

to use radioactive materials for environmental sample analysis purposes at the site. On November 9, 2004, Central Virginia Laboratories & Consultants, Inc. requested that NRC release the facility for unrestricted use. Central Virginia Laboratories & Consultants, Inc. has conducted surveys of the facility and provided information to the NRC to demonstrate that the site meets the license termination criteria in Subpart E of 10 CFR Part 20 for unrestricted use.

The NRC staff has prepared an EA in support of the license amendment. The facility was remediated and surveyed prior to the licensee requesting the license amendment. The NRC staff has reviewed the information and final status survey submitted by Central Virginia Laboratories & Consultants, Inc. Based on its review, the staff has determined that there are no additional remediation activities necessary to complete the proposed action. Therefore, the staff considered the impact of the residual radioactivity at the facility and concluded that since the residual radioactivity meets the requirements in Subpart E of 10 CFR Part 20, a Finding of No Significant Impact is appropriate.

III. Finding of No Significant Impact

The staff has prepared the EA (summarized above) in support of the license amendment to release the facility for unrestricted use. The NRC staff has evaluated Central Virginia Laboratories & Consultants, Inc.'s request and the results of the surveys and has concluded that the completed action complies with the criteria in Subpart E of 10 CFR Part 20. The staff has found that the radiological environmental impacts from the action are bounded by the impacts evaluated by NUREG-1496, Volumes 1-3, "Generic Environmental Impact Statement in Support of Rulemaking on Radiological Criteria for License Termination of NRC-Licensed Facilities" (ML042310492, ML042320379, and ML042330385). The staff also found that the non-radiological impacts are not significant. On the basis of the EA, the NRC has concluded that the environmental impacts from the action are expected to be insignificant and has determined not to prepare an environmental impact statement for the action.

IV. Further Information

Documents related to this action, including the application for the license amendment and supporting documentation, are available electronically at the NRC's Electronic

Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this Notice are: Environmental Assessment [ML051530427], letter dated November 9, 2004 [ADAMS Accession No. ML043380167], screening procedure information contained in letter dated January 17, 2005 [ADAMS Accession No. ML050340504], and survey data sent via electronic mail on February 14, 2005 [ADAMS Accession No. ML050450563]. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by email to pdr@nrc.gov.

Documents related to operations conducted under this license not specifically referenced in this Notice may not be electronically available and/or may not be publicly available. Persons who have an interest in reviewing these documents should submit a request to NRC under the Freedom of Information Act (FOIA). Instructions for submitting a FOIA request can be found on the NRC's Web site at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

Dated at King of Prussia, Pennsylvania this 3rd day of June, 2005.

For the Nuclear Regulatory Commission.

James P. Dwyer,

Chief, Commercial and R&D Branch, Division of Nuclear Materials Safety Region I.

[FR Doc. 05-11496 Filed 6-9-05; 8:45 am]

BILLING CODE 7590-01-P

SMALL BUSINESS ADMINISTRATION

Privacy Act of 1974 System of Records Notice

AGENCY: U.S. Small Business Administration.

ACTION: Notice of a revised system of record.

SUMMARY: The U.S. Small Business Administration (SBA or Agency) is revising the Agency's Privacy Act System of Records for SBA's federal advisory councils. This document provides notice to the public on SBA's maintenance, use and safeguard of personal information submitted to the Agency by individuals nominated to serve as members on SBA's federal advisory councils.

DATES: This system is active July 11, 2005, unless comments are received that result in a need for modification.

ADDRESSES: Send comments to Matthew K. Becker, White House Liaison & Committee Management Officer, Office of the Administrator, U.S. Small Business Administration, 409 Third Street, SW., 7th Floor, Washington, DC 20416; Phone: (202) 205-6882; Fax: (202) 481-0906; E-mail: matthew.becker@sba.gov.

FOR FURTHER INFORMATION CONTACT: Donna Wood, Committee Management Specialist, (202) 619-1608; donna.wood@sba.gov.

SYSTEM NAME:

ADVISORY COUNCIL FILES—SBA 3.

SYSTEM LOCATION:

SBA Headquarters, 409 Third Street SW., 7th floor, Washington, DC 20416.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals currently serving as members on SBA's federal advisory councils and individuals who formerly served.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains completed SBA Forms 898 submitted by individuals nominated to serve as members on SBA's federal advisory councils. The form requests current personal and business contact information, birthplace and date of birth, and information on the current status or history of application for SBA assistance or actual receipt of it. The system may also contain nominees' professional resumes and other correspondence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

15 U.S.C. 637(b)(13), 648(i)(1), 657(c), Section 203, 7510-10; Pub. L. 106-50; and 44 U.S.C. 3101.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES, THESE RECORDS MAY BE USED BY, DISCLOSED OR REFERRED TO:

- a. Appointed liaisons in SBA program offices, including but not limited to:
 - (1) Office of Government Contracting;
 - (2) Investment Division;
 - (3) Office of Financial Assistance;
 - (4) Office of Procurement and Grants Management;
 - (5) Office of Inspector General;
 - (6) Office of Strategic Alliances; and
 - (7) Office of General Counsel.

The purpose of the disclosure is to facilitate the performance of the appointed liaisons' duty to determine whether the program office has any information pertaining to a past or

current relationship between the nominee and SBA and to provide such information to the SBA's Committee Management Officer who vets nominees for conflict of interest or the appearance of conflict of interest in accordance with SOP 90 54 5, Chapter 7.

b. Member of Congress or his/her staff when the Member is inquiring on the individual's behalf, provided that the Agency determines the disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the information was collected. Under these circumstances, the Member's access rights are no greater than the individual's rights.

c. Agency volunteers, interns, grantees, experts and contractors who have been engaged by the Agency to assist in the performance of a service related to this system of records and who need access to the records in order to perform this activity. Recipients of these records shall be required to comply with the requirements of the Privacy Act of 1974, as amended, in accordance with their employment contracts.

d. The Department of Justice (DOJ) when any of the following is a party to litigation or has an interest in such litigation, and the use of such records by the DOJ is deemed by the agency to be relevant and necessary to the litigation, provided, however, that in each case, the agency determines the disclosure of the records to the DOJ is a use of the information contained in the records that is compatible with the purpose for which the records were collected:

(1) The agency, or any component thereof;

(2) Any employee of the agency in his/her official capacity;

(3) Any employee of the agency in his/her individual capacity where the DOJ has agreed to represent the employee; or

(4) The United States Government, where the agency determines that litigation is likely to affect the agency or any of its components.

e. A court, or adjudicative body, or a dispute resolution body before which any of the following is a party to litigation or has an interest in litigation, provided however, that the agency determines that the use of such records is relevant and necessary to the litigation, and that, in each case, the agency determines that disclosure of the records to a court or other adjudicative body is a use of the information contained in the records that is compatible with the purpose for which the records were collected:

(1) The agency, or any component thereof;

(2) Any employee of the agency in his or her official capacity;

(3) Any employee of the agency in his or her individual capacity where the DOJ has agreed to represent the employee; or

(4) The United States Government, where the agency determines that litigation is likely to affect the agency or any of its components.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS:

STORAGE:

Paper files only.

RETRIEVAL:

Records are organized according to advisory council and retrievable by the name of the current and former member.

SAFEGUARDS:

Access to SBA Headquarters is controlled and monitored by security personnel. Access to SBA program offices is limited to SBA employees with key cards. Records are maintained in locked files located in locked rooms. Access to records is limited to persons whose official duties require access to the information contained in the records.

RETENTION AND DISPOSAL:

Permanent records are maintained for 2 years and then transferred to the Federal Records Center in accordance with SOP 00 41 2, Appendix 24, 95:01.

SYSTEMS MANAGER(S) AND ADDRESS:

Committee Management Officer, Office of the Administrator, U.S. Small Business Administration, 409 Third Street SW., 7th floor, Washington, DC 20416.

NOTIFICATION PROCEDURE:

If you want to determine whether your personal information is maintained in this system of records, send a request in writing to inspect relevant records to the Committee Management Officer, Office of the Administrator, U.S. Small Business Administration, 409 Third Street SW., 7th floor, Washington, DC 20416.

ACCESS PROCEDURES:

The CMO will make relevant records available for inspection upon written request, with sufficient notice as determined by the CMO, during normal business hours.

CONTESTING PROCEDURES:

Contact the CMO using notification procedures listed above and state

reason(s) for contesting his or her findings and the proposed amendment sought.

SOURCE CATEGORIES:

Record subject, Congressional offices, Agency employees, Media, Advisory Council members, **Federal Register**.

Dated: June 2, 2005.

Delorice P. Ford,

Senior Privacy Official.

Altered System of Records; Narrative Statement; U.S. Small Business Administration; Privacy Act System of Records 3

1. *Purpose.* The purpose of revising Privacy Act System of Records 3 (System) is to clarify the categories of records in the System and categories of individuals covered by the System, update policies and practices for storing, retrieving, accessing, retaining and disposing of records, and add a routine use to the System.

2. *Authority.* SBA's authority for collecting, maintaining, and using the information contained in this System is found in the following statutory provisions: 15 U.S.C. 637(b)(13), 648(i)(1), 657(c), 7105-10, Sec. 203 Pub. L. 106-50, and 44 U.S.C. 3101.

3. *Potential Effect on the Privacy of Individuals.* Categories of individuals covered by this System are individuals currently serving as members on SBA's federal advisory councils and individuals who formerly served. The additional routine use announced in this notice, which permits disclosure of information contained in this System to appointed liaisons in SBA program offices for the purpose of the vetting the individual for conflict of interest with SBA, will have a minimal effect on those categories of individuals. The SBA employees appointed to serve as liaisons are required to protect any personal information in accordance with the Privacy Act of 1974, as amended.

4. *Minimizing the Risk of Unauthorized Access to System.* SBA has taken steps to minimize the risk of unauthorized access to the System by restricting access to SBA Headquarters and SBA program offices and by securing the records with lock and key.

5. *Compatibility Requirement.* The proposed routine use of records in this System satisfies the Privacy Act's compatibility requirement, 5 U.S.C. 552a(a)(7), as it is a "collection, or grouping of information about an individual that is maintained by an agency" and "contains his name, or social security number, business address, personal address, or other

identifying particular assigned to the individual.”

6. *OMB-Approved, Information Collections Contained in the System.* SBA Form 898, U.S. Small Business Administration Advisory Committee Membership—Nominee Information, OMB control number is 3245-0124.

[FR Doc. 05-11458 Filed 6-9-05; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice on Honoring Tickets of Insolvent Airlines Pursuant to the Requirements of Section 145 of the Aviation and Transportation Security Act

AGENCY: Office of the Secretary, Department of Transportation.

SUMMARY: The Department is publishing the following notice to provide guidance to the aviation industry regarding the responsibility pursuant to section 145 of the Aviation and Transportation Security Act of certain air carriers to transport under certain conditions the ticketed passengers of a carrier that has ceased operations on a particular route or routes due to bankruptcy or insolvency.

FOR FURTHER INFORMATION CONTACT: Dayton Lehman, Jr., Deputy Assistant General Counsel, or Jonathan Dols, Supervisory Trial Attorney, Office of Aviation Enforcement and Proceedings (C-70), 400 7th Street, SW., Washington, DC 20590, (202) 366-9349.

Notice

This Notice provides further guidance for airlines and the traveling public regarding the obligation of airlines under section 145 of the Aviation and Transportation Security Act, Pub. L. 107-71, 115 Stat. 645 (November 19, 2001) (“Act”), to transport passengers of airlines that have ceased operations due to insolvency or bankruptcy. In section 8404 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108-458 (Dec. 17, 2004)), Congress recently renewed the obligation of air carriers under section 145 to provide transportation to passengers of airlines that have ceased operations due to insolvency or bankruptcy. Prior to Congress’s most recent action, the Department had issued three notices providing guidance to carriers and the public regarding section 145.¹ The

purpose of this notice is to respond to the many inquiries from airlines and the public regarding section 145 received since issuance of those notices, and to provide notice that we have reconsidered our earlier estimates of the direct costs to carriers of providing alternate transportation required by section 145 and have accordingly decided that the maximum amount that a carrier may charge a passenger accommodated under the law should be greater than originally believed.

Section 145 requires, in essence, that airlines operating on the same route as an insolvent carrier that has ceased operations transport the ticketed passengers of the insolvent carrier “to the extent practicable.” Our earlier notices set forth, among other things, our view that, at a minimum, section 145 requires that passengers who hold valid confirmed tickets, whether paper or electronic, on an insolvent or bankrupt carrier that has ceased operations on a route be transported on a space-available basis by other carriers that operate on the route for which the passenger is ticketed. We also stated our belief that Congress did not intend to prohibit carriers from recovering from accommodated passengers the amounts associated with the actual cost of providing such transportation. We indicated at that time that we did not foresee those costs exceeding \$25.00 each way, or \$50.00 on a roundtrip basis. However, we also made clear that we recognized that such charges might be determined to be higher, since the cost to a carrier of complying with section 145 could be affected by a variety of factors, including the number of affected passengers, the fuel costs to carriers in effect at the time of a cessation, and the markets and itineraries involved.

Since the renewal of section 145 in December 2004, we have received many inquiries from the airline and travel agent industries, the media, and the public about various aspects of the law. These questions involve, among other issues, the amount carriers may charge displaced passengers seeking to be accommodated, as well as questions regarding section 145’s applicability to international flights, code shared flights, passengers holding frequent flier tickets, and passengers whose transportation involves charter flights. As a result of these and other questions, including those raised on our own initiative, we have reviewed section 145 and are issuing this further notice, which updates and expands upon advice

previously provided airlines and the public about the provision. This guidance is being provided in an attached question-and-answer format, which should assist readers in understanding the many issues involved.

Questions regarding this notice may be addressed in writing to Dayton Lehman, Deputy Assistant General Counsel, or Jonathan Dols, Supervisory Trial Attorney, Office of Aviation Enforcement and Proceedings, 400 7th St., SW., Washington, DC 20590, or they may be contacted by telephone at (202) 366-9342 or by e-mail at dayton.lehman@dot.gov or jonathan.dols@dot.gov, respectively.

Dated: June 1, 2005.

Karan Bhatia,

Assistant Secretary for Aviation and International Affairs.

Attachment to June 1, 2005, Section 145 Notice—Department of Transportation Guidance Regarding Section 145 of the Aviation and Transportation Security Act

In section 8404 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108-458 (Dec. 17, 2004)), Congress renewed the obligation of air carriers under section 145 of the Aviation and Transportation Security Act (Pub. L. 107-71, 115 Stat. 645 (Nov. 19, 2001) (“Act”)) to provide transportation to passengers of airlines that have ceased operations due to insolvency or bankruptcy. As amended, section 145 states in pertinent part:

(a) * * * Each air carrier that provides scheduled air transportation on a route shall provide, to the extent practicable, air transportation to passengers ticketed for air transportation on that route by any other air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of insolvency or bankruptcy of the other air carrier.

(b) * * * An air carrier is not required to provide air transportation under subsection (a) to a passenger unless that passenger makes alternative arrangements with the air carrier for such transportation within 60 days after the date on which that passenger’s air transportation was suspended, interrupted, or discontinued (without regard to the originally scheduled travel date on the ticket).

(c) * * * This section does not apply to air transportation the suspension, interruption, or discontinuance of which occurs after November 19, 2005.

Questions and Answers

Question 1: What is the basic requirement of section 145?

Answer 1: At a minimum, section 145 requires that passengers holding valid confirmed tickets, whether paper or electronic, on an insolvent or bankrupt

¹ Those notices were issued on August 8, 2002, (67 FR 53035, Aug. 14, 2002) November 14, 2002,

(67 FR 69805, Nov. 19, 2002) and January 23, 2003 (68 FR 4266, Jan. 28, 2003).