

[FR Doc. 2010-25565 Filed 10-8-10; 8:45 am]

BILLING CODE 4510-FT-P

**MERIT SYSTEMS PROTECTION BOARD****Oral Argument****AGENCY:** Merit Systems Protection Board.**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the scheduling of oral argument in the matters of: *Hyginus U. Aguzie v. Office of Personnel Management*, MSPB Docket Number DC-0731-09-0261-R-1; *Jenee Ella Hunt-O'Neal v. Office of Personnel Management*, MSPB Docket Number AT-0731-09-0240-I-1; *James A. Scott v. Office of Personnel Management*, MSPB Docket Number CH-0731-09-0578-I-1; and *Holley C. Barnes v. Office of Personnel Management*, MSPB Docket Number DC-0731-09-0260-R-1.

**Date and Time:** Monday, October 18, 2010, at 10 a.m.

**Place:** The United States Court of Appeals for the Federal Circuit, Room 201, 717 Madison Place, NW., Washington DC.

**Status:** Open.

**FOR FURTHER INFORMATION CONTACT:**

Matthew Shannon, Merit Systems Protection Board, Office of the Clerk of the Board, 1615 M Street, NW., Washington, DC 20419; (202) 653-7200; [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to 5 CFR 1201.117(a)(2), the Merit Systems Protection Board ("MSPB" or "Board") will hear oral argument in the matters of *Hyginus U. Aguzie v. Office of Personnel Management*, MSPB Docket Number DC-0731-09-0261-R-1; *Jenee Ella Hunt-O'Neal v. Office of Personnel Management*, MSPB Docket Number AT-0731-09-0240-I-1; *James A. Scott v. Office of Personnel Management*, MSPB Docket Number CH-0731-09-0578-I-1; and *Holley C. Barnes v. Office of Personnel Management*, MSPB Docket Number DC-0731-09-0260-R-1. *Aguzie, et al.* raise the question of whether, when the Office of Personnel Management (OPM) directs an agency to separate a tenured employee for suitability reasons, the Board must consider a subsequent appeal under 5 CFR part 731 as contemplated therein, or should the Board instead consider the appeal under 5 U.S.C. chapter 75, given that the scope of a chapter 75 appeal is broader than a part 731 appeal and that OPM generally lacks authority to issue regulations limiting statutory rights. The

Board invited amicus curiae to submit briefs in these matters, *see* 75 FR 20007, Apr. 16, 2010; 75 FR 29366, May 25, 2010, and provided the amici curiae with an opportunity to request permission to present oral argument. The briefs submitted by the parties and the amici curiae are available for viewing on the MSPB's Web site at <http://www.mspb.gov/oralarguments/>. A recording of the oral argument will also be made available on the MSPB's Web site. The public is welcome to attend this hearing for the sole purpose of observation. Persons with disabilities who require reasonable accommodation to participate in this event should direct the request to the MSPB Director of Equal Employment Opportunity at (202) 653-6772 ext. 1194 or V/TDD 1-800-877-8339 (Federal Relay Service). All requests should be made at least one week in advance.

**William D. Spencer,***Clerk of the Board.*

[FR Doc. 2010-25552 Filed 10-8-10; 8:45 am]

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**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION****[Notice (10-121)]****Performance Review Board, Senior Executive Service (SES)****AGENCY:** National Aeronautics and Space Administration (NASA).**ACTION:** Notice of Membership of SES Performance Review Board.

**SUMMARY:** The Civil Service Reform Act of 1978, Public Law 95-454 (Section 405) requires that appointments of individual members to a Performance Review Board (PRB) be published in the **Federal Register**.

The performance review function for the SES in NASA is being performed by the NASA PRB and the NASA Senior Executive Committee. The latter performs this function for senior executives who report directly to the Administrator or the Deputy Administrator and members of the PRB. The following individuals are serving on the Board and the Committee:

**Performance Review Board**

Chairperson, Chief of Staff, NASA Headquarters;  
Executive Secretary, Director, Workforce Management and Development Division, NASA Headquarters;  
Associate Administrator, NASA Headquarters;  
Associate Deputy Administrator, NASA Headquarters;

Associate Administrator for Exploration Systems Mission Directorate, NASA Headquarters;  
Associate Administrator for Space Operations Mission Directorate, NASA Headquarters;  
Associate Administrator for Science Mission Directorate, NASA Headquarters;  
Associate Administrator for Aeronautics Research Mission Directorate, NASA Headquarters;  
Associate Administrator for Mission Support Directorate, NASA Headquarters;  
Associate Administrator for Diversity and Equal Opportunity, NASA Headquarters;  
Assistant Administrator for Human Capital Management, NASA Headquarters;  
Chief Engineer, NASA Headquarters;  
General Counsel, NASA Headquarters;  
Chief Technologist, NASA Headquarters;  
Chief Scientist, NASA Headquarters;  
Chief Information Officer, NASA Headquarters;  
Chief, Safety and Mission Assurance, NASA Headquarters;  
Director, Ames Research Center;  
Director, Dryden Flight Research Center;  
Director, Glenn Research Center;  
Director, Goddard Space Flight Center;  
Director, Johnson Space Center;  
Director, Kennedy Space Center;  
Director, Langley Research Center;  
Director, Marshall Space Flight Center;  
Director, Stennis Space Center.

**Senior Executive Committee**

Chairperson, Deputy Administrator, NASA Headquarters;  
Chair, Executive Resources Board, NASA Headquarters;  
Chair, NASA Performance Review Board, NASA Headquarters;  
Associate Administrator, NASA Headquarters;  
Associate Deputy Administrator, NASA Headquarters;  
Chief Information Officer, NASA Headquarters.

**Charles F. Bolden, Jr.,**  
*Administrator.*

[FR Doc. 2010-25471 Filed 10-8-10; 8:45 am]

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**NATIONAL SCIENCE FOUNDATION****Committee on Equal Opportunities in Science and Engineering (CEOSE); Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science

Foundation announces the following meeting:

*Name:* Committee on Equal Opportunities in Science and Engineering (1173).

*Dates/Time:* October 25, 2010, 8:30 a.m.–5:30 p.m., October 26, 2010, 8:30 a.m.–2 p.m.

*Place:* National Science Foundation (NSF), 4201 Wilson Boulevard, Arlington, VA 22230.

To help facilitate your access into the building, please contact the individual listed below prior to the meeting so that a visitor's badge may be prepared for you in advance.

*Type of Meeting:* Open.

*Contact Person:* Dr. Margaret E.M. Tolbert, Senior Advisor and CEOSE Executive Liaison, Office of Integrative Activities, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Telephone Numbers: (703) 292–4216, 703–292–8040; [mtolbert@nsf.gov](mailto:mtolbert@nsf.gov).

*Minutes:* Minutes may be obtained from the Executive Liaison at the above address or the Web site at <http://www.nsf.gov/od/oia/activities/ceose/index.jsp>.

*Purpose of Meeting:* To study NSF programs and policies and provide advice and recommendations to the National Science Foundation (NSF) concerning broadening participation in science and engineering.

#### Agenda

Monday and Tuesday, October 25–26, 2010

Opening Statements by the CEOSE Chairs  
Presentations and Discussions:

- ✓ Expanding Minority Participation: America's Science and Technology Talent at the Crossroads
- ✓ Reports from CEOSE Liaisons to NSF Advisory Committees
- ✓ *Progress Report on Correcting the Multi-Race Coding Error in the Survey of Doctorate Recipients*
- ✓ The Process for Filling CEOSE Membership Vacancies
- ✓ Appointment of CEOSE Liaisons to NSF Advisory Committees
- ✓ Establishment of CEOSE *Ad Hoc* Subcommittees
- ✓ An Update on Plans to Establish the Science of Broadening Participation Program
- ✓ A Conversation with the Leader(s) of the National Science Foundation

Dated: October 6, 2010.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2010–25525 Filed 10–8–10; 8:45 am]

**BILLING CODE 7555–01–P**

## NUCLEAR REGULATORY COMMISSION

[NRC–2010–0308]

### Applications and Amendments to Facility Operating Licenses Involving Proposed No Significant Hazards Considerations and Containing Sensitive Unclassified Non-Safeguards Information and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information

#### I. Background

Pursuant to section 189a. (2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (the Commission or NRC staff) is publishing this notice. The Act requires the Commission publish notice of any amendments issued, or proposed to be issued and grants the Commission the authority to issue and make immediately effective any amendment to an operating license upon a determination by the Commission that such amendment involves no significant hazards consideration, notwithstanding the pendency before the Commission of a request for a hearing from any person.

This notice includes notices of amendments containing sensitive unclassified non-safeguards information (SUNSI).

#### Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The Commission has made a proposed determination that the following amendment requests involve no significant hazards consideration. Under the Commission's regulations in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. The basis for this proposed determination for each amendment request is shown below.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of 60 days after the date of publication of this notice. The Commission may issue the license amendment before expiration of the 60-day period provided that its final determination is that the amendment involves no significant hazards consideration. In addition, the Commission may issue the amendment prior to the expiration of the 30-day comment period should circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the facility. Should the Commission take action prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. Should the Commission make a final No Significant Hazards Consideration Determination, any hearing will take place after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules, Announcements and Directives Branch (RADB), TWB–05–B01M, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be faxed to the RADB at 301–492–3446. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland.

Within 60 days after the date of publication of this notice, any person(s) whose interest may be affected by this action may file a request for a hearing and a petition to intervene with respect to issuance of the amendment to the subject facility operating license. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested person(s) should consult a current copy of 10 CFR 2.309, which is available at the Commission's PDR, located at One White Flint North, Public File Area O1F21, 11555 Rockville Pike (first floor), Rockville, Maryland, or at <http://www.nrc.gov/reading-rm/doc-collections/cfr/part002/part002-0309.html>. Publicly available records will be accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic