

following general approaches for implementation:

- Work with each military service to customize actions and needs for guidance;
- Take a phased approach to implement NRC's jurisdiction, including an initial prelicensing/permitting phase to prepare for the licensing/permitting phase;
- Develop phased licensing/permitting jointly with the military services to minimize impact on the schedules for ongoing work;
- Select high priority sites identified by the military to serve as pilot sites to help develop detailed guidance. Also, identify high priority sites where NRC's attention is needed;
- Develop guidance to address questions and cases representative of each military service;
- Include guidance in the Air Force and Navy MML letters of understanding and guidance and similar documents developed for the Army;
- Interact with the Army to establish an appropriate licensing approach and guidance.

Topics where additional guidance could be developed include:

- Application of NRC's decommissioning timeliness requirements;
- Coordination of the military's use of the CERCLA process and NRC's decommissioning process in order to protect the public and the environment and minimize dual regulation; and
- Identification of responsibilities of NRC, Air Force, and Navy under each MML.

#### *Backfit Discussion*

This RIS requires no action or written response. Any action that addressees take to implement changes or procedures in accordance with the information contained in this RIS ensures compliance with current regulations, is strictly voluntary, and, therefore, is not a backfit under any of the backfitting provisions contained in 10 CFR 50.109, 70.76, 72.62, 76.76, or the issue finality provision of 10 CFR part 52. Consequently, the staff did not perform a backfit analysis.

#### *Federal Register Notification*

To be done after the public comment period.

#### *Voluntary Response*

All addressees and the public may voluntarily submit comments regarding the military radium policy presented in this RIS. To be of use to the NRC, responses should be submitted by September 6, 2011.

#### *Congressional Review Act*

This RIS is a rule as designated in the Congressional Review Act (5 U.S.C. 801–886) and, therefore, is subject to the Act.

#### *Paperwork Reduction Act Statement*

This RIS does not contain any information collection requirements and, therefore, is not subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

#### *Public Protection Notification*

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

#### *Contact*

This RIS requires no specific action or written response. If you have any questions about this summary, please contact the technical contact.

Technical Contact: Robert L. Johnson, DWMEP/SPB, (301) 415–5143, e-mail: [robert.johnson2@nuc.gov](mailto:robert.johnson2@nuc.gov).

**Note:** The NRC's generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.

#### **End of Draft Regulatory Issue Summary**

Dated at Rockville, Maryland this 24th day of June 2011.

For the Nuclear Regulatory Commission.

**Keith I. McConnell,**

*Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011–17165 Filed 7–7–11; 8:45 am]

**BILLING CODE 7590–01–P**

#### **DEPARTMENT OF ENERGY**

##### **10 CFR Part 430**

**[Docket No. EERE–2010–BT–DET–0040]**

**RIN 1904–AC52**

#### **Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Proposed Determination of Set-Top Boxes and Network Equipment as a Covered Consumer Product**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Notice of extension of public comment period.

**SUMMARY:** This document announces that the period for submitting comments on the proposed determination for set-top boxes and network equipment is extended to September 30, 2011.

**DATES:** DOE will accept comments, data, and information regarding the proposed determination for set-top boxes and network equipment published June 15, 2011 (76 FR 34914) received no later than 5 p.m. on September 30, 2011.

**ADDRESSES:** Any comments submitted must identify the proposed determination for set-top boxes and network equipment and provide docket number EERE–2010–BT–DET–0040 and/or RIN number 1904–AC52. Comments may be submitted using any of the following methods:

- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **E-mail:**

[Brenda.Edwards@ee.doe.gov](mailto:Brenda.Edwards@ee.doe.gov). Include docket number EERE–2010–BT–DET–0040 and/or RIN 1904–AC52 in the subject line of the message. Submit electronic comments in WordPerfect, Microsoft Word, PDF, or ASCII file format and avoid the use of special characters or any form of encryption.

- **Postal Mail:** Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE–2J, 1000 Independence Avenue, SW., Washington, DC 20585–0121. Telephone: (202) 586–2945. Please submit one signed original paper copy.

- **Hand Delivery/Courier:** Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza, SW., 6th Floor, Washington, DC 20024. Please submit one signed original paper copy.

**Docket:** For access to the docket to read background documents or comments received, visit the U.S. Department of Energy, Resource Room of the Building Technologies Program, 950 L'Enfant Plaza, SW., 6th Floor, Washington, DC 20024, (202) 586–2945, between 9 a.m. and 4 p.m. Monday through Friday, except Federal holidays. Please call Ms. Brenda Edwards at the above telephone number for additional information regarding visiting the Resource Room. Please note: DOE's Freedom of Information Reading Room (Room 1E–190 at the Forrestal Building) no longer houses rulemaking materials.

**FOR FURTHER INFORMATION CONTACT:** Mr. Wes Anderson, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE–2J, 1000 Independence Avenue, SW., Washington, DC 20585–0121.

Telephone: (202) 586-7335. E-mail: [Wes.Anderson@ee.doe.gov](mailto:Wes.Anderson@ee.doe.gov).

In the Office of General Counsel, contact Ms. Elizabeth Kohl, U.S. Department of Energy, Office of the General Counsel, GC-71, 1000 Independence Avenue, SW., Washington, DC 20585. Telephone: (202) 586-7796. E-mail: [Elizabeth.Kohl@hq.doe.gov](mailto:Elizabeth.Kohl@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** On June 15, 2011, DOE published a notice of proposed determination (NOPD) in the **Federal Register** (76 FR 34914) to determine that set top boxes and network equipment meet the criteria for classification as a covered product under the Energy Policy and Conservation Act, as amended (EPCA, 42 U.S.C. 6291, *et seq.*). The NOPD provided for the submission of comments by July 15, 2011. Interested parties requested an extension of the comment period. One commenter stated that it represented over 2000 companies who manufacture set top boxes and similar products, as well as component suppliers and service providers for such products. This commenter stated that it had commissioned a revision of its 2007 energy use study examining power consumption data and trends for set-top boxes and other consumer electronics. The commenter indicated that the data in this study, due in late August 2011, would be helpful to DOE in determining how to proceed with its proposed determination, and that the study would also be helpful informing the comments submitted by the commenter on the proposal. Another commenter requested an extension of time to develop its comments, stating that additional time would allow them to provide better quality comments to DOE. DOE has determined that an extension of the public comment period is appropriate based on the foregoing reasons and is hereby extending the comment period. DOE will consider any comments received by 5 p.m. on September 30, 2011 and deems any comments received between July 15, 2011 and 5 p.m. on September 30, 2011 to be timely submitted.

#### Further Information on Submitting Comments

Under 10 CFR Part 1004.11, any person submitting information that he or she believes to be confidential and exempt by law from public disclosure should submit two copies: One copy of the document including all the information believed to be confidential, and one copy of the document with the information believed to be confidential deleted. DOE will make its own

determination about the confidential status of the information and treat it according to its determination.

Factors of interest to DOE when evaluating requests to treat submitted information as confidential include (1) a description of the items, (2) whether and why such items are customarily treated as confidential within the industry, (3) whether the information is generally known by or available from other sources, (4) whether the information has previously been made available to others without obligation concerning its confidentiality, (5) an explanation of the competitive injury to the submitting person which would result from public disclosure, (6) when such information might lose its confidential character due to the passage of time, and (7) why disclosure of the information would be contrary to the public interest.

Issued in Washington, DC on July 5, 2011.

**Kathleen B. Hogan,**

*Deputy Assistant Secretary for Energy Efficiency, Office of Technology Development, Energy Efficiency and Renewable Energy.*

[FR Doc. 2011-17215 Filed 7-7-11; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0713; Directorate Identifier 2011-CE-023-AD]

**RIN 2120-AA64**

#### **Airworthiness Directives; Empresa Brasileira de Aeronáutica S.A. (EMBRAER) Model EMB-505 Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), Department of Transportation (DOT).

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** We propose to adopt a new airworthiness directive (AD) for the products listed above. This proposed AD results from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as:

It has been found the possibility of free-play between the mass balance weight and the elevator structure. This condition if not corrected could lead to elevator flutter and possible loss of airplane control.

The proposed AD would require actions that are intended to address the unsafe condition described in the MCAI.

**DATES:** We must receive comments on this proposed AD by August 22, 2011.

**ADDRESSES:** You may send comments by any of the following methods:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.

- **Fax:** (202) 493-2251.

- **Mail:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590.

- **Hand Delivery:** U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact EMBRAER S.A., Phenom Maintenance Support, Av. Brig. Faria Lima, 2170, Sao Jose dos Campos—SP, CEP: 12227-901—PO Box: 36/2, BRASIL; telephone: ++55 12 3927-5383; fax: ++55 12 3927-2619; E-mail:

[phenom.reliability@embraer.com.br](mailto:phenom.reliability@embraer.com.br);  
Internet: <http://www.embraer.com.br>.

You may review copies of the referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

#### Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this proposed AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Jim Rutherford, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4165; fax: (816) 329-4090.

#### **SUPPLEMENTARY INFORMATION:**

##### Comments Invited

We invite you to send any written relevant data, views, or arguments about this proposed AD. Send your comments