During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: http://www.usdoj.gov/enrd/Consent_Decrees.html. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for $15.50 (25 cents per page reproduction cost) payable to the United States Treasury.

Maureen Katz,
Assistant Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

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BILLING CODE 4410–15–P

MSPB/GOVT–1

SYSTEM NAME:
Appeals and Case Records.

SYSTEM LOCATION:
Office of the Clerk of the Board, Merit Systems Protection Board (MSPB), Suite 500, 1615 M Street NW., Washington, DC 20419, and MSPB regional and field offices (see list of office addresses in the Appendix).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:
a. Current and former Federal employees, applicants for employment, annuitants, and other individuals who have filed appeals with MSPB or its predecessor agency, or with respect to whom the Office of Special Counsel (OSC) or another Federal agency has petitioned MSPB concerning any matter over which MSPB has jurisdiction.
b. Current and former employees of State and local governments who have been investigated by OSC and have had an appeal before MSPB concerning possible violation of the Hatch Act.

c. Current and former Federal employees, applicants for employment, annuitants, and other individuals who have filed appeals with MSPB or its predecessor agency, or with respect to whom the Office of Special Counsel (OSC) or another Federal agency has petitioned MSPB concerning any matter over which MSPB has jurisdiction.

d. Provide information to support other statutory functions of the Board, such as studies of the civil service under 5 U.S.C. 1204(a)(3), review of regulations of the Office of Personnel Management under 5 U.S.C. 1204(f), and reporting under 5 U.S.C. 1206.

Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses:
Information from the record may be disclosed:
a. To officials of the Equal Employment Opportunity Commission (EEOC) or a Special Panel convened under authority of 5 U.S.C. 7702 when requested in connection with the performance of their authorized duties;
b. To officials of the Office of Personnel Management (OPM), the Federal Labor Relations Authority (FLRA), EEOC, and OSC in connection with the performance of their authorized duties;
c. To the Government Accountability Office (GAO) in response to an official inquiry or investigation;
d. To provide information to a Congressional office from the record of an individual in response to an inquiry from that Congressional office made at the request of that individual;
e. To an appropriate Federal or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where there is an indication of a violation or potential violation of civil or criminal law or regulation;
f. To the Office of Management and Budget (OMB) at any stage in the legislative process in connection with private relief legislation as set forth in OMB Circular No. A–19;
g. To the Department of Justice (DOJ) when:
   (1) The Board, or any component thereof; or
   (2) Any employee of the Board in the employee’s official capacity; or
   (3) Any employee of the Board in the employee’s individual capacity where the Department of Justice (DOJ) has agreed to represent the employee; or
   (4) The United States is a party to litigation or has an interest in such
Policies and Practices for Storing, Retrieving, Accessing, Retaining and Disposing of Records in the System:

Storage:
These records are maintained in file folders and binders and in computer storage media.

Retrievability:
These records are retrieved by the names of the individuals on whom they are maintained and by MSPB docket numbers.

Safeguards:
Access to these records is limited to persons whose official duties require such access. Personal screening is employed to prevent unauthorized disclosure. Automated records in this system are maintained in a secure computer room in a building with restricted access. Automated records are protected from unauthorized access through password identification procedures and other system-based protection methods.

Retention and Disposal:
Paper records are maintained for up to one year after a final determination by MSPB or, in some instances, other administrative authorities or the courts. Thereafter, they are transferred to Regional Federal Records Centers or other appropriate facilities. Paper records are destroyed by the Federal Records Centers when the records are seven years old. Electronic records of the case management system may be maintained indefinitely, or until the Board no longer needs them.

System Manager(s) and Address:
The Clerk of the Board, Merit Systems Protection Board, 1800 Diagonal Blvd., Suite 500, 1615 Massachusetts Ave. NW., Washington, DC 20419, and MSPB regional and field offices (see list of office addresses in the Appendix).

Notification Procedures:
Individuals wishing to inquire whether this system of records contains information about them should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR part 1205 regarding such inquiries.

Record Access Procedures:
Individuals requesting access to their records should contact the Clerk of the Board. If the requester has reason to believe the records in question are located in a regional or field office, it is appropriate to submit the request to that office. Such requests should be addressed to the regional director or chief administrative judge (see list of office addresses in the Appendix). Requests for access to records must follow the MSPB Privacy Act regulations at 5 CFR part 1205.

Contesting Record Procedures:
Individuals requesting amendment should write to the Clerk of the Board. If the requester has reason to believe the records in question are located in a regional or field office, it is appropriate to submit the request to that office. Such requests should be addressed to the regional director or chief administrative judge (see list of office addresses in the Appendix).

Requests for amendment of records must follow the MSPB Privacy Act regulations at 5 CFR part 1205.

These provisions for amendment of the record are not intended to permit the alteration of evidence presented in the course of adjudication before MSPB either before or after MSPB has rendered a decision on the appeal.

Record Source Categories:
The sources of these records are:
- The individual to whom the record pertains;
- The agency employing the above individual;
- The MSPB, OPM, EEOC, OSC; and
- Other individuals or organizations from whom MSPB has received testimony, affidavits or other documents.

Appendix:
Regional and Field Offices of the Merit Systems Protection Board:
1. Atlanta Regional Office, Merit Systems Protection Board, 401 W. Peachtree Street, NE., Suite 1050, Atlanta, Georgia 30308.
3. Dallas Regional Office, Merit Systems Protection Board, 165 South Union Blvd., Room 620, Dallas, Texas 75242.
7. Western Regional Office, Merit Systems Protection Board, 201 Mission Street, Suite 2310, San Francisco, California 94105.
8. Washington, DC Regional Office, Merit Systems Protection Board, 1800 Diagonal Road, Suite 205, Alexandria, VA 22314.

Dates:
Comments on this amendment must be received by the Clerk of the Board on or before November 26, 2012. (The Privacy Act, at 5 U.S.C. 552a(e)(1), requires that the public be provided a 30-day period in which to comment on an agency’s intended use of information in a system of records.)
APPENDIX I TO OFFICE OF MANAGEMENT AND BUDGET (OMB) CIRCULAR A-130 REQUIRES AN ADDITIONAL 10-DAY PERIOD—FOR A TOTAL OF 40 DAYS—IN WHICH TO MAKE SUCH COMMENTS. THE AMENDED SYSTEM OF RECORDS WILL BE EFFECTIVE, AS PROPOSED, AT THE END OF THE COMMENT PERIOD UNLESS THE BOARD DETERMINES, UPON REVIEW OF THE COMMENTS RECEIVED, THAT CHANGES SHOULD BE MADE. IN THAT EVENT, THE BOARD WILL PUBLISH A REVISED NOTICE IN THE FEDERAL REGISTER.

ADDRESSES: Submit comments to William D. Spencer, Clerk of the Board, Merit Systems Protection Board, Suite 500, 1615 M St., NW., Washington, DC 20419. Comments may be submitted by regular mail to this address, by facsimile to (202) 653–7130, or by email to mspb@mspb.gov.

FOR FURTHER INFORMATION CONTACT: William Spencer, Clerk of the Board, at (202) 653–7200.

WILLIAM D. SPENCER, Clerk of the Board.

[FR Doc. 2012–26241 Filed 10–24–12; 8:45 am]

BILLING CODE 7400–01–P

NUCLEAR REGULATORY COMMISSION

[DOCKET NO. 070–3098; NRC–2011–0081]

NOTICE OF CONSIDERATION OF APPROVAL OF APPLICATION REGARDING PROPOSED INDIRECT TRANSFER OF CONTROL OF THE CONSTRUCTION AUTHORIZATION FOR THE MIXED OXIDE FUEL FABRICATION FACILITY IN AIKEN, SC

AGENCY: Nuclear Regulatory Commission.

ACTION: Application for approval of an indirect transfer of a construction authorization; opportunity to request a hearing or provide written comments.


SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering an application for approval of an indirect transfer of control regarding construction authorization (CA) CAMOX–001. The application, dated August 30, 2012 (ADAMS Accession No. ML12243A498), was supplemented on October 1, 2012 (ADAMS Accession No. ML12276A108). This notice of the application (in section II below) discusses the procedures applicable to submitting requests for a hearing, which are set forth in Title 10 of the Code of Federal Regulations (10 CFR), part 2. In accordance with 10 CFR 2.1305(a), written comments on the application may be submitted as an alternative to requesting a hearing, as discussed in section IV below.

The CA was originally issued to Duke Power Company and signed by DOE on August 25, 1980 (ADAMS Accession No. ML063110298). Under the CA, MOX Services is now constructing a Mixed Oxide Fuel Fabrication Facility (MFFF) at the Department of Energy (DOE) Savannah River Site in Aiken, South Carolina. MOX Services has separately requested the NRC’s authorization to operate the MFFF, which is currently under review.

In its August 30, 2012, application, MOX Services proposes to make changes in its ownership structure, whereby its ultimate parent corporation (“The Shaw Group, Inc.”) would become a wholly-owned subsidiary of Chicago Bridge and Iron Company NV Shaw (CB&I Shaw), based on a purchase transaction agreement dated July 30, 2012 (ADAMS Accession No. ML12269A340). MOX Services would continue to hold the CA, and no physical changes to the MFFF are being proposed. An NRC administrative review, documented in an email sent to MOX Services on September 11, 2012 (ADAMS Accession No. ML12269A087), found the application acceptable to begin a more detailed technical review. If the August 30, 2012 application is granted, the CA would be amended for the proposed restructuring and reorganization will not affect the qualifications of MOX Services to hold the CA, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and any NRC orders that may be applicable.

II. Opportunity To Request a Hearing and Leave To Intervene

Requirements for submitting hearing requests and petitions for leave to intervene are found in 10 CFR 2.309, “Hearing requests, petitions to intervene, requirements for standing, and contentions.” Interested persons should consult 10 CFR 2.309, which is available at the NRC’s PDR, located at One White Flint North, 11555 Rockville Pike, Mail Stop: O1–F21, Rockville, MD 20852. You may also call the PDR at 1–800–397–4209 or 301–415–4737. The NRC regulations are also accessible electronically from the NRC Library on the NRC Web site at http://www.nrc.gov/reading-rm/doc-collections/cfr/

Pursuant to 10 CFR 2.309(a), any person whose interest may be affected by this proceeding, and who wishes to participate as a party in the proceeding must file a written request for hearing and petition for leave to intervene. As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. Pursuant to 10