORMATION:

Background: The President directed that the Commission be established to conduct a comprehensive review of policies for managing the back end of the nuclear fuel cycle. The Commission will provide advice and make recommendations on issues including alternatives for the storage, processing, and disposal of civilian and defense spent nuclear fuel and nuclear waste. The Commission is scheduled to submit a draft report to the Secretary of Energy in July 2011 and a final report in January 2012.

This is the sixth full Commission meeting. Previous meetings were held in March, May, July, September, and November 2010. Webcasts of the previous meetings along with meeting transcripts and presentation are available at <http://www.brc.gov>.

Purpose of the Meeting: The main purpose of this meeting is to further investigate several of the cross-cutting issues that affect the three subcommittees of the Commission. The Commission will hear from a series of speakers and panelists who can provide insights on the organization and scope of the nation's nuclear waste management entity, waste program funding, and the site selection and development process.

Tentative Agenda: The meeting is expected to start at 9 a.m. on Tuesday, February 1, 2011. The schedule for February 1st will include presentations and statements to the Commission, as well as roundtable discussion. The meeting will resume at 8:30 a.m. on Wednesday, February 2, 2011, with presentations and statements to the Commission and Commission discussions lasting until about 11:15 a.m. The meeting will conclude with public statements and will end about 12:15 p.m.

Public Participation: Individuals and representatives of organizations who would like to offer comments and suggestions may do so at the end of the public session on Wednesday, February 2, 2011. Approximately 1 hour will be reserved for public comments from 11:15 a.m. to 12:15 p.m. Time allotted per speaker will depend on the number who wish to speak but will not exceed 5 minutes. The Designated Federal

Officer is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. Those wishing to speak should register to do so beginning at 8 a.m. on February 2, 2011, at the Washington Marriott at Metro Center. Registration to speak will close at 10 a.m., February 2, 2011.

Those not able to attend the meeting or having insufficient time to address the subcommittee are invited to send a written statement to Timothy A. Frazier, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, e-mail to CommissionDFO@nuclear.energy.gov, or post comments on the Commission Web site at <http://www.brc.gov>.

Additionally, the meeting will be available via live video Web cast. The link will be available at <http://www.brc.gov>.

Minutes: The minutes of the meeting will be available at <http://www.brc.gov> or by contacting Mr. Frazier. He may be reached at the postal address or e-mail address above.

Issued in Washington, DC, on January 11, 2011.

LaTanya R. Butler,

Acting Deputy Committee Management Officer.

[FR Doc. 2011-902 Filed 1-14-11; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Proposed Subsequent Arrangement

AGENCY: Office of Nonproliferation and International Security, Department of Energy.

ACTION: Proposed subsequent arrangement.

SUMMARY: This notice is being issued under the authority of section 131a. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160). The Department is providing notice of a proposed subsequent arrangement under the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy and the Agreement for Cooperation in the Peaceful Uses of Atomic Energy Between the European Atomic Energy Community and the United States of America.

This subsequent arrangement concerns the retransfer of 2,536 g of U.S.-origin uranium (11 g U-235) and 27 g of plutonium contained in eight spent fuel rod segments from Nippon Nuclear Fuel Development Co., Ltd in Oarai-machi, Ibaraki-ken, Japan, to Studsvik Nuclear AB in Nyköping,

Sweden. The material, which is currently located at Nippon Nuclear Fuel Development Co., Ltd, will be transferred to Studsvik Nuclear AB for: (a) Pre-irradiation experiment of the spent fuel rods irradiated in a nuclear power plant in Japan by Studsvik Nuclear AB in Sweden, (b) irradiation experiment of those fuel rods by Instituttt for Energiteknikk OECD Halden Reactor Project in Norway, and (c) post-irradiation experiment of those fuel rods by Studsvik Nuclear AB in Sweden. The material was originally obtained by Nippon Nuclear Fuel Development Co., Ltd from Martin Marietta Energy Systems pursuant to export licenses XSNM02314 and XSNM02734.

In accordance with section 131a. of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than February 2, 2011.

Dated: December 20, 2010.

For the Department of Energy.

Thomas P. D'Agostino,

Administrator, National Nuclear Security Administration.

[FR Doc. 2011-905 Filed 1-14-11; 8:45 am]

BILLING CODE 6450-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 13797-000]

City of Ouray; Notice of Application Accepted for Filing, Ready for Environmental Analysis, and Soliciting Motions To Intervene and Protests, Comments, Final Terms and Conditions, Recommendations, and Prescriptions

January 11, 2011.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

a. *Type of Filing:* Original Minor License.

b. *Project No.:* 13797-000.

c. *Dated Filed:* June 6, 2010.

d. *Submitted by:* City of Ouray.

e. *Name of Project:* Ouray Water Supply Hydroelectric Project.

f. *Project Description:* The proposed project would use excess water from the City's artesian spring by way of an existing six-inch water line. The City would add about 300 feet of new pipeline to direct water to a new power

plant. The power plant will house one Pelton turbine and induction motor generator with a maximum output of 20 kilowatt.

g. *Location:* Ouray, Colorado.

h. *Filed Pursuant to:* 18 CFR 4.61 of the Commission's regulations.

i. *Applicant Contact:* Bob Risch, P.O. Box 468, Ouray, CO 81427; (970) 318-1363.

j. *FERC Contact:* Mary Greene at (202) 502-8865; or e-mail at mary.greene@ferc.gov.

k. A copy of the license application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document (P-13797). For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in paragraph h.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

l. This application has been accepted for filing and is now ready for environmental analysis.

m. *Cooperating agencies:* Federal, State, local, and Tribal agencies with jurisdiction and/or special expertise with respect to environmental issues that wish to cooperate in the preparation of the environmental document should file such request within 30 days from issuance of this notice.

Cooperating agencies should note the Commission's policy that agencies that cooperate in the preparation of the environmental document cannot also intervene. See 94 FERC ¶ 61,076 (2001). All documents may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site (<http://www.ferc.gov/docs-filing/ferconline.asp>) under the "e-Filing" link. For a simpler method of submitting text only comments click on "Quick Comment". For assistance, please contact FERC Online Support at FERC OnlineSupport@ferc.gov; call toll-free at (866) 208-3676; or, for TTY, contact (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and eight copies to: Kimberly D.