

government-to-government relationship, the section 204(b) exception would not apply and all FACA requirements would need to be followed.

2. Reservation of Authorities. Nothing in this policy waives or diminishes the U.S. Government's rights, authorities, immunities, or privileges, including the deliberative process privilege. Among other things, internal communications on the development of proposed legislation, enforcement policy, and other internal policy matters are part of the deliberative process by the Executive Branch and will remain confidential. Nothing in this policy waives or diminishes any tribal rights, authorities, immunities, or privileges including treaty rights and sovereign immunities, and this policy does not diminish any rights or protections afforded to individual AI/ANs under federal law.

3. Disclaimer. This document is intended to improve the Department's management of its relations and cooperative activities with Indian tribes. DOL has no obligation to engage in any consultation activities under this policy unless they are practicable and permitted by law. Nothing in this policy requires any budgetary obligation or creates a right of action against the Department for failure to comply with this policy nor creates any right, substantive or procedural, enforceable at law by a party against the United States, its agencies, or any person.

4. Effective Date. The Tribal Consultation Policy is effective December 4, 2012 and shall apply to all prospective actions taken by the Department as described herein.

Dated: November 29, 2012.

**Hilda L. Solis,**

*Secretary of Labor.*

[FR Doc. 2012-29246 Filed 12-3-12; 8:45 am]

**BILLING CODE 4510-23-P**

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish a notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under

the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by January 3, 2013. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:** Polly A. Penhale at the above address or (703) 292-7420.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

**Permit Application: 2013-025**

1. *Applicant:* Alison Cleary, University of Rhode Island, Graduate School of Oceanography, South Ferry Road, Narragansett, RI 02882.

**Activity for Which Permit Is Requested**

Introduce non-indigenous species into Antarctica. The applicant will use 5 × 100 mls each of *Ditylum brightwellii*, *Heterocapsa triquetra*, and *Tallassiosira rotula* cultures, as well as 500 grams of *Artemia salina* cysts as food for krill. They plan to measure how fast DNA is digested by feeding a group of krill a single prey type, and then taking away the prey, and preserving krill at a series of later time points. By measuring how much of the prey DNA is left in the krill guts after various amounts of time since feeding, they can calculate how quickly the DNA was digested. Applying this calculation to measurements of prey DNA in the stomachs of wild krill, they can then determine how much of each type of prey the wild krill were eating.

**Location**

West Antarctic Peninsula, specifically Flanders, Andvord, Wilhelmina and

Charlotte Bays, and in the adjacent areas of the Gerlache Strait.

**Dates**

March 1, 2013 to March 1, 2014

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-133; NRC-2010-0291]

### Exemption of Material for Proposed Disposal Procedures at the US Ecology Idaho Resource Conservation and Recovery Act Subtitle C Hazardous Disposal Facility Located Near Grand View, Idaho for Material from the Humboldt Bay Power Plant, Unit 3, License DPR-007, Eureka, CA

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant impact.

**FOR FURTHER INFORMATION CONTACT:** John Hickman, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-00001; telephone 301-415-3017, email [john.hickman@nrc.gov](mailto:john.hickman@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The U.S. Nuclear Regulatory Commission (NRC) staff is considering a request dated May 2, 2012, (ML12135A295) as supplemented by email dated July 16, 2012, (ML123200007) by Pacific Gas and Electric Company (PG&E, the licensee) for alternate disposal of approximately 100,000 ft<sup>3</sup> of hazardous waste, soil, and debris and 50,000 ft<sup>3</sup> of water solidified with clay containing low-activity radioactive material, at the US Ecology Idaho (USEI) Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous disposal facility located near Grand View, Idaho. Additionally, PG&E requested exemptions on behalf of USEI pursuant to § 30.11 of Title 10 of the *Code of Federal Regulations* (10 CFR) and 10 CFR 70.17 to allow USEI to receive and possess radioactive materials without an NRC license. These requests were made under the alternate disposal provision contained in 10 CFR 20.2002 and the exemption provisions in 10 CFR 30.11 and 10 CFR 70.17.