

On October 26, 2009, Whirlpool filed a petition for review challenging the RID's conclusion of non-infringement and obviousness. LG also filed a contingent petition for review challenging the ALJ's findings concerning non-obviousness and his conclusion that a domestic industry exists. On November 3, 2009, LG filed a response to Whirlpool's petition. On November 4, 2009, Whirlpool filed a response to LG's petition. On November 6, 2009, the IA filed a combined response to both petitions.

Having examined the record of this investigation, including the ALJ's final RID, the Commission has determined to review the RID in its entirety.

The parties are requested to brief their positions on the issues under review with reference to the applicable law and the evidentiary record. In connection with its review, the Commission is particularly interested in responses to the following question:

Does the prior art of record show an ice discharge chute, as recited in claim 2 of the '130 patent, that is separate from and below the bottom opening of the ice storage bin? Can this prior art be combined with the Hitachi reference, or any other prior art references that are currently in the record, to render claim 2 obvious?

In connection with the final disposition of this investigation, the Commission may (1) issue an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) issue one or more cease and desist orders that could result in the respondent(s) being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or likely to do so. For background, see *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337-TA-360, USITC Pub. No. 2843 (December 1994) (Commission Opinion).

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive

conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the U.S. Trade Representative, as delegated by the President, has 60 days to approve or disapprove the Commission's action. See Presidential Memorandum of July 21, 2005, 70 FR 43251 (July 26, 2005). During this period, the subject articles would be entitled to enter the United States under bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed if a remedy is ordered.

**Written Submissions:** The parties to the investigation are requested to file written submissions on the issue identified in this notice. Parties to the investigation, interested government agencies, and any other interested parties are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the recommended determination by the ALJ on remedy and bonding.

Complainants and the IA are also requested to submit proposed remedial orders for the Commission's consideration. Complainants are also requested to state the dates that the patents expire and the HTSUS numbers under which the accused products are imported. The written submissions and proposed remedial orders must be filed no later than close of business on Wednesday, December 30, 2009. Reply submissions must be filed no later than the close of business on Thursday, January 7, 2010. No further submissions on these issues will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Any person desiring to submit a document to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR \*210.6.

Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

The authority for the Commission's determination is contained in Section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42-46 of the Commission's Rules of Practice and Procedure (19 CFR 210.42-46).

By order of the Commission.

Issued: December 14, 2009.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-30139 Filed 12-17-09; 8:45 am]

**BILLING CODE 7020-02-P**

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## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### Records Schedules; Availability and Request for Comments

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

**DATES:** Requests for copies must be received in writing on or before January 19, 2010. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is

completed. Requesters will be given 30 days to submit comments.

**ADDRESSES:** You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

*Mail:* NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

*E-mail:* [request.schedule@nara.gov](mailto:request.schedule@nara.gov).

*Fax:* 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

**FOR FURTHER INFORMATION CONTACT:**

Laurence Brewer, Director, Life Cycle Management Division (NWML), National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: 301-837-1539. E-mail: [records.mgt@nara.gov](mailto:records.mgt@nara.gov).

**SUPPLEMENTARY INFORMATION:** Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1225.12(e).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their

administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

**Schedules Pending**

1. Department of Agriculture, Agency-wide (N1-16-10-4, 1 item, 1 temporary item). Routine surveillance recordings, which were previously approved for disposal.

2. Department of Agriculture, Risk Management Agency (N1-258-08-22, 2 items, 2 temporary items). Records relating to legal proceedings involving agency employees.

3. Department of Agriculture, Risk Management Agency (N1-258-08-24, 2 items, 1 temporary item). Non-recordkeeping copies of requests, background documentation, and final determinations relating to

interpretations of regulations made under the Federal Crop Insurance Act. Proposed for permanent retention are recordkeeping copies of these records.

4. Department of Defense, Office of the Secretary (N1-330-09-7, 1 item, 1 temporary item). Master files of an electronic information system used to allow military personnel and other U.S. citizens overseas to register to vote and request ballots.

5. Department of Defense, Army and Air Force Exchange Service (N1-334-09-5, 3 items, 3 temporary items). Master files and outputs of an electronic information system used to track the receipt and disposition of sample merchandise.

6. Department of Defense, Defense Finance and Accounting Service (N1-507-10-1, 2 items, 2 temporary items).

Military pay records, including substantiating documents and daily transaction listings and registers.

7. Department of Justice, Civil Division (N1-131-08-2, 5 items, 1 temporary item). Records relating to proposed legislation concerning the alien property program. Proposed for permanent retention are subject files relating to claims and litigation, as well as orders and annual reports relating to the program.

8. Department of Justice, Civil Rights Division (N1-60-09-58, 5 items, 5 temporary items). Records relating to the Division's internal Web site, including Web content and Web management records.

9. Department of Justice, Civil Rights Division (N1-60-09-60, 1 item, 1 temporary item). Master files of an electronic information system that tracks time spent by employees on program activities in order to determine agency billing information.

10. Department of Justice, Executive Office for U.S. Attorneys (N1-60-09-38, 1 item, 1 temporary item). Master files for an electronic case management system used by the General Counsel's Office.

11. Department of Justice, U.S. Trustee Program (N1-60-09-63, 1 item, 1 temporary item). Master files of an electronic information system that supports review of means tests for income and assets requirements of Chapter 7 bankruptcy filings.

12. Department of Justice, Federal Bureau of Investigation (N1-65-09-33, 6 items, 6 temporary items). Master files, outputs, audit logs, and other records associated with the National Alert System, which provides notification of events to law enforcement personnel and other first responders.

13. Department of Transportation, Federal Aviation Administration (N1-237-10-1, 3 items, 3 temporary items). Records associated with a Web-based system used to capture and process information relating to air transportation oversight.

14. Department of Transportation, Federal Aviation Administration (N1-237-10-2, 1 item, 1 temporary item). Master files of an electronic information system used to track compliance with regulations relating to drug and alcohol abuse.

15. Department of Transportation, Federal Aviation Administration (N1-237-10-3, 1 item, 1 temporary item). Electronic data containing information provided by airlines regarding training programs and evaluations of proficiency.

16. Department of Transportation, Federal Aviation Administration (N1-237-10-5, 1 item, 1 temporary item). Electronic data used to track quality management improvement actions.

17. Department of Transportation, Federal Aviation Administration (N1-237-10-6, 1 item, 1 temporary item). Master files of an electronic information system used to track agency equipment and other assets.

18. Department of Transportation, Federal Aviation Administration (N1-237-10-7, 1 item, 1 temporary item). Master files of an electronic information system used to collect and maintain financial information provided by airports.

19. Department of Transportation, Federal Aviation Administration (N1-237-10-8, 1 item, 1 temporary item). Master files of an electronic information system which contains safety information obtained from inspection and surveillance activities at airports.

20. Department of Transportation, Federal Aviation Administration (N1-237-10-11, 1 item, 1 temporary item). Electronic data concerning agency-owned aircraft and their crew members.

21. Department of Transportation, Federal Aviation Administration (N1-237-10-12, 1 item, 1 temporary item). Engineering drawings of facilities of the national airspace system created by a computer aided engineering graphics system.

22. Department of Transportation, Federal Aviation Administration (N1-237-10-13, 1 item, 1 temporary item). Electronic data relating to evaluations of buildings and other facilities of the national airspace system.

23. Department of Transportation, Federal Aviation Administration (N1-237-10-14, 2 items, 2 temporary items). Records relating to configuration management for national airspace equipment, including change proposals and master files of an electronic information system used to track changes.

24. Department of Transportation, Federal Aviation Administration (N1-237-10-15, 1 item, 1 temporary item). Master files of an electronic information system used to track the workload of real estate and utility teams.

25. Department of Transportation, Federal Aviation Administration (N1-237-10-16, 3 items, 3 temporary items). Master files, reports, and other records associated with an electronic information system used to track activities related to safety inspections and investigations.

26. Department of the Treasury, Community Development Financial Institution (N1-56-09-12, 3 items, 3

temporary items). Master files, documentation, and outputs for an electronic information system used to track monetary awards to financial institutions for community development purposes.

27. Department of the Treasury, Office of Thrift Supervision (N1-483-10-1, 2 items, 2 temporary items). Extracted and summarized data from electronic information systems relating to branch office surveys and financial reporting. The systems from which these records are derived were previously approved for permanent retention.

Dated: December 14, 2009.

**Michael J. Kurtz,**

*Assistant Archivist for Records Services—Washington, DC.*

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**BILLING CODE 7515-01-P**

## DEPARTMENT OF ENERGY

### Office of Nuclear Energy

#### Notice of Renewal of the Nuclear Energy Advisory Committee

Pursuant to Section 14(a)(2)(A) of the Federal Advisory Committee Act, App., and section 102-3.65, Title 41, Code of Federal Regulations, and following consultation with the Committee Management Secretariat, General Services Administration, notice is hereby given that the Nuclear Energy Advisory Committee has been renewed for a two-year period.

The Committee will provide advice to the Department of Energy's Office of Nuclear Energy on complex science and technical issues that arise in the planning, managing, and implementation of DOE's nuclear energy program. The Secretary of Energy has determined that renewal of the Nuclear Energy Advisory Committee is essential to the conduct of the Department's business and in the public interest in connection with the performance of duties imposed by law upon the Department of Energy. The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act (FACA) (Pub. L. 92-463), the General Services Administration Final Rule on Federal Advisory Committee Management, and other directives and instructions issued in implementation of those acts.

**FOR FURTHER INFORMATION CONTACT:** Ms. Rachel Samuel at (202) 586-3279.

Issued in Washington, DC on December 11, 2009.

**Carol A. Matthews,**

*Acting Committee Management Officer.*

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**BILLING CODE P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2009-0137]

### Final Regulatory Guide: Issuance, Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Issuance and Availability of Regulatory Guide, RG 1.205.

**FOR FURTHER INFORMATION CONTACT:** R. A. Jervey, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 215-7404 or e-mail to [Richard.Jerveynrc.gov](mailto:Richard.Jerveynrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The U.S. Nuclear Regulatory Commission (NRC or Commission) is issuing a revised guide in the agency's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency'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.

Regulatory Guide 1.205, Revision 1, "Risk-Informed, Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants," was issued with a temporary identification as Draft Regulatory Guide, DG-1218. Regulatory Guide 1.205, Revision 1, incorporates the lessons-learned from ongoing review of the National Fire Protection Association Standard 805 pilot applications and endorses the recently released Revision 2 of Nuclear Energy Institute document NEI 04-02, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program Under Title 10 of the Code of Federal Regulations Part 50.48(c)." The technical information in the draft RG was developed by the Office of Nuclear Reactor Regulation staff in conjunction with agency stakeholders.

##### II. Further Information

In March 2009, DG-1218 was published with a public comment