

(ii) The reduced rated load for the specific job.

(g) *Static drop tests.* The applicants must/would:

(i) Conduct static drop tests of each personnel cage that comply with the definition of "static drop test" specified by section 3 ("Definitions") and the static drop-test procedures provided in section 13 ("Inspections and Tests") of American National Standards Institute (ANSI) standard A10.22-1990 (R1998) ("American National Standard for Rope-Guided and Nonguided Worker's Hoists—Safety Requirements");

(ii) Perform the initial static drop test at 125 percent of the maximum rated load of the personnel cage, and subsequent drop tests at no less than 100 percent of its maximum rated load; and

(iii) Use a personnel cage for raising or lowering employees only when no damage occurred to the components of the cage as a result of the static drop tests.

#### 11. Safety Clamps

(a) *Fit to the guide ropes.* The applicants must/would:

(i) Fit appropriately designed and constructed safety clamps to the guide ropes; and

(ii) Ensure that the safety clamps do not damage the guide ropes when in use.

(b) *Attach to the personnel cage.* The applicants must/would attach safety clamps to each personnel cage for gripping the guide ropes.

(c) *Operation.* The applicants must/would ensure that the safety clamps attached to the personnel cage:

(i) Operate on the "broken rope principle" defined in section 3 ("Definitions") of ANSI standard A10.22-1990 (R1998);

(ii) Be capable of stopping and holding a personnel cage that is carrying 100 percent of its maximum rated load and traveling at its maximum allowable speed if the hoist rope breaks at the footblock; and

(iii) Use a pre-determined and pre-set clamping force (i.e., the "spring compression force") for each hoist system.

(d) *Maintenance.* The applicants must/would keep the safety-clamp assemblies clean and functional at all times.

#### 12. Overhead Protection

(a) The applicants must/would install a canopy or shield over the top of the personnel cage that is made of steel plate at least three-sixteenth ( $\frac{3}{16}$ ) of an inch (4.763 mm) thick, or material of equivalent strength and impact

resistance, to protect employees (i.e., both inside and outside the chimney) from material and debris that may fall from above.

(b) The applicants must/would ensure that the canopy or shield slopes to the outside of the personnel cage.<sup>8</sup>

#### 13. Emergency-Escape Device

(a) *Location.* The applicants must/would provide an emergency-escape device in at least one of the following locations:

(i) In the personnel cage, provided that the device is long enough to reach the bottom landing from the highest possible escape point; or

(ii) At the bottom landing, provided that a means is available in the personnel cage for the occupants to raise the device to the highest possible escape point.

(b) *Operating instructions.* The applicants must/would ensure that written instructions for operating the emergency-escape device are attached to the device.

(c) *Training.* The applicants must/would instruct each employee who uses a personnel cage for transportation on how to operate the emergency-escape device:

(i) Before the employee uses a personnel cage for transportation; and

(ii) Periodically, and as necessary, thereafter.

#### 14. Personnel Platforms and Fall-Protection Equipment

(a) *Personnel platforms.* When the applicants elect to replace the personnel cage with a personnel platform in accordance with Condition 2(a) above, they must/would:

(i) Ensure that an enclosure surrounds the platform, and that this enclosure is at least 42 inches (106.7 cm) above the platform's floor;

(ii) Provide overhead protection when an overhead hazard is, or could be, present; and

(iii) Comply with the applicable scaffolding strength requirements specified by 29 CFR 1926.451(a)(1).

(b) *Fall-protection equipment.* Before employees use work platforms or boatswains' chairs, the applicants must/would:

(i) Equip the employees with, and ensure that they use, full-body harnesses, lanyards, and lifelines as specified by 29 CFR 1926.104 and the applicable requirements of 29 CFR 1926.502(d); and

(ii) Ensure that employees secure the lifelines to the top of the chimney and

to a weight at the bottom of the chimney, and that the employees' lanyards are attached to the lifeline during the entire period of vertical transit.

#### 15. Inspections, Tests, and Accident Prevention

(a) The applicants must/would:

(i) Conduct inspections of the hoist system as required by 29 CFR 1926.20(b)(2);

(ii) Ensure that a competent person conducts daily visual inspections of the hoist system; and

(iii) Inspect and test the hoist system as specified by 29 CFR 1926.552(c)(15).

(b) The applicants must/would comply with the accident-prevention requirements of 29 CFR 1926.20(b)(3).

#### 16. Welding

(a) The applicants must/would ensure that only qualified welders weld components of the hoisting system.

(b) The applicants must/would ensure that the qualified welders:

(i) Are familiar with the weld grades, types, and materials specified in the design of the system; and

(ii) Perform the welding tasks in accordance with 29 CFR part 1926, subpart J ("Welding and Cutting").

#### VII. Authority and Signature

Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Ave., NW., Washington, DC directed the preparation of this notice. This notice is issued under the authority specified by Section 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655), Secretary of Labor's Order No. 5-2002 (67 FR 65008), and 29 CFR part 1905.

Signed at Washington, DC, on February 2, 2007.

**Edwin G. Foulke, Jr.,**

*Assistant Secretary of Labor.*

[FR Doc. E7-2046 Filed 2-7-07; 8:45 am]

BILLING CODE 4510-26-P

#### LIBRARY OF CONGRESS

##### Copyright Office

[Docket No. 2007-1]

##### Cable Compulsory License: Specialty Station List

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Request for information.

**SUMMARY:** The Copyright Office is compiling a new specialty station list to

<sup>8</sup> Paragraphs (a) and (b) were adapted from OSHA's Underground Construction Standard (29 CFR 1926.800(i)(4)(iv)).

identify commercial television broadcast stations which, according to their owners, qualify as specialty stations for purposes of the former distant signal carriage rules of the Federal Communications Commission (FCC). The list has been periodically updated to reflect an accurate listing of specialty stations. To that end, the Copyright Office is again requesting all interested owners of television broadcast stations that qualify as specialty stations, including those that previously filed affidavits, to submit sworn affidavits to the Copyright Office stating that the programming of their stations meets the requirements specified under the FCC regulations in effect on June 24, 1981.

**DATES:** Affidavits should be received on or before April 9, 2007.

**ADDRESSES:** If hand delivered by a private party, the sworn affidavit should be brought to Library of Congress, U.S. Copyright Office, 2221 S. Clark Street, 11th Floor, Arlington, VA 22202, between 8:30 a.m. and 5 p.m. The material should be addressed as follows: Office of the General Counsel, U.S. Copyright Office.

If delivered by a commercial courier, the sworn affidavit must be delivered to the Congressional Courier Acceptance Site ("CCAS") located at 2nd and D Streets, NE, Washington, DC between 8:30 a.m. and 4 p.m. The material should be addressed as follows: Office of the General Counsel, U.S. Copyright Office, LM-401, James Madison Building, 101 Independence Avenue, SE, Washington, DC. Please note that CCAS will not accept delivery by means of overnight delivery services such as Federal Express, United Parcel Service or DHL.

If sent by mail (including overnight delivery using U.S. Postal Service Express Mail), the sworn affidavit should be addressed to U.S. Copyright Office, Copyright I&R/GC, P.O. Box 70400, Southwest Station, Washington, DC 20024.

**FOR FURTHER INFORMATION CONTACT:** Tanya M. Sandros, Acting General Counsel, P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

#### **SUPPLEMENTARY INFORMATION:**

##### **What is a Specialty Station?**

The FCC regulations in effect on June 24, 1981, defined a specialty station as "a commercial television broadcast station that generally carries foreign-language, religious, and/or automated programming in one-third of the hours of an average broadcast week and one-

third of the weekly prime-time hours." 47 CFR 76.5(kk) (1981).

##### **How is a Station Deemed To Be a Specialty Station?**<sup>1</sup>

Under a procedure adopted by the Copyright Office in 1989, *see* 54 FR 38461 (September 18, 1989), an owner or licensee of a broadcast station files a sworn affidavit attesting that the station's programming comports with the 1981 FCC definition, and hence, qualifies as a specialty station. A list of the stations filing affidavits is then published in the **Federal Register** in order to allow any interested party to file an objection to an owner's claim of specialty station status for the listed station. Once the period to file objections closes, the Office publishes a final list which includes references to the specific objections filed against a particular station owner's claim. In addition, affidavits that are submitted after the close of the filing period are accepted and kept on file at the Copyright Office.

The staff of the Copyright Office, however, does not verify the specialty station status of any station listed in an affidavit.

##### **Why Would a Broadcast Station Seek Specialty Station Status?**

Specialty station status is significant in the administration of the cable compulsory license. 17 U.S.C. 111. The licensing system indirectly allows a cable operator to carry the signal of a television station classified as a specialty station at the base rate for "permitted" signals. *See* 49 FR 14944 (April 16, 1984); 37 CFR 256.2(c).

##### **How Does the Staff of the Copyright Office Use the List?**

Copyright Office licensing examiners refer to the final annotated list in examining a statement of account in the case where a cable system operator claims that a particular station is a specialty station. If a cable system operator claims specialty station status for a station not on the final list, its classification as a specialty station will be questioned unless the examiner determines that the owner of the station has filed an affidavit since publication of the list.

<sup>1</sup>Originally, the FCC identified whether a station qualified as a specialty station, but after it deleted its distant signal carriage rules, it discontinued this practice. *See* *Malrite T.V. of New York v. FCC*, 652 F.2d 1140 (2d Cir. 1981), *cert. denied*, 454 U.S. 1143 (1982).

##### **How Often Has the Copyright Office Published Specialty Station Lists?**

The Copyright Office compiled and published its first specialty station list in 1990, together with an announcement of its intention to update the list approximately every three years in order to maintain as current a list as possible. 55 FR 40021 (October 1, 1990). Its second list was published in 1995. 60 FR 34303 (June 30, 1995). Its third list was published in 1998. 63 FR 67703 (December 8, 1998). With this notice, the Copyright Office is initiating the procedure for the compilation and publication of the fourth specialty station list.

##### **Does This Notice Require Action on the Part of an Owner of a Television Broadcast Station?**

Yes, we are requesting that the owner, or a valid agent of the owner, of any eligible television broadcast station submit an affidavit to the Copyright Office stating that he or she believes that the station qualifies as a specialty station under 47 CFR 76.5(kk) (1981), the FCC's former rule defining "specialty station." The affidavit must be certified by the owner or an official representing the owner.

Affidavits are due within 60 days of the publication of this notice in the **Federal Register**. There is no specific format for the affidavit; however, the affidavit must confirm that the station owner believes that the station qualifies as a specialty station under the 1981 FCC rule.

Notwithstanding the above, any affidavit submitted to the Copyright Office within the 45-day period prior to publication of this notice need not be resubmitted to the Office. Any affidavit filed during this 45-day period shall be considered timely filed for purposes of this notice.

##### **What Happens After the Affidavits Are Filed With the Copyright Office?**

Once the period for filing the affidavits closes, the Office will compile and publish in the **Federal Register** a list of the stations identified in the affidavits. At the same time, it will solicit comment from any interested party as to whether or not particular stations on the list qualify as specialty stations. Thereafter, a final list of the specialty stations that includes references to any objections filed to a station's claim will be published in the **Federal Register**.

In addition, affidavits that, for good cause shown, are submitted after the close of the filing period will be accepted and kept on file at the

Copyright Office. Affidavits received in this manner will be accepted with the understanding that the owners of those stations will resubmit affidavits when the Office next formally updates the specialty station list. An interested party may file an objection to any late-filed affidavit. Such objections shall be kept on file in the Copyright Office together with the corresponding affidavit.

February 2, 2007

**Marybeth Peters,**

*Register of Copyrights.*

[FR Doc. E7-2104 Filed 2-7-06; 8:45 am]

**BILLING CODE 1410-30-S**

## **NATIONAL CREDIT UNION ADMINISTRATION**

### **Agency Information Collection**

#### **Activities: Submission to OMB for Extension of a Currently Approved Collection; Comment Request**

**AGENCY:** National Credit Union  
Administration (NCUA).

**ACTION:** Request for comment.

**SUMMARY:** The NCUA intends to submit the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public.

**DATES:** Comments will be accepted until April 9, 2007.

**ADDRESSES:** Interested parties are invited to submit written comments to the NCUA Clearance Officer listed below:

*Clearance Officer:* Mr. Neil McNamara, National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, Fax No. 703-837-2861, E-mail: [mcnamara@ncua.gov](mailto:mcnamara@ncua.gov).

#### **FOR FURTHER INFORMATION CONTACT:**

Requests for additional information or a copy of the information collection request, should be directed to Tracy Sumpter at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, or at (703) 518-6444.

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*Title:* Corporate Credit Union Monthly Call Report.

*OMB Number:* 3133-0067.

*Form Number:* NCUA 5310.

*Type of Review:* Recordkeeping, reporting and monthly.

*Description:* NCUA utilizes the information to monitor financial

conditions in corporate credit unions, and to allocate supervision and examination resources.

*Respondents:* Corporate credit unions, or "banker's banks" for natural person credit unions.

*Estimated No. of Respondents/Record keepers:* 30.

*Estimated Burden Hours per*

*Response:* 2 hours.

*Frequency of Response:* Monthly.

*Estimated Total Annual Burden Hours:* 720 hours.

*Estimated Total Annual Cost:* None.

By the National Credit Union  
Administration Board on February 5, 2007.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. E7-2096 Filed 2-7-07; 8:45 am]

**BILLING CODE 7535-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Final Regulatory Guide: Issuance, Availability**

The U.S. Nuclear Regulatory Commission (NRC) has issued a revision to an existing guide in the agency's Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Like its predecessor, Revision 1 of Regulatory Guide 1.196, "Control Room Habitability at Light-Water Nuclear Power Reactors," provides guidance and criteria that the staff of the U.S. Nuclear Regulatory Commission (NRC) considers acceptable for implementing the agency's regulations in Appendix A, "General Design Criteria for Nuclear Power Plants," to Title 10, Part 50, of the *Code of Federal Regulations* (10 CFR part 50), "Domestic Licensing of Production and Utilization Facilities," as they relate to control room habitability (CRH). Specifically, this guide outlines a process that licensees may apply to control rooms that are modified, are newly designed, or must have their conformance to the regulations reconfirmed.

In Appendix A to 10 CFR Part 50, General Design Criteria (GDC) 1, 3, 4, 5, and 19 apply to CRH, as follows:

- GDC 1, "Quality Standards and Records," requires that structures, systems, and components (SSCs)

important to safety be designed, fabricated, erected, and tested to quality standards commensurate with the importance of the safety functions performed.

- GDC 3, "Fire Protection," requires that SSCs important to safety be designed and located to minimize the effects of fires and explosions.

- GDC 4, "Environmental and Dynamic Effects Design Bases," requires SSCs important to safety to be designed to accommodate the effects of, and to be compatible with, the environmental conditions associated with normal operation, maintenance, testing, and postulated accidents, including loss-of-coolant accidents (LOCAs).

- GDC 5, "Sharing of Structures, Systems, and Components," requires that SSCs important to safety not be shared among nuclear power units unless it can be shown that such sharing will not significantly impair their ability to perform their safety functions, including, in the event of an accident in one unit, the orderly shutdown and cooldown of the remaining units.

- GDC 19, "Control Room," requires that a control room be provided from which actions can be taken to operate the nuclear reactor safely under normal conditions and to maintain the reactor in a safe condition under accident conditions, including a LOCA. Adequate radiation protection is to be provided to permit access and occupancy of the control room under accident conditions without personnel receiving radiation exposures in excess of specified values.

Since the NRC initially issued Regulatory Guide 1.196 in May 2003, the staff determined that the information presented in Appendix B to that guide did not accurately represent a viable technical specification for CRH at light-water nuclear power reactors. In particular, it referred to failure of a particular surveillance as a plant state, rather than having the results of the surveillance factor into the operability determination. In addition, it did not provide for a definite time to restore functionality to the control room envelope, whereas all improved standard technical specifications (iSTS) contain such provisions. Moreover, Appendix B was included as a "strawman," to be deleted when details had been more carefully worked out with industry participation, and those technical specifications placed in the iSTS with all other acceptable technical specifications.

As of the publication date of this Revision 1 of Regulatory Guide 1.196, no utility has been granted the technical specification changes represented by