

site (<http://ntp.niehs.nih.gov/go/29679>). Comments on the draft background document should be sent to Dr. Ruth M. Lunn, NIEHS, P.O. Box 12233, MD K2-14, Research Triangle Park, NC 27709, FAX: (919) 541-0144, or lunn@niehs.nih.gov. Courier address: Report on Carcinogens Center, 530 Davis Drive, Room 2006, Morrisville, NC 27560. Persons needing interpreting services in order to attend should contact (301) 402-8180 (voice) or (301) 435-1908 (TTY). Requests should be made at least seven business days in advance of the meeting.

FOR FURTHER INFORMATION CONTACT: Dr. Ruth M. Lunn, Director, RoC Center, (919) 316-4637, lunn@niehs.nih.gov.

SUPPLEMENTARY INFORMATION:

Background

The NTP announced the RoC review process for the 12th RoC on April 16, 2007, in the **Federal Register** (72 FR 18999, available at <http://ntp.niehs.nih.gov/go/15208>). As part of that process, an expert panel meeting is being convened on November 2-4, 2009, to review formaldehyde for possible listing in the 12th RoC. The draft background document for formaldehyde will be available on the RoC Web site by September 3, 2009, or in printed text from the RoC Center (see **ADDRESSES** above). Persons can register free-of-charge with the NTP listserv (<http://ntp.niehs.nih.gov/go/231>) to receive notification when draft RoC background documents for candidate substances and meetings related to the 12th RoC are made available on the RoC Web site.

Formaldehyde is a high production chemical with a wide array of uses. The predominant use of formaldehyde in the United States is in the production of industrial resins (mainly urea, phenol, polyacetal, and melamine resins) that are used primarily to manufacture products such as adhesives and binders for wood products. Other uses include as a chemical intermediate, in agriculture (for example as a fumigant), in the production of paraformaldehyde and chelating agents, embalming and fixative or preservative in the medical and research fields, and as a preservative in numerous consumer products such as cleaning agents and cosmetic products. Formaldehyde has been detected in indoor and outdoor air, surface water and groundwater, soil, and food products and is generally considered to be ubiquitous in the environment. Formaldehyde (gas) is currently listed in the 11th RoC as *reasonably anticipated to be a human carcinogen* and was nominated for

reclassification of its listing status in the 12th RoC.

Preliminary Agenda and Registration

Preliminary agenda topics include:

- Oral public comments on formaldehyde;
- Peer review of the draft background document on formaldehyde;
- Recommendation on the listing status of formaldehyde in the 12th RoC and scientific justification.

The meeting is scheduled for November 2-4, 2009, from 8:30 a.m. to adjournment each day. It is anticipated that the meeting will adjourn by 4 p.m. on November 4, although adjournment may occur earlier or later depending upon the time needed for the expert panel to complete its work. A copy of the preliminary agenda, expert panel roster, and any additional information, when available, will be posted on the RoC Web site or may be requested from the Director of the RoC Center (see **ADDRESSES** above). Individuals who plan to attend the meeting are encouraged to register on-line by October 26, 2009, to facilitate planning for the meeting.

Request for Comments

The NTP invites both written and oral public comments on the draft background document on formaldehyde. Persons submitting written comments are asked to include their name and contact information (affiliation, mailing address, telephone and facsimile numbers, e-mail, and sponsoring organization, if any) and send them to Dr. Lunn (see **ADDRESSES** above) for receipt by October 16, 2009. All written comments identified by the individual's name and affiliation or sponsoring organization (if applicable) will be posted on the RoC Web site prior to the meeting and distributed to the expert panel and RoC staff for their consideration in the peer review of the draft background document and/or preparation for the meeting.

Time will be set aside at the expert panel meeting for the presentation of oral public comments. Seven minutes will be available for each speaker (one speaker per organization). Persons can register on-line to present oral comments or by contacting Dr. Lunn (see **ADDRESSES** above). When registering to comment orally, please provide your name, affiliation, mailing address, telephone number, e-mail and sponsoring organization (if any). If possible, send a copy of the statement or talking points to Dr. Lunn by October 26, 2009. This statement will be provided to the expert panel to assist them in identifying issues for discussion

and will be noted in the meeting record. Registration for presentation of oral comments will also be available at the meeting on November 2-4, 2009, from 7:30-8:30 a.m. Time allowed for comments by on-site registrants may be less than for pre-registered speakers and will be determined by the number of persons who register at the meeting to give oral comments. Persons registering at the meeting are asked to bring 25 copies of their statement or talking points for distribution to the expert panel and for the record.

Background Information on the RoC

The RoC is a congressionally mandated document [Section 301(b)(4) of the Public Health Services Act, 42 U.S.C. 241(b)(4)], that identifies and discusses agents, substances, mixtures, or exposure circumstances (collectively referred to as "substances") that may pose a hazard to human health by virtue of their carcinogenicity. Substances are listed in the report as either *known* or *reasonably anticipated to be human carcinogens*. The NTP prepares the RoC on behalf of the Secretary of Health and Human Services. Information about the RoC and the nomination process can be obtained from its homepage (<http://ntp.niehs.nih.gov/go/roc>) or by contacting Dr. Lunn (see *For Further Information Contact* above). The NTP follows a formal, multi-step process for review and evaluation of selected substances. The formal evaluation process is available on the RoC Web site (<http://ntp.niehs.nih.gov/go/15208>) or in printed copy from the RoC Center.

Dated: August 21, 2009.

John R. Bucher,

Associate Director, National Toxicology Program.

[FR Doc. E9-20878 Filed 8-28-09; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institute for Occupational Safety and Health

Decision To Evaluate a Petition To Designate a Class of Employees for the Metals and Controls Corporation in Attleboro, MA, To Be Included in the Special Exposure Cohort

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Department of Health and Human Services (HHS).

ACTION: Notice.

SUMMARY: HHS gives notice as required by 42 CFR 83.12(e) of a decision to

evaluate a petition to designate a class of employees for the Metals and Controls Corporation in Attleboro, Massachusetts, to be included in the Special Exposure Cohort under the Energy Employees Occupational Illness Compensation Program Act of 2000. The initial proposed definition for the class being evaluated, subject to revision as warranted by the evaluation, is as follows:

Facility: Metals and Controls Corporation.

Location: Attleboro, Massachusetts.

Job Titles and/or Job Duties: All Atomic Weapons Employer employees who were exposed to thorium.

Period of Employment: January 1, 1952 through December 31, 1967.

FOR FURTHER INFORMATION CONTACT:

Larry Elliott, Director, Office of Compensation Analysis and Support, National Institute for Occupational Safety and Health (NIOSH), 4676 Columbia Parkway, MS C-46, Cincinnati, OH 45226, Telephone 513-533-6800 (this is not a toll-free number). Information requests can also be submitted by e-mail to OCAS@CDC.GOV.

Christine M. Branche,

Acting Director, National Institute for Occupational Safety and Health.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Research Integrity; Privacy Act of 1974; Report of an Altered System of Records

AGENCY: Office of Research Integrity (ORI), Office of Public Health and Science (OPHS), Office of the Secretary (OS), Department of Health and Human Services (HHS).

ACTION: Notice of revision to the Privacy Act system of records.

SUMMARY: HHS proposes to revise the Privacy Act exempt system of records 09-37-0021, entitled "Public Health Service Records Related to Inquiries and Investigations of Scientific Misconduct, HHS/OASH/ORI." This system became effective on August 29, 1994 (59 FR 36717, July 19, 1994). Changes were made in response to comments received, and the revised systems notice was published on January 6, 1995 (60 FR 2140). The proposed revisions include changing the routine uses and changing the title of the system to "HHS Records Related to Research Misconduct Proceedings, HHS/OS/ORI." The revisions are necessary to reflect the

changes made by the Public Health Service Policies on Research Misconduct ("PHS Policies on Research Misconduct"), 42 CFR Part 93 ("Part 93"), and to update the system to reflect current practices and procedures under that regulation.

DATES: This notice will be effective without further notice on September 30, 2009 unless modified by a subsequent notice making changes in response to public comments. Although the Privacy Act requires only that changes in the routine uses be published for comment, HHS invites comments on all parts of the systems notice. You may submit comments by electronic mail to AskORI@hhs.gov. Comments must be received on or before September 30, 2009.

FOR FURTHER INFORMATION CONTACT:

Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852. (240) 453-8800. E-mail: AskORI@hhs.gov.

SUPPLEMENTARY INFORMATION: After making changes in response to public comments, ORI published its current systems notice entitled "Public Health Service Records Related to Inquiries and Investigations of Scientific Misconduct, HHS/OASH/ORI" on January 6, 1995 (60 FR 2140). Since that time, the organizational location of ORI has changed from the former Office of the Assistant Secretary for Health to OPHS, and a new HHS regulation concerning research misconduct was promulgated and codified at 42 CFR Part 93. That regulation substantially changed the previous regulation on scientific misconduct (42 CFR Part 50, Subpart A), including changing the term "misconduct in science" to "research misconduct."

This revision updates the ORI system notice to be consistent with the definitions and procedures promulgated by the PHS Policies on Research Misconduct. The description of the categories of individuals covered by the records system and categories of records in the system have been amended to reflect the changes made by Part 93, specifically, the applicability of that part in terms of the individuals, types of research, and types of PHS support that are covered. Pertinent provisions of Part 93 are referenced to explain the records system coverage. The category of individuals covered by the system remains the same: individuals who are the subject of allegations of research misconduct. Similarly, the categories of records in the system remain essentially the same: records related to all stages of the research misconduct proceeding.

The location of the system is now limited to the premises of ORI and the Federal Records Centers (for inactive records). PHS officials outside of ORI who are involved in extramural and intramural research misconduct proceedings have access to this system of records as necessary to carry out their duties.

We have amended the statement of purposes to state more generally that ORI will use the system of records to exercise its oversight authority relating to research misconduct proceedings, and to document these activities.

The order of the routine uses has been changed, and the terminology used has been updated to reflect the terms used in Part 93. The listing of routine uses begins with disclosures that may be made in the course of a research misconduct proceeding in roughly the order that they might occur, and ends with disclosures that may be necessary for more general administrative purposes.

Routine use 1 is an expanded version of routine uses 2 and 5 in the current system notice. It now provides for disclosure to a person able to "obtain" information, as well as provide information or assistance, in a research misconduct proceeding or related proceeding, ORI oversight of an institutional research misconduct proceeding or ORI oversight of the implementation of HHS administrative actions. The reference to ORI oversight functions has also been added. We have also added a condition for each disclosure under this routine use. Prior to disclosure, ORI will determine whether limited disclosures or confidentiality agreements are needed to protect the privacy of respondent(s), complainant(s), witnesses, research subjects or others who may be identified in the records to be disclosed.

Routine use 2 is new. It is based on 42 CFR 93.401 that, in part, authorizes ORI to notify and consult with other Federal, State, or local offices, if ORI has reason to believe that a research misconduct proceeding may involve that office. The second routine use in the current system notice, relating to disclosures to qualified experts, has been deleted because that disclosure is now covered by the more general disclosure in the new routine uses 1 and 9.

Except for editorial changes, routine use 3 is the same as use 8 in the current system notice and routine use 4 is the same as use 3 in the current notice.

Routine use 5 is new. It permits additional disclosures after a final HHS/ORI finding of research misconduct that are aimed at conserving public funds,