

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 970, Arlington, VA 22230.

*Contact Person:* Dr. Harmon Hosch, Program Director, Law and Social Science, National Science Foundation. Telephone (703) 306-1762.

*Agenda:* To review and evaluate the Law and Social Science Proposals as a part of the selection process for awards.

*Date and Time:* December 12-13, 1996; 9:00 a.m. to 5:00 p.m.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 370, Arlington, VA 22230.

*Contact Person:* Dr. William S. Bainbridge and Dr. Patricia White, Program Directors for Sociology, National Science Foundation. Telephone (703) 306-1756.

*Agenda:* To review and evaluate the Sociology proposals as a part of the selection process for awards.

*Type of Meetings:* Closed.

*Purpose of Meeting:* To provide advice and recommendations concerning support for research proposals submitted to the NSF for financial support.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: October 28, 1996.

M. Rebecca Winkler,

*Committee Management Officer.*

[FR Doc. 96-28127 Filed 11-1-96; 8:45 am]

BILLING CODE 7555-01-M

## NUCLEAR REGULATORY COMMISSION

### Documents Containing Reporting or Recordkeeping Requirements: Notice of Pending Submittal to the Office of Management and Budget (OMB) for Review

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. The title of the information collection: Application for License to Export Nuclear Material and Equipment, NRC Form 7

2. Current OMB approval number: 3150-0027

3. How often the collection is required: On occasion; for each separate request for a specific export license and for exports of incidental radioactive material using existing general licenses.

4. Who is required or asked to report: Any person in the U.S. who wishes to export: (a) nuclear material and equipment subject to the requirements of a specific license; (b) radioactive waste subject to the requirements of a specific license; and (c) incidental radioactive material that is a contaminant of shipments of more than 100 kilograms of non-waste material using existing NRC general licenses.

5. The number of annual respondents: 153

6. The number of hours needed annually to complete the requirement or request: 330 hours (2.2 hours per response)

7. Abstract: Any person in the U.S. wishing to export nuclear material and equipment requiring a specific authorization or radioactive waste requiring a specific authorization must file an application for a license on NRC Form 7. The application will be reviewed by the NRC and by the Executive Branch, and if applicable statutory, regulatory, and policy considerations are satisfied, the NRC will issue a license authorizing the export.

A completed NRC Form 7 must also be filed by any person in the U.S. wishing to use existing NRC general licenses for the export of incidental radioactive material before the export takes place (if the total amount of the shipment containing the incidental radioactive material exceeds 100 kilograms). The form is reviewed by the NRC to ensure that the NRC is informed before the fact of these kinds of shipments and to allow NRC to inform other interested parties, as appropriate, including import control authorities in interested foreign countries.

Submit, by January 3, 1996, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street NW., (lower level),

Washington, DC. Members of the public who are in the Washington, DC area can access this document via modem on the Public Document Room Bulletin Board (NRC's Advanced Copy Document Library), NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC area can dial FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608.

Comments and questions may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC 20555-0001, or by telephone at 301-415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 29th day of October 1996.

For the Nuclear Regulatory Commission.

Gerald F. Cranford,

*Designated Senior Official for Information Resources Management.*

[FR Doc. 96-28225 Filed 11-01-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket Nos. 50-317, 50-318, and 72-8]

### Baltimore Gas and Electric Company; (Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation); Order Approving Transfer of Licenses for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation

I

Baltimore Gas and Electric Company (BGE) is the licensee for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, and the associated Independent Spent Fuel Storage Installation. BGE has the exclusive responsibility for the construction, operation, and maintenance of Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation, as reflected in Operating License Nos. DPR-53, DPR-69 and Material License No. SNM-2505 of the U.S. Nuclear Regulatory Commission (NRC) issued on July 31, 1974 and November 30, 1976, and November 25, 1992, respectively. The facility is located on the western shore of the Chesapeake Bay, in Calvert County, Maryland.

## II

By letter dated April 5, 1996, BGE submitted its request for approval pursuant to Sections 50.80, 50.90, 72.50, and 72.56 of Title 10 of the Code of Federal Regulations, of the transfer of and amendments to Operating Licenses Nos. DPR-53 and DPR-69 and Material License No. SNM-2505 for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation. On May 22, 1996, June 12, 1996, and July 15, 1996, notices of the proposed actions were published in the Federal Register (61 FR 25697, 29771, 36914).

The license transfers and amendments are requested in connection with a pending merger between BGE and Potomac Electric Power Company (PEPCO) into Constellation Energy Corporation. The proposed license transfers would transfer authority to possess and operate Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation (ISFSI) from BGE to Constellation Energy Corporation. The proposed amendments would change the licenses to reflect the transfer of the licenses by substituting Constellation Energy Corporation in place of BGE as licensee for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, and the ISFSI.

The technical qualifications of Constellation Energy Corporation to carry out its responsibilities under the operating licenses will be the same as those of BGE. The transfer of the operating licenses to Constellation Energy Corporation involves no significant changes to either the technical organization or staff responsible for operating the facility. Both before and after the transfer, essentially the same BGE nuclear organization and staff will be responsible for the operation and maintenance of Calvert Cliffs. The transfer requires no change in the numbers and qualifications of personnel who operate Calvert Cliffs. Although specific individuals may join or leave the nuclear staff, the technical and administrative abilities will remain essentially unchanged.

The Constellation Energy Corporation management directly responsible for Calvert Cliffs will be experienced BGE Nuclear Managers. The transfer involves no changes in the training program or procedures applicable to the Calvert Cliffs operating organization. The current Calvert Cliffs personnel training program and operating organization are set forth in the updated final safety analysis report for Calvert Cliffs. Given that Constellation Energy Corporation

management directly responsible for Calvert Cliffs will be BGE Nuclear Managers, the transfer will result in no adverse impact with respect to technical qualifications.

BGE proposes to restructure itself by merging with PEPCO. The company formed as a result of the merger would be Constellation Energy Corporation, which is currently a subsidiary of BGE and PEPCO formed for the purpose of consummating the merger and would become the owner and operating licensee for the two-unit Calvert Cliffs Nuclear Power Plant, as well as the ISFSI.

BGE indicates that the purpose of the merger is

\* \* \* to achieve benefits for BGE's and PEPCO's shareholders, customers and communities that would not be available if they were to remain separate companies. The benefits are expected to be achieved through significant reduction in operating costs (estimated at approximately \$1.3 billion in nominal dollars, net of costs to achieve, over a 10-year period) \* \* \*. (Application dated April 5, 1996 to Transfer and Amend Operating License Nos. DPR-53 and DPR-69, and ISFSI license SNM-2505, Calvert Cliffs Nuclear Power Plant, Attachment 1, p. 5.)

BGE indicates that Constellation Energy Corporation will be an "electric utility" as defined in 10 CFR 50.2. That is, Constellation Energy Corporation will continue to be engaged in the generation, transmission, and distribution of electricity and will remain subject to the rate regulatory authority of the Maryland Public Service Commission, the District of Columbia Public Service Commission, and the Federal Energy Regulatory Commission. Based on the information provided in BGE's application, the staff finds that there will be no near-term substantive change in Constellation Energy Corporation's financial ability to contribute to the operations and decommissioning of its Calvert Cliffs units as a result of the proposed merger. Thus, pursuant to 10 CFR 50.33(f), Constellation Energy Corporation is exempt from further financial qualifications review as an electric utility. The staff finds that the financial information provided in BGE's application for transfer of SNM-2505, as required by 10 CFR 72.22(e), demonstrates that funding for operation and decommissioning of the ISFSI will not be adversely affected by the merger.

Based on the above, the staff concludes that Constellation Energy Corporation will be financially qualified with respect to holding the licenses for the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 and the Independent Spent Fuel Storage Installation.

The Calvert Cliffs Nuclear Power Plant received its construction permit (CP) prior to enactment of Section 105 of the Atomic Energy Act. Nuclear plants that received CPs prior to enactment of Section 105 in December 1970 were issued 104b licenses rather than 103 commercial licenses and were grandfathered for purposes of antitrust review. Consequently, the staff is not conducting a significant change antitrust review as a result of the proposed merger involving BGE and PEPCO.

BGE has asserted that Constellation Energy Corporation will not be owned, controlled or dominated by an alien, foreign corporation or foreign government and will not be acting as an agent or representative of any other person.

On the basis of a review of the information in the letter of April 5, 1996, and other information before the Commission, the NRC staff finds that the transfer of the Calvert Cliffs Nuclear Power Plant, Units No. 1 and No. 2 and Independent Spent Fuel Storage Installation operating licenses to Constellation Energy Corporation, will not adversely affect protection of public health and safety or the common defense and security. Therefore, the NRC staff concludes that Constellation Energy Corporation is qualified to be the holder of the licenses, subject to conditions set forth herein and the transfer of the licenses is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission. An environmental assessment and finding of no significant impact was published in the Federal Register on October 10, 1996 (61 FR 53241).

## III

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 USC §§ 2201(b), 2201(i), and 2234, and 10 CFR 50.80 and 10 CFR 72.50, It is hereby Ordered that the Commission consents to the proposed transfer of the licenses described herein between BGE and Constellation Energy Corporation subject to the following: (1) amendments to the licenses described herein, consistent with the contents of and reflecting this Order, must be issued and become effective as of the date of issuance; (2) should the transfer of the licenses not be consummated by December 31, 1997, this Order shall become null and void, provided, however, on application and for good cause shown, such date may be extended.

## IV

Any person adversely affected by this Order may file a request for a hearing with respect to issuance of the Order. Any person requesting a hearing shall set forth with particularity how such person's interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is to be held, the Commission will issue an Order designating the time and place of such hearing.

The issue to be considered at any such hearing will be whether this Order should be sustained.

Any request for a hearing must be filed with Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Chief Docketing and Services Section, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Copies should also be sent to the Office of the General Counsel and to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to J. E. Silbert, Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037.

This Order is effective upon issuance. For further details with respect to this action, see the application dated April 5, 1996, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Calvert County Library, Prince Frederick, Maryland 20678.

Dated at Rockville, Maryland, this 18th day of October 1996.

For the Nuclear Regulatory Commission.

Frank J. Miraglia, Jr.,

*Acting Director, Office of Nuclear Reactor Regulation.*

Carl J. Paperiello,

*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 96-28222 Filed 11-1-96; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-262]

**Brigham Young University (Brigham Young University L-77 Research Reactor); Order Terminating Facility License**

By application dated June 28, 1990, as supplemented on July 2, 1991, and March 9, 1992, Brigham Young University (BYU or the licensee) requested from the U.S. Nuclear Regulatory Commission (the

Commission) authorization to dismantle and dispose of the component parts of the BYU L-77 Research Reactor located on the licensee's campus in Provo, Utah. The July 2, 1991, letter contained a request that upon completion of decommissioning, authorization be given for termination of Facility License No. R-109. A "Notice of Proposed Issuance of Orders Authorizing Disposition of Component Parts and Terminating Facility License," was published in the Federal Register on August 1, 1991 (56 FR 36851). No requests for a hearing were received. By Order dated July 23, 1992 (57 FR 33979), the Commission authorized dismantling of the facility and disposition of component parts as proposed in the decommissioning plan of the licensee. By letter dated April 15, 1994, as supplemented on May 30, October 9, and December 7, 1995, the licensee submitted the Decommissioning Survey for the L-77 Research Reactor.

The reactor fuel has been removed from the core and was shipped to a Department of Energy (DOE) facility. The reactor facility has been completely dismantled and all requirements pertaining to residual radioactivity, personnel and external radiation exposure, and fuel disposition have been satisfied. The termination radiation survey and associated documentation demonstrate that the facility and site are suitable for release. Confirmatory radiological surveys verified that the facility complied with the recommended regulatory guidance for release of the facility for unrestricted use. Accordingly, the Commission has found that the licensee decommissioned the facility in accordance with the approved decommissioning plan and the facility has been dismantled and decontaminated pursuant to the Commission's Order dated July 23, 1992. The component parts and fuel have been disposed of in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not inimical to the common defense and security, nor to the health and safety of the public. Therefore, on the basis of the application filed by BYU, and pursuant to Sections 104 and 161 b, and i, of the Atomic Energy Act of 1954, as amended, and in accordance with 10 CFR 50.82(b)(6), Facility License No. R-109 is terminated as of the date of this Order. In accordance with 10 CFR Part 51, the Commission has determined that the issuance of this termination Order will have no significant environmental impact. The Environmental Assessment and Finding of No Significant Impact

was published in the Federal Register on October 28, 1996 (61 FR 55672).

For further details with respect to this action see (1) the application for termination of Facility License No. R-109, dated July 2, 1991, as supplemented, (2) the Commission's Safety Evaluation related to the termination of the license, (3) the Environmental Assessment and Finding of No Significant Impact, and (4) the "Notice of Proposed Issuance of Orders Authorizing Disposition of Component Parts and Terminating Facility License," published in the Federal Register on August 1, 1991 (56 FR 36851). Each of these items is available for public inspection at the Commission Public Document Room, 2120 L Street, N.W., Washington, D.C. 20037.

Copies of items 2, 3, and 4 may be obtained upon request from the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Director, Division of Reactor Program Management.

Dated at Rockville, Maryland this 29th day of October 1996.

For the Nuclear Regulatory Commission.

Thomas T. Martin,

*Director, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 96-28224 Filed 11-1-96; 8:45 am]

BILLING CODE 7590-01-P

**Notice of Issuance of Branch Technical Position on Screening Methodology for Assessing Prior Land Burials of Radioactive Waste Authorized Under Former 10 CFR 20.304 and 20.302 for Interim Use and Comment**

**SUMMARY:** This notice is to advise the public of the U.S. Nuclear Regulatory Commission's issuance of a Branch Technical Position (BTP) which provides a screening methodology that the staff finds acceptable to determine the need for further characterization and/or remediation of prior low-level radioactive waste disposal conducted under the provisions of former 10 CFR 20.304 and 20.302.

Burial of certain quantities of radioactive waste in soil, by licensees, without prior NRC approval, was authorized on January 29, 1959 (22 FR 548). This authorization was codified in former 10 CFR 20.304. On January 28, 1981, the NRC concluded that it was inappropriate to continue generic authorizations of burials pursuant to 10 CFR 20.304 without regard to factors such as location of burial, concentrations of radioactive material, form of packaging, and notification of NRC. Therefore, NRC rescinded 10 CFR