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Dated: December 1, 1997.

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## NUCLEAR REGULATORY COMMISSION

### Final Standard Review Plan for Antitrust Reviews: Issuance, Availability

The U.S. Nuclear Regulatory Commission (NRC) is issuing this final Standard Review Plan (SRP) for Antitrust Reviews to describe the procedures (prescribed in Sections 105 and 186 of the Atomic Energy Act of 1954, as amended) for performing antitrust reviews and enforcing antitrust license conditions. This SRP reflects current regulations and policy and will be updated as necessary to reflect changes in NRC regulations.

The revised text for the SRP for Antitrust Reviews includes the resolution of public comments received in response to the draft version issued on December 27, 1996 (61 FR 68309). The purpose of the draft SRP was to solicit comments on the current NRC staff practice in carrying out the NRC's antitrust mandate in accordance with the Atomic Energy Act, to review construction permit and operating license applications and transfer requests, and to enforce antitrust license conditions.

The NRC has published its Standard Review Plan for Antitrust Reviews (NUREG-1574), under Section 109, Nuclear Regulatory Commission Appropriation Authorization, Public Law 96-295. The SRP describes the procedures used to implement the antitrust review and enforcement provisions in Sections 105 and 186 of the Atomic Energy Act of 1954, as amended.

The final SRP for Antitrust Reviews is a "rule" for the purposes of the Small Business Regulatory Enforcement Fairness Act (5 U.S.C., Chapter 8). The staff, in consultation with the Office of Management and Budget (OMB), has confirmed that this SRP is a not a major rule.

The final SRP for Antitrust Reviews does not, by itself, establish any new or revised requirements. It incorporates previously established NRC staff

positions, public comments on the draft SRP for Antitrust Reviews, and lessons learned from completed reviews of various restructuring and reorganization applications. The review guidance in the SRP will be used by the NRC staff in evaluating future submittals in connection with applications for construction permits, operating licenses, combined operating licenses, and operating license transfer requests.

The final SRP for Antitrust Reviews is being made available to the public as part of the NRC's policy to inform the nuclear industry and the general public of regulatory procedures and policies. The SRP will be revised periodically to reflect changes to statutes and NRC rules and regulations.

Copies of NUREG-1574 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. A copy is also available for inspection and/or copying for a fee in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Dated at Rockville, Maryland, this 26th day of November, 1997.

For the Nuclear Regulatory Commission.

**Thomas H. Essig,**

*Acting Chief, Generic Issues and Environmental Projects Branch, Division of Reactor Program Management, Office of Nuclear Reactor Regulation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket 70-7002]

### Amendment to Certificate of Compliance GDP-2 for the U.S. Enrichment Corporation, Portsmouth Gaseous Diffusion Plant, Portsmouth, OH

The Director, Office of Nuclear Material Safety and Safeguards, has made a determination that the following amendment request is not significant in accordance with 10 CFR 76.45. In making that determination, the staff concluded that: (1) There is no change in the types or significant increase in the amounts of any effluents that may be released offsite; (2) there is no significant increase in individual or cumulative occupational radiation exposure; (3) there is no significant construction impact; (4) there is no significant increase in the potential for,

or radiological or chemical consequences from, previously analyzed accidents; (5) the proposed changes do not result in the possibility of a new or different kind of accident; (6) there is no significant reduction in any margin of safety; and (7) the proposed changes will not result in an overall decrease in the effectiveness of the plant's safety, safeguards, or security programs. The basis for this determination for the amendment request is described below.

The NRC staff has reviewed the certificate amendment application and concluded that it provides reasonable assurance of adequate safety, safeguards, and security and compliance with NRC requirements. Therefore, the Director, Office of Nuclear Material Safety and Safeguards, is prepared to issue an amendment to the Certificate of Compliance for the Portsmouth Gaseous Diffusion Plant (PORTS). The staff has prepared a Compliance Evaluation Report which provides details of the staff's evaluation.

The NRC staff has determined that this amendment satisfies the criteria for a categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for this amendment.

USEC or any person whose interest may be affected may file a petition, not exceeding 30 pages, requesting review of the Director's Decision. The petition must be filed with the Commission not later than 15 days after publication of this **Federal Register** Notice. A petition for review of the Director's Decision shall set forth with particularity the interest of the petitioner and how that interest may be affected by the results of the decision. The petition should specifically explain the reasons why review of the Decision should be permitted with particular reference to the following factors: (1) The interest of the petitioner; (2) how that interest may be affected by the Decision, including the reasons why the petitioner should be permitted a review of the Decision; and (3) the petitioner's areas of concern about the activity that is the subject matter of the Decision. Any person described in this paragraph (USEC or any person who filed a petition) may file a response to any petition for review, not to exceed 30 pages, within 10 days after filing of the petition. If no petition is received within the designated 15-day period, the Director will issue the final amendment to the Certificate of Compliance without further delay. If a petition for review is received, the decision on the amendment application will become