

applicants. In accordance with the determination of the Chairman of May 22, 2001, these sessions will be closed to the public pursuant to (c)(4)(6) and (9)(B) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and, if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682-5532, TDY-TDD 202/682-5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506, or call 202/682-5691.

Dated: June 28, 2001.

**Kathy Plowitz-Worden,**

*Panel Coordinator.*

[FR Doc. 01-16839 Filed 7-3-01; 8:45 am]

**BILLING CODE 7537-01-U**

## **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

### **National Endowment for the Arts**

#### **Leadership Initiatives Advisory Panel**

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), as amended, notice is hereby given that three meetings of the Leadership Initiatives Advisory Panel will be held by teleconference at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, D.C., 20506 as follows:

Presenting Section: from 1:00 p.m. to 4:00 p.m. on Tuesday, July 9, 2001 in Room 703;

Local Arts Agencies Section: from 4:00 p.m. to 4:30 p.m. on Wednesday, July 10, 2001 in Room 726;

Arts Education Section: from 1:00 p.m. to 4:00 p.m. on Wednesday, July 10, 2001 in Room 716.

These meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman

of May 22, 2001, these sessions will be closed to the public pursuant to subsection (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Further information with reference to these meetings can be obtained from Ms. Kathy Plowitz-Worden, Panel Coordinator, National Endowment for the Arts, Washington, D.C., 20506, or call 202/682-5691.

Dated: July 2, 2001.

**Kathy Plowitz-Worden,**

*Panel Coordinator, Panel Operations National Endowment for the Arts.*

[FR Doc. 01-16965 Filed 7-3-01; 8:45 am]

**BILLING CODE 7537-01-P**

## **NATIONAL INDIAN GAMING COMMISSION**

### **Paperwork Reduction Act; Information Collection Activities**

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Notice.

**SUMMARY:** The National Indian Gaming Commission (NIGC), in accordance with the Paperwork Reduction Act of 1995, is submitting to the Office of Management and Budget (OMB) a request to review and extend approval for the information collection activity associated with the payment annual fees by Indian tribes conducting gaming under the Indian Gaming Regulatory Act. The OMB will consider comments from the public on this information collection activity.

**DATES:** Comments regarding the NIGC's evaluation of the information collection activity and its request to OMB to extend approval for the information collection must be received by August 1, 2001. When providing comment, a respondent should specify the particular collection activity to which the comment pertains.

**ADDRESSES:** *Send comments to:* Office of Information and Regulatory Affairs (Attn: Desk Officer for the National Indian Gaming Commission), Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503. The NIGC regulation to which the information collection pertains is available on the NIGC website, [www.nigc.gov](http://www.nigc.gov). The regulation is also available by written request to the NIGC (Attn: Ms. Cindy Altimus), 1441 L Street, NW., Suite 9100, Washington, DC 20005, or by telephone request at (202) 632-7003. This is not a toll-free number. All other requests for information should be submitted to Ms.

Altimus at the above address for the NIGC.

**SUPPLEMENTARY INFORMATION:** *Title:* Annual Fees Payable by Indian Gaming Operations. *OMB Number:* 3141-0007. *Abstract:* The Indian Gaming Regulatory Act, 25 U.S.C. 2701 *et seq.*, authorizes the NIGC to establish a schedule of fees to be paid to the NIGC by each gaming operation under the jurisdiction of the NIGC. Fees are computed using rates set by the NIGC and the assessable gross revenues of each gaming operation. The total of all fees assessed annually cannot exceed \$8,000,000. Under its implementing regulation for the fee payment program, 25 CFR part 514, the NIGC relies on a quarterly statement of gross gaming revenues provided by each gaming operation that is subject to the fee requirement. The required information is needed for the NIGC to both set and adjust fee rates and to support the computation of fees paid by each gaming operation. *Respondents:* Indian tribal gaming operations. *Estimated Number of Respondents:* 320. *Estimated Annual Responses:* 1280. *Estimated Annual Burden Hours per Respondent:* 8. *Estimated Total Annual Burden on Respondents:* 2,560 hours.

**Jacqueline Agtuca,**

*Chief of Staff.*

[FR Doc. 01-16764 Filed 7-3-01; 8:45 am]

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-390-CivP; 50-327-CivP; 50-328-CivP; 50-259-CivP; 50-260-CivP; 50-296-CivP; ASLBP No. 01-791-01-CivP EA 99-234]**

### **Atomic Safety and Licensing Board; Tennessee Valley Authority (Watts Bar Nuclear Plant, Unit 1; Sequoyah Nuclear Plant, Units 1 & 2; Browns Ferry Nuclear Plant, Units 1, 2 & 3); Notice of Hearing**

June 28, 2001.

Before Administrative Judges: Charles Bechhoefer, Chairman, Dr. Richard F. Cole, Ann Marshall Young

This proceeding involves a proposed civil penalty of \$110,000, sought to be imposed by the NRC Staff on the Tennessee Valley Authority (TVA or Licensee) for an alleged violation of NRC's employee-protection requirements set forth in 10 C.F.R. 50.7, based upon the asserted discrimination against a former employee for engaging in protected activities. In response to an Order Imposing Civil Monetary Penalty, published at 66 FR 27166 (May 16,

2001), TVA on June 1, 2001, filed a timely request for a hearing. On June 26, 2001, an Atomic Safety and Licensing Board, consisting of Dr. Richard F. Cole, Ann Marshall Young, and Charles Bechhoefer, who serves as Chairman, was established to preside over this proceeding.

Notice is hereby given that, by Memorandum and Order dated June 28, 2001, the Atomic Safety and Licensing Board has granted the request for a hearing submitted by TVA. This proceeding will be conducted under the Commission's hearing procedures set forth in 10 C.F.R. Part 2, Subparts B and G. Parties to this proceeding are TVA and the NRC Staff. The issues to be considered, as set forth in the Order Imposing Civil Monetary Penalty, are (a) whether the Licensee violated the Commission's requirements, as set forth in the Notice of Violation and Proposed Imposition of Civil Penalty, dated February 7, 2001; and, if so, (b) whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

Documents related to this proceeding, issued prior to December 1, 1999, are available in microfiche form (with print form available on one-day recall) for public inspection at the Commission's Public Document Room (PDR), Room 0-1 F21, NRC One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. Documents issued subsequent to November 1, 1999 are available electronically through the Agencywide Documents Access and Management System (ADAMS), with access to the public through NRC's Internet Web site (Public Electronic Reading Room Link, <<http://www.nrc.gov/NRC/ADAMS/index.html>>). The PDR and many public libraries have terminals for public access to the Internet.

During the course of this proceeding, the Licensing Board may conduct one or more prehearing conferences and evidentiary hearing sessions. The time and place of these sessions will be announced in Licensing Board Orders. Except as limited by the parameters of telephone conferences (which are in any event to be transcribed), members of the public are invited to attend any such sessions.

Dated: Rockville, Maryland, June 28, 2001.  
For the Atomic Safety and Licensing Board.  
**Charles Bechhoefer,**  
*Chairman, Administrative Judge.*

[FR Doc. 01-16774 Filed 7-3-01; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket 72-40]

### Duke Energy Corporation, Oconee Nuclear Site; Issuance of Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering issuance of an exemption, pursuant to 10 CFR 72.7, from the provisions of 10 CFR 72.212(a)(2) and 72.214 to Duke Energy Corporation (Duke). The requested exemption would allow Duke to store Babcock and Wilcox (B&W) 15x15 spent nuclear fuel assemblies with a nominal width of 8.536 inches in the NUHOMS<sup>®</sup>-24P storage system at the Oconee Nuclear Site Independent Spent Fuel Storage Installation (ISFSI).

#### Environmental Assessment (EA)

*Identification of Proposed Action:* By letter dated June 8, 2001, Duke requested an exemption from the requirements of 10 CFR 72.212(a)(2) and 72.214 to permit storage of B&W 15x15 spent nuclear fuel assemblies with a nominal width of 8.536 inches in the NUHOMS<sup>®</sup>-24P storage system at the Oconee Nuclear Site ISFSI. Duke is a general licensee, authorized by NRC to use spent fuel storage casks approved under 10 CFR Part 72, Subpart K. Furthermore, Duke is currently using the NUHOMS<sup>®</sup>-24P storage system design approved by NRC under Certificate of Compliance (CoC) No. 1004 to store spent fuel at the ISFSI.

By exempting Duke from both 10 CFR 72.214 and 72.212(a)(2), Duke will be authorized to use its general license to store B&W 15x15 spent nuclear fuel assemblies with nominal widths of 8.536 inches in casks approved under Part 72, as exempted. The proposed action before the Commission is whether to grant these exemptions under 10 CFR 72.7.

The ISFSI is located 30 miles west of Greenville, South Carolina, on the Oconee Nuclear Power Plant site. The Oconee Nuclear Site ISFSI is an existing facility constructed for interim dry storage of spent nuclear fuel.

On June 8, 2001, Transnuclear West Inc. (TN West), the certificate holder, submitted a revised amendment request for CoC No. 1004 to correct the fuel specification tables; Tables 1-1a and 1-1b of the Technical Specifications (TS) for the Standardized NUHOMS<sup>®</sup> storage system. The NRC staff will address the proposed changes to the CoC in conjunction with its ongoing review of the amendment request previously

submitted by TN West on February 23, 2001. However, the staff's review and final action on that pending amendment request will not be completed on a schedule consistent with Duke's stated need for the Oconee Nuclear Site; thus Duke has requested that an exemption be granted by July 9, 2001.

The proposed change would revise Amendment 2 to CoC No. 1004, which became effective on September 5, 2000. Amendment 2 changed the title of one of the parameters in the fuel specification table, (Table 1-1a of the Technical Specifications), from "Nominal Cross-Sectional Envelope" to "Maximum Assembly Width (unirradiated)." The staff has reviewed the technical and safety bases supporting the approval of Amendment 2 and has determined that the maximum fuel assembly widths are not critical values affecting the basis for the safety analysis. The original certificate and Amendment 1 to CoC No. 1004 approved by the NRC both specified the "nominal" fuel assembly width in the fuel specification table, and the design of the B&W 15x15 fuel has not been altered with respect to that dimension. Amendment 2 approved the storage of higher burnup fuel and burnable poison rod assemblies in the NUHOMS<sup>®</sup>-24P system, and the fuel specification tables were revised to reflect those changes; however, those changes did not involve any change to the "nominal" fuel assembly width previously accepted by the staff. The NRC staff has reviewed the exemption request and has determined that storing B&W 15x15 spent fuel assemblies with a nominal width of 8.536 inches in the NUHOMS<sup>®</sup>-24P storage system at the Oconee ISFSI is consistent with the design basis and would not be inimical to public health and safety.

*Need for the Proposed Action:* Duke has an imminent need to reduce the inventory of spent nuclear fuel assemblies in the spent fuel pool at the Oconee Nuclear Site prior to upcoming refueling activities that require empty fuel pool storage locations. Furthermore, Duke must load additional B&W 15x15 spent fuel assemblies in the Oconee ISFSI to accommodate those planned and potential refueling activities scheduled for late 2001 that require empty spent fuel pool storage locations. Because the 10 CFR Part 72 rulemaking to amend the CoC will not be completed prior to the date that Duke needs to begin loading the NUHOMS<sup>®</sup>-24P with additional B&W 15x15 spent fuel assemblies, the NRC is granting this exemption based on the staff's review of information submitted by Duke and TN West.