

1926.62. The Department of Labor is particularly interested in comments which:

- evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumption used;
- enhance the quality, utility, and clarity of the information to be collected; and
- minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of response.

DATES: Written comments must be submitted by September 15, 1997.

ADDRESSES: Comments are to be submitted to the Docket Office, Docket No. ICR-97-43, U.S. Department of Labor, Room N-2625, 200 Constitution Ave. NW., Washington, DC 20210, telephone (202) 219-7894. Written comments limited to 10 pages or fewer may also be transmitted by facsimile to (202) 219-5046.

FOR FURTHER INFORMATION CONTACT: Todd Owen, Directorate of Health Standards Programs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3647, 200 Constitution Ave., NW., Washington, DC 20210. Telephone: (202) 219-7075. Copies of the referenced information collection request are available for inspection and copying in the Docket Office and will be mailed to persons who request copies by telephoning Todd Owen at (202) 219-7075 or Barbara Bielaski at (202) 219-8076. For electronic copies of the Information Collection Request on Lead in Construction contact OSHA's WebPage on Internet at <http://www.osha.gov/> and click on standards.

SUPPLEMENTARY INFORMATION:

I. Background

The purpose of the Lead in Construction Standard and its information collection requirements are to reduce occupational lead exposure in the construction industry. Lead exposure can result in both acute and chronic effects and can be fatal in severe cases of lead intoxication. Some of the health effects associated with lead

exposure include brain disorders which can lead to seizures, coma, and death; anemia; neurological problems; high blood pressure; Kidney problem; reproductive problems; and decreased red blood cell production. The Standard requires that employers establish and maintain a training and compliance program, and exposure monitoring and medical surveillance records. These records are used by employees, physicians, employers and OSHA to determine the effectiveness of the employers' compliance efforts.

Type of Review: Extension.

Agency: Occupational Safety and Health Administration.

Title: Lead in Construction 29 CFR 1926.62.

OMB Number: 1218-0189.

Affected Public: Business or other for-profit, Federal government, State and Local governments.

Total Respondents: 147,073.

Frequency: On occasion.

Total Responses: 6,351,167.

Average Time per Response:

Approximately 0.286 hour.

Estimated Total Burden Hours: 1,814,671.

Total Annualized capital/startup costs: 0.

Total initial annual costs: (operating/maintaining systems or purchasing services): \$87,087,005.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request. The comments will become a matter of public record.

Dated: July 10, 1997.

Ruth McCully,

Acting Deputy Director, Directorate of Health Standards Programs.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-354]

Public Service Electric & Gas Co.; Atlantic City Electric Co.; Hope Creek Generating Station; Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has denied part of a request by Public Service Electric & Gas Company, (licensee) for an amendment to Facility Operating License No. NPF-57 issued to the licensee for operation of the Hope Creek Generating Station, located at the

licensee's site in Salem County, New Jersey. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on May, 1997 (62 FR 27798).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TS) to change TS 3.6.5.3.2, "Filtration, Recirculation and Ventilation System (FRVS)," to provide an appropriate Limiting Condition for Operation and ACTION Statement that reflects the design basis for the FRVS. A second proposed change to TS 4.6.5.3.2b would permit the FRVS heaters to be OPERABLE rather than ON during the 31-day test. The change to TS 3.6.5.3.2 was found to be acceptable and issued as License Amendment No. 99 on July 9, 1997.

With regard to the proposed change to TS 4.6.5.3.2b, the NRC staff has concluded that the licensee's request cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated July 9, 1997.

By August 15, 1997, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to M. J. Wetterhahn, Esquire, Winston and Strawn, 1400 L Street, NW., Washington, DC 20005-3502, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated March 31, 1997, and (2) the Commission's letter to the licensee dated July 9, 1997.

These documents are 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 Pennsville Public Library, 190 S. Broadway, Pennsville, New Jersey 08070.

Dated at Rockville, Maryland, this 9th day of July 1997.

For the Nuclear Regulatory Commission.

Chester Poslusny,

*Acting Director, Project Directorate I-2,
Division of Reactor Projects-I/II, Office of
Nuclear Reactor Regulation.*

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**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 50-356]

**Environmental Assessment and
Finding of No Significant Impact;
Regarding Termination of Facility
Operating License No. R-117;
University of Illinois at Urbana-
Champaign; Low Power Reactor
Assembly**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an Order terminating Facility Operating License No. R-117 for the University of Illinois at Urbana-Champaign (the licensee or University) Low Power Reactor Assembly (LOPRA) located on the licensee's campus in Urbana, Illinois, in accordance with the application dated February 10, 1995, as supplemented on April 24, 1995; October 2, 1996; and April 15, 1997.

Environmental Assessment

Identification of Proposed Action

By application dated February 10, 1995, as supplemented on April 24, 1995, and October 2, 1996, the licensee requested authorization to decommission the LOPRA in accordance with the proposed decommissioning plan. The application of February 10, 1995, also requested authorization to terminate Facility Operating License No. R-117. Amendment No. 6 to the facility operating license was issued on January 21, 1997, approving the decommissioning plan. The licensee informed the NRC in a letter dated April 15, 1997, that the University had completed decommissioning of the LOPRA in accordance with the amendment. The NRC project manager for the LOPRA and a non-power reactor inspector visited the site on May 7, 1997, to confirm that the licensee had decommissioned the LOPRA in accordance with the license amendment and had transferred the LOPRA components and fuel to the Advanced TRIGA Research Reactor (TRIGA) license (Docket No. 50-151, Facility License No. R-115). Some components containing byproduct material were subsequently transferred to a University of Illinois byproduct materials license

(License IL-01271-01) issued by the State of Illinois to allow the components to be stored at a facility away from the Nuclear Reactor Laboratory. No licensed material remains on the LOPRA license.

The University's Nuclear Reactor Laboratory houses the TRIGA (which the University continues to operate) and housed the LOPRA, which was located in the bulk shielding tank of the TRIGA. The Nuclear Reactor Laboratory continues to be subject to the terms of the TRIGA license. Because the LOPRA components and fuel have been transferred to other licenses and because the TRIGA continues to operate, no facility or site is being released for unrestricted use by this action. The licensee will maintain the capability to construct and operate a subcritical assembly in the TRIGA bulk shielding tank from the former LOPRA components, as currently authorized by the TRIGA license. The Nuclear Reactor Laboratory will be considered for release by NRC as part of the request to terminate the TRIGA license at some time in the future.

As requested by the licensee in its letter of April 15, 1997, the NRC, in a separate action, is considering granting a specific exemption in accordance with 10 CFR 50.12 to the part of the requirements of 10 CFR 50.82(b)(6)(ii) that requires a terminal radiation survey and associated documentation to demonstrate that the facility and site are suitable for release as a condition for license termination. Because all licensed material has been transferred from the LOPRA license and because the TRIGA and site will continue to be under an NRC license, there is no facility or site to be released for unrestricted use as part of the license termination, and a terminal radiation survey is not needed to terminate the license.

The Need for Proposed Action

In order to end regulatory oversight of the LOPRA, Facility Operating License No. R-117 must be terminated.

Environmental Impact of License Termination

No licensed material remains under the authority of the LOPRA license. The NRC staff has verified that the LOPRA components and fuel have been transferred to the TRIGA license and to the University of Illinois byproduct materials license issued by the State of Illinois, which are authorized to receive this material. Future use of these components and fuel as a subcritical assembly is currently authorized and will be governed by the TRIGA license. With the transfer of all material to other

licenses, the termination of the LOPRA license is administrative in nature. Because the site will continue to be subject to an NRC license, terminating Facility Operating License No. R-117 will have no effect on the status of the facility or site and thus, has no significant impact on the environment.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denying the proposed action. Denying the application for license termination would not change current environmental impacts and would require continuance of the facility license. The staff also considered taking no action on the licensee's request. This would have the same outcome as denying the proposed action. The environmental impacts of the proposed action and of the alternative actions are similar. Since the LOPRA components and fuel have been transferred to the other licenses that are authorized to receive this material, there is no alternative with less environmental impact than the termination of Facility Operating License No. R-117.

Agencies and Persons Consulted

The staff consulted with the Illinois State official regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

The NRC has determined not to prepare an environmental impact statement for the proposed action. On the basis of the foregoing environmental assessment, the NRC has concluded that the issuance of the Order will have no significant effect on the quality of the human environment.

For further details with respect to this proposed action, see the application for termination of Facility Operating License No. R-117, dated February 10, 1995, as supplemented. These documents are available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20037.

Dated at Rockville, Maryland, this 9th day of July 1997.

For the Nuclear Regulatory Commission.

Marvin M. Mendonca,

*Acting Director, Non-Power Reactors and
Decommissioning Project Directorate,
Division of Reactor Program Management,
Office of Nuclear Reactor Regulation.*

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