

Dated: March 1, 2011.

Lynn Murray,

Department Clearance Officer, PRA, U.S.  
Department of Justice.

[FR Doc. 2011-5054 Filed 3-4-11; 8:45 am]

BILLING CODE 4410-09-P

## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meetings; Correction

**SUMMARY:** The National Council on Disability published a notice in the *Federal Register* of February 28, 2011, concerning a meeting of the Council. This document contains a correction to the times of the meeting.

**CONTACT PERSON FOR MORE INFORMATION:** Anne Sommers, NCD, 1331 F Street, NW., Suite 850, Washington, DC 20004; 202-272-2004 (V), 202-272-2074 (TTY).

In the *Federal Register* of February 28, 2011, in FR Doc. 11-4463, on page 10916, in the second column, correct the "Times and Dates" caption to read:

**TIME AND DATES:** The board meeting will be held on Thursday, March 10, 2011, 10:30 a.m.–5 p.m., ET, and Friday, March 11, 2011, 9 a.m.–10:30 a.m. ET, and from 2–3:30 p.m. ET, if necessary.

In the same *Federal Register* of February 28, 2011, in FR Doc. 11-4463, on page 10916, in the second column, please correct the "Matters to be Considered" caption to read:

**MATTERS TO BE CONSIDERED:** The tentative agenda for the board meeting includes annual ethics training, a demonstration of the agency's website redesign, a possible speaker from the U.S. Department of Health and Human Services, the "Living" regional forum, a review of the agency's budget and strategic plan implementation, and other items, to be determined. A portion of the meeting from 2 p.m.–3:30 p.m. ET on Friday, March 11, 2011 may be closed to discuss internal personnel rules and practices, pursuant to paragraph (c)(2) of the Sunshine Act, and in accordance with a determination made by the NCD Chairman.

Dated: March 3, 2011.

Aaron Bishop,

Executive Director.

[FR Doc. 2011-5162 Filed 3-3-11; 11:15 am]

BILLING CODE 6820-MA-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 30-36974; NRC-2010-0374]

### Notice of Availability of Final Supplement to the Environmental Assessment for the Proposed Pa'ina Hawaii, LLC Irradiator in Honolulu, HI

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has published a Final Supplement to the Environmental Assessment (EA) for the irradiator proposed by Pa'ina Hawaii, LLC (Pa'ina). On June 23, 2005, Pa'ina submitted an application to NRC requesting a license to possess and use byproduct material in connection with a proposed underwater irradiator. NRC completed the Final EA and Finding of No Significant Impact for this action on August 10, 2007, and subsequently issued a license to Pa'ina on August 17, 2007. The license authorizes Pa'ina to possess and use byproduct material (sealed sources) in a commercial underwater irradiator to be located adjacent to Honolulu International Airport on Palekona Street near Lagoon Drive. NRC is issuing this Final Supplement to the EA in response to a decision of the Atomic Safety and Licensing Board (Board) from the NRC's Atomic Safety and Licensing Board Panel. As directed by the Board, this Final Supplement addresses the following three areas: (1) Environmental impacts of accidents that might occur during the transport of cobalt-60 sources to and from Pa'ina's irradiator, (2) electron-beam technology as an alternative to cobalt-60 irradiation, and (3) alternative sites for Pa'ina's irradiator.

In the first area identified by the Board, the staff finds that accidents occurring during the transport of cobalt-60 to or from Pa'ina's proposed irradiator will not cause a significant impact to the environment. This is due primarily to the very low likelihood cobalt-60 will be released from a shipping package. The low likelihood of release is due to several factors, including the small number of cobalt-60 shipments to Pa'ina's irradiator and the stringent safety requirements for the design of cobalt-60 shipping packages. In the second area identified by the Board, the staff finds that the environmental impacts of an electron-beam irradiator will be small for each resource area. The staff also finds that the impacts will not be significantly

different than those associated with construction and operation of a cobalt-60 irradiator. In the third area identified by the Board, the staff finds that impacts associated with construction and operation of a cobalt-60 irradiator at alternative sites will be small and will not be significantly different than those at the proposed site. In particular, the staff finds that aircraft crashes involving the alternative sites will have no significant environmental impacts. The staff also finds that environmental impacts from earthquakes, tsunamis, and hurricanes at the alternative locations will be small.

Publicly available documents created or received at the NRC, including the Final Supplement to the EA, the August 10, 2007 EA, and the Pa'ina license and supporting documentation, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the Final Supplement to the EA and related documents are provided in the table below:

| Document                                 | ADAMS Accession No. |
|--|---------------------|
| 2005 Materials License Application ..... | ML051920106         |
| 2007 Final EA .....                      | ML071150121         |
| 2010 Draft Supplement to the EA .....    | ML103220072         |
| Comment Letter 1 of 5 .....              | ML103470076         |
| Comment Letter 2 of 5 .....              | ML110100329         |
| Comment Letter 3 of 5 .....              | ML110110256         |
| Comment Letter 4 of 5 .....              | ML110130222         |
| Comment Letter 5 of 5 .....              | ML110470273         |
| 2011 Final Supplement to the EA .....    | ML110390325         |

If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Room O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. In addition, documents relating to the administrative litigation associated with Pa'ina's application may be found in the Electronic Hearing Docket maintained by the NRC's Office of the Secretary at <http://ehd1.nrc.gov/EHD/>.

**FOR FURTHER INFORMATION CONTACT:** Johari Moore, Project Manager,

Environmental Review Branch A, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Rockville, Maryland 20852. Telephone: 301-415-7694; fax number: 301-415-5369; e-mail: *Johari.Moore@nrc.gov*.

Dated at Rockville, Maryland, this 1st day of March 2011.

For the Nuclear Regulatory Commission.

**Diana Diaz-Toro,**

*Acting Deputy Director, Environmental Protection and Performance Assessment Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011-5058 Filed 3-4-11; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29591; 812-13759]

### Eaton Vance Management, et al.; Notice of Application

March 1, 2011.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of an application for an order under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from sections 2(a)(32), 5(a)(1), 22(d) and 22(e) of the Act and rule 22c-1 under the Act, under sections 6(c) and 17(b) of the Act for an exemption from sections 17(a)(1) and (a)(2) of the Act, and under section 12(d)(1)(f) of the Act for an exemption from sections 12(d)(1)(A) and (B) of the Act.

**APPLICANTS:** Eaton Vance Management ("EVM"), Eaton Vance ETF Trust (the "Trust") and Foreside Fund Services, LLC.

**SUMMARY OF APPLICATION:** Applicants request an order that permits: (a) Series of certain actively managed open-end management investment companies to issue shares ("Shares") redeemable in large aggregations only ("Creation Units"); (b) secondary market transactions in Shares to occur at negotiated market prices; (c) certain series to pay redemption proceeds, under certain circumstances, more than seven days from the tender of Shares for redemption; (d) certain affiliated persons of the series to deposit securities into, and receive securities from, the series in connection with the purchase and redemption of Creation

Units; and (e) certain registered management investment companies and unit investment trusts outside of the same group of investment companies as the series to acquire Shares.

**DATES: FILING DATES:** The application was filed on March 5, 2010, and amended on August 10, 2010 and February 25, 2011.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on March 28, 2011, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicants: EVM and the Trust, Two International Place, Boston, MA 02110; Foreside Fund Services, LLC, Three Canal Plaza, Suite 100, Portland, ME 04101.

**FOR FURTHER INFORMATION CONTACT:** Barbara T. Heussler, Senior Counsel, at (202) 551-6990 or Jennifer L. Sawin, Branch Chief, at (202) 551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

### Applicants' Representations

1. The Trust will be registered as an open-end management investment company under the Act and is a statutory trust organized under the laws of Delaware. The Trust will initially offer five actively-managed investment series: Eaton Vance Enhanced Short Maturity ETF, Eaton Vance Government Limited Maturity ETF, Eaton Vance Intermediate Municipal Bond ETF, Eaton Vance Prime Limited Maturity ETF and Eaton Vance Short Term Municipal Bond ETF (together, the

"Initial Funds"). The investment objectives of Eaton Vance Enhanced Short Maturity ETF, Eaton Vance Government Limited Maturity ETF and Eaton Vance Prime Limited Maturity ETF will be to seek maximum current income, consistent with preservation of capital and daily liquidity. The investment objectives of Eaton Vance Intermediate Municipal Bond ETF and Eaton Vance Short Term Municipal Bond ETF will be to seek attractive tax-exempt income, consistent with preservation of capital.

2. Applicants request that the order apply to the Initial Funds and any future series of the Trust or of other open-end management companies that may utilize active management investment strategies ("Future Funds"). Any Future Fund will (a) advised by EVM or an entity controlling, controlled by, or under common control with EVM (together with EVM, an "Advisor"), and (b) comply with the terms and conditions of the application.<sup>1</sup> The Initial Funds and Future Funds together are the "Funds". Each Fund will consist of a portfolio of securities (including fixed income securities and/or equity securities) and/or currencies ("Portfolio Instruments").<sup>2</sup> Funds may also invest in "Depositary Receipts". A Fund will not invest in any Depositary Receipts that the Advisor deems to be illiquid or for which pricing information is not readily available.<sup>3</sup> Each Fund will operate as an actively managed exchange-traded fund ("ETF"). The Future Funds might include one or more ETFs which invest in other open-end and/or closed-end investment companies and/or ETFs.

3. EVM, a Massachusetts corporation, will be the investment advisor to the Initial Funds. Each Advisor is or will be registered as an "investment adviser" under the Investment Advisers Act of 1940 (the "Advisers Act"). The Advisor may retain investment advisers as sub-advisers in connection with the Funds

<sup>1</sup> All entities that currently intend to rely on the order are named as applicants. Any other entity that relies on the order in the future will comply with the terms and conditions of the application. An Investing Fund (as defined below) may rely on the order only to invest in Funds and not in any other registered investment company. Each Fund will comply with the disclosure requirements adopted by the Commission in Investment Company Act Release No. 28584 (Jan. 13, 2009).

<sup>2</sup> Neither the Initial Funds nor any Future Fund will invest in options contracts, futures contracts or swap agreements.

<sup>3</sup> Depositary Receipts are typically issued by a financial institution, a "depository", and evidence ownership in a security or pool of securities that have been deposited with the depository. No affiliated persons of applicants will serve as the depository bank for any Depositary Receipts held by a Fund.