

mishandling, especially by children, will be approved only if they are found to combine an unusual degree of utility and safety.

5. The Commission has approved certain long-standing uses of source material, many of which antedate the atomic energy program. These include:

(a) Use of uranium to color glass for certain decorative purposes; and

(b) Thorium in various alloys and products (e.g., gas mantles, optical lenses, tungsten wire in such things as electric lamps and vacuum tubes) to impart desirable physical properties.

6. The Commission also approved the use of tritium as a substitute luminous material for the long-standing use of radium for this purpose on watch and clock dials and hands.

7. The Commission has approved additional uses of byproduct and source material in consumer products. These include the following:

(a) Tritium and other radionuclides in electron tubes;

(b) Americium-241 in smoke detectors; and

(c) Thorium and uranium in piezoelectric ceramic, which is used in many electronic products and other consumer products.

8. In approving uses of byproduct, source, or special nuclear material in consumer products, the Commission establishes limits on quantities or concentrations of radioactive materials and, if appropriate, on radiation emitted. In some cases, other limitations, such as quality control and testing, considered important to health and safety are also specified. In the case of class exemptions, specific safety criteria are included in the regulations, which require the applicant to evaluate many pathways of exposure of the public.

#### *Principal Considerations With Respect to Evaluation of Products*

9. In evaluating proposals for the use of radioactive materials in consumer products the principal considerations are:

(a) The potential external and internal exposure of individuals in the population to radiation from the handling, use and disposal of individual products;

(b) The potential total cumulative radiation dose to individuals in the population who may be exposed to radiation from a number of products;

(c) The long-term potential external and internal exposure of the general population from the uncontrolled disposal and dispersal into the environment of radioactive materials

from products authorized by the Commission; and

(d) The benefit that will accrue to or be denied the public because of the utility of the product by approval or disapproval of a specific product.

10. The general criteria for approval of individual products are set forth in paragraph 2, above. Detailed evaluation of potential exposures would take into consideration the following factors, together with other considerations, which may appear pertinent in the particular case:

(a) The external radiation levels from the product.

(b) The proximity of the product to human tissue during use.

(c) The area of tissue exposed. A dose to the skin of the whole body would be considered more significant than a similar dose to a small portion of the skin of the body.

(d) Potential of the radionuclides to cause exposures from intakes. Materials that result in lower cumulative exposures when taken into the body would be considered more favorably than materials that result in higher exposures from intakes.

(e) The quantity of radioactive material per individual product. The smaller the quantity the more favorably would the product be considered.

(f) Form of material. Materials with a low solubility in body fluids and the environment will be considered more favorably than those with a high solubility.

(g) Containment of the material. Products which contain the material under very severe environmental conditions will be considered more favorably than those that will not contain the material under such conditions.

(h) Degree of access to product during normal handling and use. Products which are inaccessible to children and other persons during use will be considered more favorably than those that are accessible.

Dated at Rockville, Maryland, this 7th day of October, 2011.

For the Nuclear Regulatory Commission.

**Robert J. Lewis,**

*Acting Deputy Director, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011-26581 Filed 10-13-11; 8:45 am]

**BILLING CODE 7590-01-P**

## **RAILROAD RETIREMENT BOARD**

### **Proposed Collection; Comment Request**

*Summary:* In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

1. *Title and purpose of information collection:* Appeal Under the Railroad Retirement and Railroad Unemployment Insurance Act; OMB 3220-0007.

Under Section 7(b)(3) of the Railroad Retirement Act (RRA), and Section 5(c) of the Railroad Unemployment Insurance Act (RUIA) any person aggrieved by a decision on his or her application for an annuity or benefit under that Act has the right to appeal to the RRB. This right is prescribed in 20 CFR part 260 and 20 CFR part 320. The notification letter, which is sent at the time of the original action on the application, informs the applicant of such right. When an applicant protests a decision, the concerned RRB office reviews the entire file and any additional evidence submitted and sends the applicant a letter explaining the basis of the determination. The applicant is then notified that if he or she wishes to protest further, they can appeal to the RRB's Bureau of Hearings and Appeals. The appeal process is prescribed in 20 CFR 260.5 and 260.9 and 20 CFR 320.12 and 320.38.

The form prescribed by the RRB for filing an appeal under the RRA or RUIA is Form HA-1, *Appeal Under the Railroad Retirement Act or Railroad Unemployment Insurance Act*. The form asks the applicant to explain the basis for their request for an appeal and, if necessary, to describe any additional evidence they wish to submit in support of the appeal. Completion is voluntary, however, if the information is not provided the RRB cannot process the appeal. The RRB proposes minor

editorial and cosmetic changes to Form HA-1.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**  
 [The Estimated Annual Respondent Burden is as Follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
HA-1 .....	600	20	200

*2. Title and purpose of information collection:* Application for Benefits Due but Unpaid at Death; OMB 3220-0055. Under Section 2(g) of the Railroad Unemployment Insurance Act (RUIA), benefits that accrued but were not paid because of the death of the employee shall be paid to the same individual(s)

to whom benefits are payable under Section 6(a)(1) of the Railroad Retirement Act. The provisions relating to the payment of such benefits are prescribed in 20 CFR 325.5 and 20 CFR 335.5. The RRB provides Form UI-63 for use in applying for the accrued sickness or

unemployment benefits unpaid at the death of the employee and for securing the information needed by the RRB to identify the proper payee. One response is requested of each respondent. Completion is required to obtain a benefit. The RRB proposes no changes to Form UI-63.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**  
 [The Estimated Annual Respondent Burden is as Follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
UI-63 .....	25	7	3

*3. Title and purpose of information collection:* Medicare; OMB 3220-0082. Under Section 7(d) of the Railroad Retirement Act (RRA), the Railroad Retirement Board (RRB) administers the Medicare program for persons covered by the railroad retirement system. The RRB uses Form AA-6, Employee Application for Medicare; Form AA-7, Spouse/Divorced Spouse Application for Medicare; and Form AA-8, Widow/Widower Application for Medicare; to obtain the information needed to determine whether individuals who

have not yet filed for benefits under the RRA are qualified for Medicare payments provided under Title XVIII of the Social Security Act. Further, in order to determine if a qualified railroad retirement beneficiary who is claiming supplementary medical insurance coverage under Medicare is entitled to a Special Enrollment Period (SEP) and/or premium surcharge relief because of coverage under an Employer Group Health Plan (EGHP), the RRB needs to obtain information regarding the claimant's EGHP coverage, if any.

The RRB uses Form RL-311-F, Evidence of Coverage Under An Employer Group Health Plan, to obtain the basic information needed by the RRB to establish EGHP coverage for a qualified railroad retirement beneficiary. Completion of the forms is required to obtain a benefit. One response is requested of each respondent. The RRB proposes minor editorial changes to Forms AA-6, AA-7 and AA-8. The RRB proposes no changes to Form RL-311-F.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**  
 [The estimated annual respondent burden is as follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
AA-6 .....	180	8	24
AA-7 .....	50	8	7
AA-8 .....	10	8	1
RL-311-F .....	800	10	133

*Additional Information or Comments:* To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Charles Mierzwa, the RRB Clearance Officer, at (312) 751-3363 or [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV). Comments regarding the information collection should be addressed to Patricia Henaghan, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois

60611-2092 or e-mailed to [Patricia.Henaghan@RRB.GOV](mailto:Patricia.Henaghan@RRB.GOV). Written comments should be received within 60 days of this notice.

**Charles Mierzwa,**  
*Clearance Officer.*  
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**BILLING CODE 7905-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. IC-29831; 812-13695]

**NGP Capital Resources Company, et al.; Notice of Application**

October 7, 2011.  
**AGENCY:** Securities and Exchange Commission ("Commission").  
**ACTION:** Notice of application for an order under section 57(a)(4) and 57(i) of