

NUCLEAR REGULATORY COMMISSION

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: 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:* NRC Form 790, "Classification Record".

2. *Current OMB approval number:* NRC Form 790.

3. *How often the collection is required:* On occasion.

4. *Who will be required or asked to report:* NRC employees, NRC contractors, NRC licensees, and its only certificate holder who classify and declassify NRC information.

5. *The estimated number of annual respondents:* 324.

6. *An estimate of the total number of hours needed annually to complete the requirement or request:* 27.

7. *Abstract:* Completion of the NRC Form 790 is a mandatory requirement for licensees, contractors, and only certificate holders who classify and declassify NRC information in accordance with Executive Order 12958, "Classified National Security Information," the Atomic Energy Act, and implementing directives.

Submit, by August 7, 2000, 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. 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 about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 E6, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 31st day of May 2000.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 00-14192 Filed 6-5-00; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-266 and 50-301]

Wisconsin Electric Power Company; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. DPR-24 and DPR-27, issued to Wisconsin Electric Power Company (the licensee) for operation of the Point Beach Nuclear Plant, Units 1 and 2, located in Manitowoc County, Wisconsin.

The proposed amendments would eliminate one of the license conditions and associated implementation dates from Appendix C to the licenses. The license condition currently requires the licensee to submit a license amendment application and supporting radiological dose analyses demonstrating compliance with General Design Criterion (GDC) 19 dose limits without reliance on potassium iodide (KI). By letter dated April 7, 2000, the NRC staff concurred with the licensee that the use of KI to reduce operator dose during a radiological emergency was not precluded in the licensing basis for Point Beach, Units 1 and 2.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments will not create a significant increase in the probability or consequences of an accident previously evaluated.

The license condition that is proposed for deletion is an administrative condition related to analyses to demonstrate conformance to 10 CFR 50, GDC 19 dose limits, and the requirements for design and operation of the control room ventilation system as assumed in the analyses. The license condition proposed for deletion is not related to any factor or event that is an initiator of any accident and thus, deletion will not affect the probability of any accident previously evaluated.

The dose analyses and the resultant required changes to the control room ventilation system were based in part on making changes to the licensing basis for the control room ventilation system and analyses. These changes were not solely to demonstrate compliance with GDC 19. The existing analysis of record for control room dose demonstrates that regulatory limits are met with the present design and assumptions. Therefore, deletion of the license condition does not result in a significant increase in the consequences of an accident previously evaluated.

2. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The license condition imposed administrative requirements for analyses of radiological consequences of presently analyzed events. Deletion of the license condition will not result in a change in the operation of any system as presently assumed. Therefore, no new accident initiators can result. Thus, the deletion of the license condition cannot result in a new or different kind of accident from any accident previously evaluated. P≤3. Operation of the Point Beach Nuclear Plant in accordance with the proposed amendments does not create a significant reduction in a margin of safety.

Deletion of the existing license condition will not result in a change in the way the plant is presently designed and operated. Operation will continue in accordance with

presently approved analyses. Therefore, existing approved margins of safety are maintained. Operation in accordance with the proposed amendment does not create a reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By July 6, 2000, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who

wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the

bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, 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 the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to John H. O'Neill, Jr., Shaw, Pittman, Potts, and Trowbridge, 2300 N Street, NW., Washington, DC 20037, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendments dated May 19, 2000, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 1st day of June 2000.

For the Nuclear Regulatory Commission.

Beth A. Wetzel,

Senior Project Manager, Project Directorate III-1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

Public Meeting on 10 CFR Part 70, Integrated Safety Analysis Guidance Document, Standard Review Plan Chapter 11 and Streamlining Licensing Reviews

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting.

SUMMARY: NRC will host a public meeting in Rockville, Maryland. The meeting will provide an opportunity for discussion of: (1) The Draft Integrated Safety Analysis guidance document prepared by the industry; and (2) Chapter 11, Management Measures, in the Standard Review Plan (SRP) for fuel cycle facilities (NUREG-1520) that was made available during April 2000.

The revised SRP can be reviewed on the internet at the following website: http://techconf.llnl.gov/cgi-bin/downloader/Part_70_lib/073-0098.htm. At the end of the SRP discussion, a program developed by the Fuel Cycle staff to streamline licensing reviews and actions will be discussed.

Purpose

This meeting will provide an opportunity to discuss: (1) The Draft Integrated Safety Analysis guidance

document prepared by the industry; and (2) Chapter 11, Management Measures, in the Standard Review Plan (SRP) for fuel cycle facilities (NUREG-1520) that was made available during April 2000. At the end of the SRP discussion, a program developed by the Fuel Cycle staff to streamline licensing reviews and actions will be presented.

DATES: The meeting is scheduled for Thursday, June 8, 2000, from 9:30-4 and Friday, June 9, 2000, from 9-4. The discussion of the Draft Integrated Safety Analysis guidance document is scheduled for June 8 from 9:30-11:30 followed by the SRP Chapter 11 discussion from 1-4, and continuing on the morning of June 9, 2000, if needed. This meeting is open to the public.

ADDRESSES: The meeting will be held in the Atomic Safety Licensing Board Hearing Room at Two White Flint North, Room T-3-B-45, 11545 Rockville Pike, Rockville, Maryland. Visitor parking around the NRC building is limited; however, the meeting site is located adjacent to the White Flint Station on the Metro Red line.

FOR FURTHER INFORMATION CONTACT: Andrew Persinko, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 415-7190, e-mail axp1@nrc.gov.

Dated at Rockville, Maryland this 1st day of June 2000.

For the Nuclear Regulatory Commission.

Theodore S. Sherr,

Chief, Licensing and International Safeguards Branch, Division of Fuel Cycle Safety and Safeguards, NMSS.

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NUCLEAR WASTE TECHNICAL REVIEW BOARD

Panel Meeting: July 10, 2000—Idaho Falls, Idaho: Discussions of Technical Issues Related to Managing and Transporting Spent Nuclear Fuel and High-Level Radioactive Waste; Presentations on Human Factors Involved in Transporting the Waste and Manufacturing Waste Casks; Update on Transportation Modal Study

Pursuant to its authority under section 5051 of Public Law 100-203, Nuclear Waste Policy Amendments Act of 1987, on Monday, July 10, 2000, the Nuclear Waste Technical Review Board's (Board) Panel on the Waste Management System will meet in Idaho Falls, Idaho, to discuss technical issues related to managing spent nuclear fuel

and high-level radioactive waste, including human factors involved in transporting such waste. The Board is charged by Congress with reviewing the technical and scientific aspects of the Department of Energy's (DOE) civilian radioactive waste management program, including disposing of, packaging, and transporting the waste.

The panel meeting will be held at the Shilo Inn, 780 Lindsay Blvd., Idaho Falls, Idaho 83402-1822. The telephone number is (208) 523-0088; the fax number is (208) 522-7420. The meeting will start at 8 a.m. and will be open to the public.

An overview on transportation protocols by the DOE's Office of Civilian Radioactive Waste Management will begin the meeting. This discussion will be followed by updates on a transportation modal study by a representative of the Nuclear Regulatory Commission and on naval spent fuel disposal and transportation by a representative of the Naval Nuclear Propulsion Program. A representative of the Association of American Railroads (AAR) and a manufacturer of nuclear waste casks will then discuss human factors related to railroad operations and cask manufacturing. Next will be a presentation on performance specifications for transportation of spent fuel by another representative of the AAR. In midafternoon, the Panel will hear from state, local, and Tribal representatives on their views of technical issues related to transporting and managing spent nuclear fuel and high-level radioactive waste.

Time will be set aside at the end of the day for public comments. Those wanting to speak are encouraged to sign the "Public Comment Register" at the check-in table. A time limit may have to be set on individual remarks, but written comments of any length may be submitted for the record. Interested parties also will have the opportunity to submit questions in writing to the Board. As time permits, the questions will be answered by one or more Board members during the meeting.

A detailed agenda will be available approximately one week before the meeting. Copies of the agenda can be requested by telephone or obtained from the Board's Web site at www.nwtrb.gov. Transcripts of the meeting will be available on the Board's Web site, via e-mail, on computer disk, and on a library-loan basis in paper format from Davonya Barnes of the Board staff, beginning on August 7, 2000.

A block of rooms has been reserved at the Shilo Inn. When making a reservation, please state that you are attending the Nuclear Waste Technical