

**Description of Permit and Modification**

1. On September 15, 1999, the National Science Foundation issued a permit (ACA #2000-004) to Dr. Paul J. Ponganis after posting a notice in the August 17, 1999 **Federal Register**. Public comments were not received. A request to modify the permit was posted in the **Federal Register** on October 20, 2000. No public comments were received. The modification, issued by the Foundation on November 1, 2000, allows for entry into the Cape Crozier Antarctic Specially Protected Area No. 124 for the purpose of conducting a census on the newly hatched Emperor penguin chicks.

*Location:* ASPA 124—Cape Crozier, Ross Island.

*Dates:* November 15, 2000 to February 28, 2002.

**Nadene G. Kennedy,**  
*Permit Officer.*

[FR Doc. 00-30747 Filed 12-1-00; 8:45 am]

**BILLING CODE 7555-01-M**

**NUCLEAR REGULATORY COMMISSION****Agency Information Collection Activities: Proposed Collection; Comment Request**

**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: State Agreements Program, as authorized by Section 274(b) of the Atomic Energy Act.
2. Current OMB approval number: 3150-0029.
3. How often the collection is required: One time or as needed.
4. Who is required or asked to report: Thirty-two Agreement States who have signed Section 274(b) Agreements with NRC.
5. The number of annual respondents: 32.
6. The number of hours needed annually to complete the requirement or request: 1005.
7. Abstract: Agreement States are asked on a one-time or as-needed basis, *e.g.*, to respond to a specific incident, to gather information on licensing and inspection practices and other technical statistical information. The results of such information requests, which are authorized under Section 274(b) of the Atomic Energy Act, are utilized in part by NRC in preparing responses to

Congressional inquiries. Agreement State comments are also solicited in the areas of proposed procedure and policy development.

Submit, by February 2, 2001, 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, One White Flint North, 11555 Rockville Pike, Room O-1F23, Rockville, MD 20852. 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](mailto:BJS1@NRC.GOV).

Dated at Rockville, Maryland, this 28th day of November, 2000.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 00-30787 Filed 12-1-00; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-146]**

**GPU Nuclear, Inc. and Saxton Nuclear Experimental Corporation; Saxton Facility; Notice of Consideration of Approval of Application Regarding Proposed Merger and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the indirect transfer of Facility Amended License No. DPR-4 for the Saxton Facility, held by Saxton Nuclear Experimental Corporation (SNEC) and GPU Nuclear, Inc. (GPUN). The indirect

transfer would be to FirstEnergy Corp. (FE), headquartered in Akron, Ohio.

According to a September 26, 2000, application submitted by FE and GPUN, as supplemented by letters dated September 27, November 9, and November 14, 2000, GPU, Inc., the corporate parent of SNEC and GPUN, is planning to be merged with and into FE. FE will remain as the surviving corporation in this transaction. Upon consummating the merger, FE will become a registered holding company under the Public Utility Holding Company Act of 1935, and SNEC and GPUN, currently direct or indirect subsidiaries of GPU, Inc., will become direct or indirect subsidiaries of FE.

No physical changes to the Saxton Facility or operational changes are being proposed in the application. SNEC, the licensed owner of the facility, will continue to be so following the merger, and GPUN, currently the licensee authorized to decommission the facility, will continue to maintain that status after the merger. No direct transfer of the license will result from the planned merger.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the indirect transfer of a license, if the Commission determines that the underlying transaction that will effectuate the indirect transfer will not affect the qualifications of the holders of the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By December 26, 2000, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicants, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306,

and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)–(2).

Requests for a hearing and petitions for leave to intervene should be served upon counsel for FE, Roy P. Lessey, Esq., Akin, Gump, Strauss, Hauer, & Feld, L.L.P., 1333 New Hampshire Ave., NW., Suite 400, Washington, DC 20036, (202) 887-4500, (202) 887-4288 (fax), e-mail: [rllessy@akingump.com](mailto:rllessy@akingump.com); and Mary O'Reilly, Esq., FirstEnergy Corp., 76 South Main Street, Akron, OH 44308, (330) 384-5224, (330) 384-3875 (fax), e-mail: [meoreilly@firstenergycorp.com](mailto:meoreilly@firstenergycorp.com); counsel for GPUN, David R. Lewis, Esq., Shaw Pittman, 2300 N Street, NW., Washington, DC 20037-1128, (202) 663-8474, (202) 663-8007 (fax), e-mail: [david.lewis@shawpittman.com](mailto:david.lewis@shawpittman.com); and Michael J. Connolly, Esq., Vice President—Law, GPU Service, Inc., 300 Madison Avenue, Morristown, NJ 07962, (973) 455-8245, (973) 993-4801 (fax), e-mail: [mconnolly@gpu.com](mailto:mconnolly@gpu.com); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: [ogclt@nrc.gov](mailto:ogclt@nrc.gov); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by January 3, 2001, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the license transfer application dated September 26, 2000, and supplements dated September 27, November 9, and November 14, 2000, available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 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 22nd day of November 2000.

For the Nuclear Regulatory Commission.

**John L. Minns,**

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

[FR Doc. 00-30786 Filed 12-1-00; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-423]**

### **Northeast Nuclear Energy Company, et al.; Notice of Issuance of Amendment to Facility Operating License and Final Determination of No Significant Hazards Consideration**

The U.S. Nuclear Regulatory Commission (Commission) has issued Amendment No. 189 to Facility Operating License No. NPF-49, issued to Northeast Nuclear Energy Company (NNECO), which revised the Technical Specifications (TSs) for operation of the Millstone Nuclear Power Station, Unit No. 3 located in New London, Connecticut. The amendment was effective as of the date of its issuance.

The amendment modifies License No. NPF-49 for the Millstone Nuclear Power Station, Unit No. 3 (MNPS3) by revising TSs 1.40, "Spent Fuel Pool Storage Pattern"; 1.41, "3-OUT-OF-4 AND 4-OUT-OF-4"; 3/4.9.1.2, "Boron Concentration"; 3/4.9.7, "Crane Travel-Spent Fuel Storage Areas"; 3/4.9.13, "Spent Fuel Pool-Reactivity"; 3.9.14, "Spent Fuel Pool-Storage Pattern"; 5.6.1.1, "Design Features—Criticality"; and 5.6.3, "Design Features—Capacity." In addition, the amendment revises INDEX pages xii and xv for new figures and page numbers and replaces Figures 3.9-1 and 3.9-2 with four new figures and makes changes to the TS Bases consistent with changes to their respective TS sections. These changes are being made to support the increase in the capacity of the spent fuel pool at

MNPS3 from 756 assemblies to 1,860 assemblies.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment.

Notice of Consideration of Issuance of Amendment and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing in connection with this action was published in the **Federal Register** on September 7, 1999 (64 FR 48672). A request for a hearing was filed on October 6, 1999, by the Connecticut Coalition Against Millstone (CCAM) and the Long Island Coalition Against Millstone (CAM). As a result of the request, the Atomic Safety and Licensing Board (ASLB) held hearings on July 19, 2000. The ASLB, reaching a conclusion on the contentions brought before it, issued its Memorandum and Order on October 26, 2000. Having reached a conclusion, the ASLB ordered the hearing terminated. However, the proceeding continues, since, on November 13, 2000, CCAM/CAM petitioned the Commission for review of the Memorandum and Order.

Under its regulations, the Commission may issue and make an amendment immediately effective, notwithstanding the pendency before it of a request for a hearing from any person, in advance of the holding and completion of any required hearing, where it has determined that no significant hazards consideration is involved.

The Commission has applied the standards of 10 CFR 50.92 and has made a final determination that the amendment involves no significant hazards consideration. The basis for this determination is contained in the Safety Evaluation related to this amendment. Accordingly, as described above, the amendment has been issued and made immediately effective.

The Commission has determined that this amendment satisfies the criteria for 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.

For further details with respect to this action see: (1) The application for an amendment filed by NNECO dated March 19, 1999, as supplemented April 17, May 5, June 16, July 26, and November 21, 2000, (2) Amendment No.