Wilson Boulevard, Room 627, Arlington, Virginia 22203. All comments must be postmarked or received in that office on or before June 3, 1999. Copies of these petitions are available for inspection at that address.

Dated: April 26, 1999.

Carol J. Jones,

Acting Director, Office of Standards, Regulations, and Variances.

[FR Doc. 99–11154 Filed 5–3–99; 8:45 am]

BILLING CODE 4510–43–U

LIBRARY OF CONGRESS

Copyright Office

[Docket No. 99–3 CARP DD 95–98]

Ascertainment of Controversy for the Distribution of the 1995, 1996, 1997, and 1998 Digital Audio Recording Royalty Funds

AGENCY: Copyright Office, Library of Congress.

ACTION: Notice with request for comments.

SUMMARY: The Copyright Office of the Library of Congress directs all claimants to the royalty fees collected in 1995, 1996, 1997, and 1998 for the distribution of digital audio recording devices and media to submit comments as to whether a controversy exists as to the distribution of the royalty fees in the 1995, 1996, 1997, and 1998 Musical Works Funds.

DATES: Comments and notices of intent to participate are due by July 6, 1999.

ADDRESSES: If sent BY MAIL, an original and 5 copies of written comments should be addressed to Office of the General Counsel, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024. If DELIVERED BY HAND, an original and 5 copies should be brought to: Office of the General Counsel, Copyright Office, Room LM–403, James Madison Memorial Building, 101 Independence Avenue, SE, Washington, DC 20559–6000.

FOR FURTHER INFORMATION CONTACT: David O. Carson, General Counsel, or Tanya M. Sandros, Attorney Advisor, Copyright Arbitration Royalty Panel (''CARP''). Telephone: (202) 707–8380. Telefax: (202) 252–3423.

SUPPLEMENTARY INFORMATION:

I. Background

The Audio Home Recording Act of 1992 (the ''Act''), Pub. L. 102–563, requires manufacturers and importers to pay royalties on digital audio recording devices and media that are distributed in the United States. 17 U.S.C. 1003. The royalties are deposited with the Copyright Office for further distribution to interested copyright parties who file claims with the Copyright Office each year during January and February. 17 U.S.C. 1005, 1007.

The Act provides that the royalties are divided between two funds: the Sound Recordings Fund and the Musical Works Fund. The Sound Recordings Fund receives 66 2/3% of the royalties and the Musical Works Fund receives the remaining 33 1/3%. These fees are allocated further to specific subfunds.

The Sound Recordings Fund consists of four subfunds: the Featured Recording Artists Subfund, the Copyright Owners Subfund, the Nonfeatured Musicians Subfund, and the Nonfeatured Vocalists Subfund. The two subfunds created for the benefit of nonfeatured artists receive a total of 4% of the funds allocated to the Sound Recordings Fund. Of the remaining royalty fees in the Sound Recordings Fund, 60% is allocated to the Copyright Owners Subfund and 40% is allocated to the Featured Recording Artists Subfund. Similarly, the royalty fees allocated to the Musical Works Fund are equally divided between two subfunds, the Publishers Subfund and the Writers Subfund. 17 U.S.C. 1006(b).

Distribution of these fees may occur in one of two ways. If the claimants within each subfund agree among themselves how to distribute the royalty fees, the Librarian of Congress distributes the royalties to the claimants in accordance with their negotiated agreement.[1] 17 U.S.C. 1007(b). Alternatively, if the parties cannot reach an agreement, the Librarian of Congress must convene a copyright arbitration royalty panel (''CARP'') to determine the distribution of royalty payments.[2] 17 U.S.C. 1007(c). Before commencing a distribution proceeding, however, the Copyright Office must first ascertain whether a controversy exists concerning the distribution of the royalty fees among the copyright claimants to the funds available for distribution. 17 U.S.C. 803(d) and 1007(b).

II. Ascertainment of Controversy and Notices of Intent to Participate

Section 251.45(a) of the Copyright Office regulations, title 37 of the Code of Federal Regulations, requires that:

> [T]he Librarian of Congress shall, after the time period for filing claims, publish in the **Federal Register** a notice requesting each claimant on the claimant list to negotiate with each other a settlement of their differences, and to comment by a date certain as to the existence of controversies with respect to the royalty funds described in the notice. Such notice shall also establish a date certain by which parties wishing to participate in the proceeding must file with the Librarian a notice of intention to participate.

The purpose of the negotiation requirement is to make all of the claimants within each fund/subfund aware of each other and to encourage active participation and open discussion on how to resolve each party's claim. The Copyright Office has compiled a list of claimants who have filed timely a claim to either of the two subfunds comprising each of the 1995, 1996, 1997, and 1998 Musical Works Funds.[3] Claimants must use these lists in negotiating settlement agreements concerning the distribution of the royalty fees.

At the conclusion of the negotiation period, the claimants must submit to the Copyright Office comments identifying the existence of any settlement agreements and the existence of any remaining controversies. Participants must identify each subfund in the Musical Works Funds by year and indicate whether any controversy remains over the distribution of the royalty fees in that subfund or whether an agreement has been reached. In the case of an agreement, the notice must list the name of all claimants covered by the agreement. Participants must advise the Copyright Office of any controversy by the end of the comment period. The Office will not consider controversies which are brought to its attention after the close of the comment period.

Each claimant who intends to participate in the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds must also file a notice of intent to participate. The notice must identify each year and each subfund in which the copyright owner has an

[1] The claimants to the royalty fees in the Sound Recordings Funds have negotiated a universal settlement agreement among themselves for each year as to the proportionate share that each claimant receives from the subfunds. These agreements have made it unnecessary for the Librarian to convene a CARP and have allowed him to distribute all royalty fees allocated to the Sound Recordings Funds during 1993 to 1998.

[2] In 1996, the Librarian convened a CARP to determine the distribution of the 1992, 1993, and 1994 Musical Works Funds. *See* 62 FR 6558 (February 12, 1997). The Librarian's final order determining the distribution of these funds based upon the CARP's findings was appealed to and recently upheld by the United States Court of Appeals for the District of Columbia Circuit.

[3] Copies of the claimant lists are available for viewing and copying between the hours of 8:30 a.m. and 5:00 p.m. at the: Library of Congress, Copyright Office, Licensing Division, Room LM–458, James Madison Building, 101 Independence Avenue, SE, Washington, DC 20557–6400.

interest. Failure to file a timely Notice of Intent may preclude a party from participating in the distribution proceeding. The notices are due July 6, 1999.

III. Consolidation of Proceedings

Section 801(d) of the Copyright Act, 17 U.S.C., as amended by the Technical Amendments to the Satellite Home Viewer Act of 1994, Pub. L. 105–80, states that ''[t]he Librarian of Congress, upon the recommendation of the Register of Copyrights, . . . shall reimburse the arbitrators presiding in distribution proceedings at such intervals and in such manner as the Librarian shall provide by regulation. . . . Payments to the arbitrators shall be considered reasonable costs incurred by the Library of Congress and the Copyright Office for purposes of section 802(h)(1).'' Funds to pay the arbitrators come from the royalty funds under consideration in the distribution proceeding. Because there are insufficient funds available from the Musical Works Fund for any single year to cover the projected cost of an arbitration proceeding that would require oral testimony, the Copyright Office is consolidating the consideration of the distribution of the 1995, 1996, 1997, and 1998 Musical Works Funds into a single proceeding in order to have sufficient funds to meet its financial obligations to the arbitrators.

Dated: April 28, 1999.

Marybeth Peters,

Register of Copyrights.

[FR Doc. 99–11182 Filed 5–3–99; 8:45 am]

BILLING CODE 1410–33–P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: U. S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, extension, or reinstatement: Reinstatement.
2. The title of the information collection: NRC Form 536, ''Operator Licensing Examination Data''.
3. The form number if applicable: NRC Form 536.
4. How often the collection is required: Annually.
5. Who will be required or asked to report: All holders of operating licenses or construction permits for nuclear power reactors.
6. An estimate of the number of responses: 80.
7. The estimated number of annual respondents: 80.
8. An estimate of the total number of hours needed annually to complete the requirement or request: 80.
9. An indication of whether Section 3507(d), Pub. L. 104–13 applies: Not applicable.
10. Abstract: NRC is requesting reinstatement of its clearance to annually request all commercial power reactor licensees and applicants for an operating license to voluntarily send to the NRC: (1) Their projected number of candidates for operator licensing initial examinations; (2) the estimated dates of the examinations; (3) if the examination will be facility developed or NRC developed, and (4) the estimated number of individuals that will participate in the Generic Fundamentals Examination (GFE) for that calendar year. Except for the GFE, this information is used to plan budgets and resources in regard to operator examination scheduling in order to meet the needs of the nuclear industry.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (http://www.nrc.gov/NRC/PUBLIC/OMB/index.html). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by June 3, 1999. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin, Office of Information and Regulatory Affairs (3150–0131), NEOB–10202, Office of Management and Budget, Washington, DC 20503

Comments can also be submitted by telephone at (202) 395–3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301–415–7233.

Dated at Rockville, Maryland, this 27th day of April 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99–11114 Filed 5–3–99; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8681]

Notice of Consideration of a License Amendment for International Uranium (USA) Corporation's White Mesa Uranium Mill and an Opportunity for a Hearing

AGENCY: Nuclear Regulatory Commission.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has received, by letter dated March 2, 1999, an application from International Uranium (USA) Corporation (''IUSA'') to amend Source Material License No. SUA–1358 to allow for the receipt and processing of uranium-bearing material removed from various sites in the St. Louis, Missouri area. These sites are being remediated by the U.S. Army Corps of Engineers in accordance with its responsibilities under the Formerly-Utilized Sites Remedial Action Program (FUSRAP). Under the proposed license amendment, IUSA would process material shipped from the St. Louis area in its White Mesa uranium mill in Blanding, Utah, to recover usable uranium. IUSA would dispose of the tailings, or byproducts of this process in the existing 11(e)2 mill tailings pile at the site. This FUSRAP material from the St. Louis sites is considered to be an ''alternate feed'' material, i.e., an input material for uranium extraction that is different from natural ores containing uranium. Prior to the issuance of the amendment, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations.

FOR FURTHER INFORMATION CONTACT: James E. Kennedy, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301)–415–6668, e-mail jek1@nrc.gov.

SUPPLEMENTARY INFORMATION: IUSA's application to amend Source Material License SUA–1358 describes the proposed change and the reasons for the