

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Panel Coordinator, National Endowment for the Arts, Washington, DC 20506, or call (202) 682-5691.

Dated: May 14, 1999.

Kathy Plowitz-Worden,

Panel Coordinator, National Endowment for the Arts.

[FR Doc. 99-12702 Filed 5-18-99; 8:45 am]

BILLING CODE 7537-01-M

NORTHEAST DAIRY COMPACT COMMISSION

Notice of Meeting

AGENCY: Northeast Dairy Compact Commission.

ACTION: Notice of meeting.

SUMMARY: The Compact Commission will hold its monthly meeting to consider matters relating to administration and enforcement of the price regulation, including the reports and recommendations of the Commission's standing Committees. The Commission will also hold its deliberative meeting to consider whether to amend the over-order price regulation to establish a supply management program.

DATES: The meeting is scheduled for 10:00 a.m. on Wednesday, June 2, 1999.

ADDRESSES: The meeting will be held at the Merrimack Hotel and Conference Center, 4 Executive Park Drive, Merrimack, New Hampshire (Exit 11 off the Everett Turnpike).

FOR FURTHER INFORMATION CONTACT: Kenneth M. Becker, Executive Director, Northeast Dairy Compact Commission, 34 Barre Street, Suite 2, Montpelier, VT 05602. Telephone (802) 229-1941.

Authority: 7 U.S.C. 7256.

Dated: May 13, 1999.

Kenneth M. Becker,

Executive Director.

[FR Doc. 99-12546 Filed 5-18-99; 8:45 am]

BILLING CODE 1650-01-P

NUCLEAR REGULATORY COMMISSION

[NUREG-1600, Rev. 1]

Revision of NRC Enforcement Policy

AGENCY: Nuclear Regulatory Commission.

ACTION: Policy Statement: Amendment.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its

“General Statement of Policy and Procedure for NRC Enforcement Actions” (Enforcement Policy) to conform to the amendments to the regulations that govern operators’ licenses published in the **Federal Register** as a separate action. Those amendments allow nuclear power facility licensees to prepare, proctor, and grade the written examinations and prepare the operating tests that the NRC uses to evaluate the competence of individuals applying for operator licenses at the facility licensees’ plants. Moreover, the amendment requires facility licensees that elect to prepare their own examinations to establish, implement, and maintain procedures to control examination security and integrity, and it clarifies the regulations to ensure that applicants, licensees, and facility licensees understand what it means to compromise the integrity of a required test or examination. Therefore, the Enforcement Policy is being amended to add examples of violations that may be used as guidance in determining the appropriate severity level for violations involving the compromise of applications, tests, and examinations.

EFFECTIVE DATE: This action is effective May 19, 1999, while comments are being received. Submit comments on or before June 18, 1999.

ADDRESSES: Submit written comments to: David Meyer, Chief, Rules Review and Directives Branch, Office of Administration, Mail Stop: T6D59, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland, between 7:45 am and 4:15 pm, Federal workdays. Copies of comments received may be examined at the NRC Public Document Room, 2120 L Street, NW, (Lower Level), Washington, DC 20555-0001. Copies of NUREG-1600 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Mail Stop SSOP, Washington, DC 20402-9328. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. Copies are also available for inspection and copying for a fee in the NRC Public Document Room.

FOR FURTHER INFORMATION CONTACT: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: (301) 415-2741; e-mail: jxl@nrc.gov.

SUPPLEMENTARY INFORMATION: The Commission’s “General Statement of Policy and Procedure for NRC

Enforcement Actions” (Enforcement Policy) was first issued on September 4, 1980. Since that time, the Enforcement Policy has been revised on a number of occasions. On May 13, 1998 (63 FR 26630), the Enforcement Policy was revised in its entirety and was also published as NUREG-1600, Rev. 1. The Enforcement Policy primarily addresses violations by licensees and certain non-licensed persons, as discussed further in the Enforcement Policy in footnote 3 to Section I, “Introduction and Purpose,” and in Section X, “Enforcement Action Against Non-Licensees.”

By a separate action published in the **Federal Register**, the NRC is amending its regulations in 10 CFR Part 55 to allow nuclear power facility licensees to prepare, proctor, and grade the written examinations and prepare the operating tests that the NRC uses to evaluate the competence of individuals applying for operator licenses at the facility licensees’ plants. Section 107 of the Atomic Energy Act (AEA) of 1954, as amended, requires the NRC to determine the qualifications of individuals applying for operator licenses, to prescribe uniform conditions for licensing such individuals, and to issue licenses as appropriate. Pursuant to the AEA, 10 CFR part 55 requires applicants for operator licenses to pass an examination that satisfies the basic content requirements specified in the regulation. Because the NRC considers the integrity of the licensing tests and examinations to be essential to the safe operation of nuclear facilities, the NRC is also amending 10 CFR 55.49 to clarify that the integrity of a test or examination required by 10 CFR part 55 is considered compromised if any activity, regardless of intent, affected, or but for detection, would have affected the equitable and consistent administration of the test or examination. Moreover, the NRC is amending 10 CFR part 55 to require power reactor facility licensees that elect to prepare their own examinations to establish, implement, and maintain procedures to control examination security and integrity.

The NRC intends to use its enforcement authority to emphasize that a compromise of an application, test, or examination required by 10 CFR part 55 cannot be accepted. Therefore, the NRC is amending the Enforcement Policy by adding examples of violations in Supplement I, “Reactor Operations,” to provide guidance in determining the appropriate severity level for violations involving the compromise of an application, test, or examination used to evaluate the competence of individuals

applying for operator licenses or to evaluate the continued competence of licensed operators. In the case of initial operator licensing, a non-willful compromise of an application, test, or examination required by 10 CFR part 55 that contributes to an individual being granted a license is considered significant and will be categorized normally at least at Severity Level III. Similarly, in the case of requalification, a non-willful compromise of an application, test, or examination required by 10 CFR part 55 that permits an individual to perform the functions of an operator or a senior operator is also considered significant and will be categorized normally at least at Severity Level III. A non-willful compromise that is discovered and reported to the NRC before an individual is granted a license, or before an individual is permitted to perform the functions of an operator or a senior operator, will be categorized normally at Severity Level IV, as will other violations of 10 CFR 55.49 that are of more than minor concern, such as failures to establish, implement, or maintain procedures to control the security of the examination process or failures to take adequate corrective action in response to a previous compromise.

For purposes of determining whether a particular compromise contributed to an individual being granted a license, or contributed to an individual being permitted to perform the functions of an operator or a senior operator, the NRC will presume that an individual involved in a compromise was able to pass the test or examination in question only because of the advantage received as a result of the compromise. For example, consider a situation where an individual answered eighty-three out of one hundred questions correctly on a licensing examination and that as a result of answering more than eighty questions correctly the individual was either granted a license or considered eligible to perform the duties of an operator or a senior operator. Under the policy announced above, if it is later determined that a compromise of the examination gave the individual an advantage, the NRC will presume that but for the compromise the individual would have failed the examination. Unless the licensee can conclusively demonstrate that the individual involved would have answered at least eighty out of the one hundred examination questions correctly irrespective of the compromise, the compromise will be categorized at least at Severity Level III.

Willful acts to compromise an application, test, or examination required by 10 CFR part 55 will add to the significance of the compromise and may result in the compromise being categorized at a higher severity level in accordance with the guidance in Section IV.C. of the Enforcement Policy. Consistent with that guidance, in determining the severity level of a compromise involving willfulness, the NRC will consider such factors as the degree of willfulness on the part of any individual involved in the compromise, the positions and levels of responsibility of the individuals involved, the number of individuals involved in the compromise, the scope of the compromise, the advantage received by any individual as a result of the compromise, the timing of the compromise, when the compromise was detected, and the facility licensee's response to the compromise. Depending on the circumstances of the compromise, there may be a difference in the severity level of the violation issued to any individual involved in the compromise and the facility licensee. The NRC intends to utilize its enforcement authority, as warranted, and issue notices of violation, civil penalties, and orders to individuals and facility licensees who (1) compromise an application, test, or examination in violation of 10 CFR 55.49, (2) commit deliberate misconduct in violation of 10 CFR 50.5, or (3) provide incomplete or inaccurate information to the NRC in violation of 10 CFR 50.9. In addition, willful acts to compromise an application, test, or examination required by 10 CFR part 55 may be referred to the Department of Justice for criminal prosecution.

In addition to issuing notices of violation, civil penalties, and orders, the NRC may require an individual involved in a particular compromise of an application, test or examination required by 10 CFR part 55 to be retested or reexamined prior to performing the functions of an operator or a senior operator. The NRC recognizes that it may be difficult in certain situations to determine whether an individual received an advantage as a result of a particular compromise or whether but for the compromise the individual would not have been granted a license or permitted to continue to perform the functions of an operator or a senior operator. Therefore, in any situation where there is some doubt as to whether an individual received an advantage as a result of a particular compromise, the NRC may require an individual to be retested or reexamined

to verify that the individual is qualified to perform the functions of an operator or a senior operator. When determining whether an individual must be retested or reexamined prior to performing the functions of an operator or a senior operator, the NRC will make its determination irrespective of the severity level of the compromise or any enforcement action to be taken against the individual or facility licensee as a result of the compromise.

Paperwork Reduction Act

This policy statement does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing requirements were approved by the Office of Management and Budget, approval number 3150-0136. The approved information collection requirements contained in this policy statement appear in Section VII.C.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Small Business Regulatory Enforcement Fairness Act

In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

Accordingly, Supplement I—Reactor Operations of Appendix B of the NRC Enforcement Policy is revised to read as follows:

Appendix B: Supplements—Enforcement Examples

* * * * *

Supplement I—Reactor Operations

This supplement provides examples of violations in each of the four severity levels as guidance in determining the appropriate severity level for violations in the area of reactor operations.

C. Severity Level III—Violations involving for example:

* * * * *

5. A non-willful compromise of an application, test, or examination required by 10 CFR Part 55 that:

(a) In the case of initial operator licensing, contributes to an individual being granted an operator or a senior operator license, or

(b) In the case of requalification, contributes to an individual being permitted to perform the functions of an operator or a senior operator.

D. Severity Level IV—Violations involving for example:

* * * * *

5. A non-willful compromise of an application, test, or examination required by 10 CFR Part 55 that:

(a) In the case of initial operator licensing, is discovered and reported to the NRC before an individual is granted an operator or a senior operator license, or

(b) In the case of requalification, is discovered and reported to the NRC before an individual is permitted to perform the functions of an operator or a senior operator, or

(c) Constitutes more than minor concern.

Dated at Rockville, MD, this 13th day of May, 1999.

For the Nuclear Regulatory Commission.

Annette Vietti-Cook,

Secretary of the Commission.

[FR Doc. 99-12622 Filed 5-18-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

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

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. Type of submission, new, revision, or extension: New.

2. The title of the information collection:

“Travel Voucher (Part 1)”

“Travel Voucher (Part 2)”

“Optional Travel Voucher (Part 2)”

3. The form number, if applicable:

NRC Form 64

NRC Form 64A

NRC Form 64B

4. How often the collection is required: On occasion.

5. Who will be required or asked to report: Contractors, consultants and Invited NRC travelers who travel in the course of conducting business for the NRC.

6. An estimate of the number of responses: 100.

7. The estimated number of annual respondents: 100.

8. An estimate of the total number of hours needed annually to complete the requirement or request: 100.

9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not applicable.

10. Abstract: As a part of completing the travel process, the traveler must file travel reimbursement vouchers and trip reports. The respondent universe for the above forms includes consultants and contractors and those who are invited by the NRC to travel, e.g., prospective employees. Travel expenses that are reimbursed are confined to those expenses essential to the transaction of official business for an approved trip.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by June 18, 1999. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin, Office of Information and Regulatory Affairs (3150-), NEOB-10202, Office of Management and Budget, Washington, DC 20503
Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 12th day of May 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99-12625 Filed 5-18-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-458]

Entergy Operations, Inc.; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has

granted the request of Entergy Operations, Inc. (the licensee), to withdraw its November 20, 1998, application for proposed amendment to Facility Operating License No. NPF-47 for the River Bend Station, Unit No. 1, located in West Feliciana Parish, Louisiana.

The proposed amendment would have established a new Technical Specification (TS), TS 3.10.9, “Control Rod Pattern—Cycle 8,” added to Section 3.10, “Special Operations.” The new TS 3.10.9 was requested as a result of a plant-specific configuration where control rods were inserted into the reactor core for neutron flux suppression surrounding fuel assemblies that were identified as having possible fuel cladding defects. The new requirement was intended to be effective for the remainder of fuel cycle 8, which has been completed, and was to be in force when rod withdrawal operations begin from a condition of 100 percent rod density to 20 percent rated thermal power.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on December 16, 1998 (63 FR 69338). However, by letter dated April 8, 1999, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated November 20, 1998, and the licensee’s letter dated April 8, 1999, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission’s Public Document Room, located at the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Government Documents Department, Louisiana State University, Baton Rouge, Louisiana.

Dated at Rockville, Maryland, this 12th day of May 1999.

For the Nuclear Regulatory Commission.

Robert J. Fretz,

Project Manager, Section 1, Project Directorate IV & Decommissioning, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-12624 Filed 5-18-99; 8:45 am]

BILLING CODE 7590-01-P