

information received from the FBI involving: an arrest more than one (1) year old for which there is no information of the disposition of the case, or an arrest that resulted in dismissal of the charge or an acquittal.

A Licensee shall not use information received from a criminal history check obtained pursuant to this Order in a manner that would infringe upon the rights of any individual under the First Amendment to the Constitution of the United States, nor shall the Licensee use the information in any way which would discriminate among individuals on the basis of race, religion, national origin, sex, or age.

#### *Procedures for Processing Fingerprint Checks*

For the purpose of complying with this Order, Licensees shall, using an appropriate method listed in 10 CFR 73.4, submit to the NRC's Division of Facilities and Security, Mail Stop T-6E46, one completed, legible standard fingerprint card (Form FD-258, ORIMDNRCOOOZ) or, where practicable, other fingerprint records for each individual seeking access to SGI or unescorted access to RAMQC, to the Director of the Division of Facilities and Security, marked for the attention of the Division's Criminal History Check Section. Copies of these forms may be obtained by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by calling (301) 415-7232, or by e-mail to [forms.resource@nrc.gov](mailto:forms.resource@nrc.gov). Practicable alternative formats are set forth in 10 CFR 73.4. The Licensee shall establish procedures to ensure that the quality of the fingerprints taken results in minimizing the rejection rate of fingerprint cards due to illegible or incomplete cards.

The NRC will review submitted fingerprint cards for completeness. Any Form FD-258 fingerprint record containing omissions or evident errors will be returned to the Licensee for corrections. The fee for processing fingerprint checks includes one re-submission if the initial submission is returned by the FBI because the fingerprint impressions cannot be classified. The one free re-submission must have the FBI Transaction Control Number reflected on the re-submission. If additional submissions are necessary, they will be treated as initial submissions and will require a second payment of the processing fee.

Fees for processing fingerprint checks are due upon application (Note: Other fees may apply to obtain fingerprints from your local law enforcement agency). Licensees should submit payments electronically via <http://www.pay.gov>. Payments through Pay.gov can be made directly from the Licensee's credit/debit card. Licensees will need to establish a password and user ID before they can access Pay.gov. To establish an account, Licensee requests must be sent to [paygo@nrc.gov](mailto:paygo@nrc.gov). The request must include the Licensee's name, address, point of contact, e-mail address, and phone number. The NRC will forward each request to Pay.gov and someone from Pay.gov will contact the Licensee with all of the necessary account information. Licensees shall make payments for processing before submitting applications

to the NRC. Combined payment for multiple applications is acceptable. Licensees shall include the Pay.gov payment receipt(s) along with the application(s). For additional guidance on making electronic payments, contact the Facilities Security Branch, Division of Facilities and Security, at (301) 415-7404.

Alternatively, licensees may also submit payment with the application for processing fingerprints by corporate check, certified check, cashier's check, or money order, made payable to "U.S. NRC." Combined payment for multiple applications is acceptable.

The application fee (currently \$36) is the sum of the user fee charged by the FBI for each fingerprint card or other fingerprint record submitted by the NRC on behalf of a Licensee, and an NRC processing fee, which covers administrative costs associated with NRC handling of Licensee fingerprint submissions. The Commission will directly notify Licensees subject to this regulation of any fee changes.

The Commission will forward to the submitting Licensee all data received from the FBI as a result of the Licensee's application(s) for criminal history checks, including the FBI fingerprint record.

#### *Right to Correct and Complete Information*

Prior to any final adverse determination, the Licensee shall make available to the individual the contents of any criminal records obtained from the FBI for the purpose of assuring correct and complete information. Written confirmation by the individual of receipt of this notification must be maintained by the Licensee for a period of one (1) year from the date of the notification.

If, after reviewing the record, an individual believes that it is incorrect or incomplete in any respect and wishes to change, correct, or update the alleged deficiency, or to explain any matter in the record, the individual may initiate challenge procedures. These procedures include either direct application by the individual challenging the record to the agency (i.e., law enforcement agency) that contributed the questioned information, or direct challenge as to the accuracy or completeness of any entry on the criminal history record to the Assistant Director, Federal Bureau of Investigation Identification Division, Washington, DC 20537-9700 (as set forth in 28 CFR 16.30 through 16.34). In the latter case, the FBI forwards the challenge to the agency that submitted the data and requests that agency to verify or correct the challenged entry. Upon receipt of an official communication directly from the agency that contributed the original information, the FBI Identification Division makes any changes necessary in accordance with the information supplied by that agency. The Licensee must provide at least ten (10) days for an individual to initiate an action challenging the results of an FBI criminal history records check after the record is made available for his/her review. The Licensee may make a final determination on access to SGI or unescorted access RAMQC based upon the criminal history record only upon receipt of the FBI's ultimate confirmation or correction of the record. Upon a final adverse determination on access to SGI or unescorted

access to RAMQC, the Licensee shall provide the individual its documented basis for denial. Access to SGI or unescorted access to RAMQC shall not be granted to an individual during the review process.

#### *Protection of Information*

1. Each Licensee who obtains a criminal history record on an individual pursuant to this Order shall establish and maintain a system of files and procedures for protecting the record and the personal information from unauthorized disclosure.

2. The Licensee may not disclose the record or personal information collected and maintained to persons other than the subject individual, his/her representative, or to those who have a need to access the information in performing assigned duties in the process of determining access to SGI or unescorted access to RAMQC. No individual authorized to have access to the information may re-disseminate the information to any other individual who does not have a need-to-know.

3. The personal information obtained on an individual from a criminal history record check may be transferred to another Licensee if the Licensee holding the criminal history record receives the individual's written request to re-disseminate the information contained in his/her file, and the gaining Licensee verifies information such as the individual's name, date of birth, social security number, sex, and other applicable physical characteristics for identification purposes.

4. The Licensee shall make criminal history records, obtained under this section, available for examination by an authorized representative of the NRC to determine compliance with the regulations and laws.

5. The Licensee shall retain all fingerprint and criminal history records received from the FBI, or a copy if the individual's file has been transferred, for three (3) years after termination of employment or denial to access SGI or unescorted access to RAMQC. After the required three (3) year period, these documents shall be destroyed by a method that will prevent reconstruction of the information in whole or in part.

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-305]

### **Dominion Energy Kewaunee, Inc.; Notice of Receipt and Availability of Application for Renewal of Kewaunee Power Station Facility Operating License No. DPR-43 for an Additional 20-Year Period**

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated August 12, 2008, from Dominion Energy Kewaunee, Inc., filed pursuant to Section 104b of the Atomic Energy Act of 1954, as amended, and Title 10 of the

Code of Federal Regulations Part 54 (10 CFR Part 54), to renew the operating license for the Kewaunee Power Station (KPS). Renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for KPS (DPR-43), expires on December 21, 2013.

Kewaunee Power Station is a Pressurized-Water Reactor designed by Westinghouse that is located near Kewaunee, WI. The acceptability of the tendered application for docketing, and other matters including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Copies of the application are available to the public at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 or through the Internet from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Number ML082341038. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application will be available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. Persons who do not have access to the internet or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff at 1-800-397-4209, extension 4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

A copy of the license renewal application for the Kewaunee Power Station is also available to local residents near the site at the Kewaunee Public Library, 822 Juneau St., Kewaunee, WI 54216.

Dated at Rockville, Maryland, this 25th day of August 2008.

For the Nuclear Regulatory Commission.

**Brian E. Holian,**

*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E8-20117 Filed 8-28-08; 8:45 am]

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## PENSION BENEFIT GUARANTY CORPORATION

### Privacy Act of 1974; System of Records

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of new system of records PBGC-16, Online Employee Directory—PBGC.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) is proposing to establish a new system of records, PBGC-16, Online Employee Directory—PBGC, subject to the Privacy Act of 1974, *as amended*. The new system of records will be used by PBGC employees and employees of PBGC's contractors to identify other PBGC employees by name, organizational component or title, supervisor, or area of expertise, and to access contact information for PBGC employees.

**DATES:** Comments on the new system of records and proposed routine uses must be received on or before September 29, 2008. The new system of records will become effective on October 8, 2008 without further notice, unless comments result in a contrary determination and a notice is published to that effect.

**ADDRESSES:** Comments may be submitted by any of the following methods:

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

2. *E-mail:* [reg.comments@pbgc.gov](mailto:reg.comments@pbgc.gov).

3. *Fax:* 202-326-4224.

4. *Mail or Hand Delivery:* Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026. Comments received, including personal information provided, will be posted to <http://www.pbgc.gov>. Copies of comments may also be obtained by writing to Disclosure Division, Office of General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.)

**FOR FURTHER INFORMATION CONTACT:** Sarah Humphrey, Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005, 202-326-4400 (extension 3600); or Bruce Campbell, Attorney, Office of the General Counsel; 202-326-4400 (extension 3672). (For TTY/TDD users, call the federal relay service toll-free at (800) 877-8339 and ask to be connected to 202-326-4400 (extension 3600) or 202-326-4400 (extension 3672).)

**SUPPLEMENTARY INFORMATION:** To improve communications and collaboration among its staff, PBGC is proposing to establish a new system of records subject to the Privacy Act (5 U.S.C. 552a) that will make it easier for PBGC employees and employees of PBGC's contractors to identify other

PBGC employees by name, organizational component or title, supervisor, or area of expertise, and to access contact information. The Online Employee Directory ("OED") will be accessible to PBGC employees and employees of PBGC's contractors via PBGC's intranet and allow users to search and retrieve information about PBGC employees by first, middle, or last name, organizational component and title, supervisor's name, or area of expertise. The OED will include contact information, *i.e.*, each employee's PBGC mailing address, room or workstation number, telephone number and extension, and electronic mail address. The OED will also include the photograph of each employee from the PBGC-issued photo identification badge that PBGC employees must wear in PBGC facilities. An employee may opt out of having their photograph displayed in the OED.

PBGC general routine uses G1 through G8 will apply to this system of records. These routine uses were published as the PBGC's Prefatory Statement of General Routine Uses at 60 FR 57462, 57563 (Nov. 15, 1995). PBGC has determined that these routine uses are "appropriate and necessary for the efficient conduct of government and in the best interest of both the individual and the public." *See Privacy Act Implementation, Guidelines and Responsibilities*, Office of Management and Budget, 40 FR 28948, 28953 (1975).

Issued in Washington, DC, this 25th day of August 2008.

**Charles E. F. Millard,**

*Director, Pension Benefit Guaranty Corporation.*

### PBGC-16

#### SYSTEM NAME:

PBGC-16, Online Employee Directory—PBGC.

#### SECURITY CLASSIFICATION:

Not applicable.

#### SYSTEM LOCATION:

Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

PBGC employees.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Employee's name, photograph, organizational component and title, supervisor's name, area of expertise, PBGC mailing address, room or workstation number, telephone number and extension, and electronic mail address.