reactor or to load fuel into the reactor vessel.

2.0 Request/Action

Section 140.11(a)(4), Part 140 Title 10 of the Code of Federal Regulations (10 CFR) requires a reactor with a rated capacity of 100,000 electrical kilowatts or more to maintain liability insurance of $200 million and to participate in a secondary insurance pool.

EGC requested to be exempted from participation in the secondary insurance pool based on the permanently defueled status of DNPS, Unit 1. Subpart, Part 140.11(a)(4), applies to applicants for and holders of licenses issued pursuant to 10 CFR Part 50.

The NRC may grant exemptions from the requirements of 10 CFR Part 140 of the regulations which, pursuant to 10 CFR 140.8, are authorized by law and are otherwise in the public interest. The underlying purpose of Section 140.11 is to provide sufficient liability insurance to ensure funding for claims resulting from a nuclear incident or a precautionary evacuation.

3.0 Discussion

On December 18, 2001, EGC requested an exemption from the financial protection requirement limits of 10 CFR 140.11(a)(4). The exemption would allow EGC to withdraw from participation in the secondary insurance pool based on the permanently defueled status, with all spent fuel removed from the spent fuel pool of DNPS, Unit 1. By letter received on February 13, 2002, the licensee notified the NRC that as of January 15, 2002, the DNPS, Unit 1, spent fuel storage pool no longer contains spent fuel assemblies.

The DNPS, Unit 1, spent fuel assemblies were either relocated to the DNPS, Unit 3, spent fuel pool or were loaded into dry cask storage containers and relocated to the independent spent fuel storage installation (ISFSI).

The financial protection limits of 10 CFR 140.11 were established to require a licensee to maintain sufficient insurance to cover the costs of a nuclear accident at an operating reactor. Those costs were derived from the consequences of a release of radioactive material from the reactor. In a permanently shutdown and defueled reactor facility, the reactor will never again be operated, thus eliminating the possibility of accidents involving the reactor. Because DNPS, Unit 1, no longer contributes as great a risk as does an operating reactor plant, this reduction in risk should be reflected in the indemnification requirements to which the licensee is subject. The NRC staff examined the licensee's rationale to support the exemption request and concluded that the exemption only involves changes to indemnity insurance.

The NRC staff concluded, based on an environmental assessment, that no changes are being made in the types of effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

SECY 96–256, ''Changes to the Financial Protection Requirements for Permanently Shutdown Nuclear Power Reactors, 10 CFR 50.54(w) and 10 CFR 140.11,'' dated January 17, 1997, states that, in a staff requirements memorandum dated July 13, 1993, the Commission approved staff recommendations to allow licensees that have permanently shut down to withdraw from secondary financial protection. SECY 96–256, also addressed a petition, PRM–50–57, requesting that the requirement for offsite primary and secondary liability coverages required under 10 CFR 140.11(a)(4) be reduced or, preferably, eliminated for shutdown reactors when no nuclear fuel is on the reactor site.

SECY 96–256 defines several configurations for permanently shutdown reactors. A reactor in configuration 3 is a reactor that is permanently shutdown with no spent fuel either in the reactor or the spent fuel pool. This configuration also includes the fact that all spent fuel has been removed to an offsite or onsite dry storage ISFSI and that the remaining radioactive inventory depends on the decommissioning status and includes liquid radwaste, activated reactor components, and contaminated structural materials.

EGC requested elimination of the secondary insurance liability. However, the primary offsite liability insurance coverage requirement of 10 CFR 140.11(a)(4) will remain unchanged. The NRC staff determined that the offsite cleanup costs of an accident considered to be the most costly for a permanently defueled reactor with spent fuel removed from the spent fuel pool would be negligible. Thus, participation in the secondary insurance pool for offsite financial protection should not be required for a facility in that condition.

Based upon SECY 96–256 and the current status of DNPS, Unit 1, the NRC staff concludes that participation in the secondary insurance pool for off site financial protection pursuant to 10 CFR 140.11(a)(4) is not required for a permanently shutdown and defueled plant.

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 140.8, the exemption from the participation in the private liability insurance pool is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Therefore, the Commission hereby grants EGC an exemption from the requirements of 10 CFR 140.11(a)(4) for DNPS, Unit 1.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (67 FR 39446 dated June 7, 2002).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 3rd day of July, 2002.

For the Nuclear Regulatory Commission.

Ledyard B. Marsh,

Acting Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 02–17287 Filed 7–9–02; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

Reinstatement Without Change; Comment Request

Upon written request, copies available from:
Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Reinstatement without Change
Form N–8b–4, SEC File No. 270–180, OMB Control No. 3235–0247

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) (''PRA''), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for reinstatement without change and approval.

Form N–8b–4—Registration Statement of Face-Amount Certificate Companies

Form N–8b–4 is the form used by face-amount certificate companies to comply with the filing and disclosure requirements imposed by section 8(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–8(b)). Form N–8b–4

requires disclosure about the organization of a face-amount certificate company, its business and policies, its investment in securities, its certificates issued, the personnel and affiliated persons of the depositor, the distribution and redemption of securities, and financial statements. The Commission uses the information provided in the collection of information to determine compliance with section 8(b) of the Investment Company Act of 1940.

Based on the Commission's industry statistics, the Commission estimates that there would be approximately 1 annual filing on Form N–8b–4. The Commission estimates that each registrant filing a Form N–8b–4 would spend 171 hours in preparing and filing the Form and that the total hour burden for all Form N–8b–4 filings would be 171 hours. Estimates of the burden hours are made solely for the purposes of the PRA, and are not derived from a comprehensive or even a representative survey or study of the costs of SEC rules and forms.

The information provided on Form N–8b–4 is mandatory. The information provided on Form N–8b–4 will not be kept confidential. The Commission 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.

Written comments are invited on: (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (ii) the accuracy of the agency's estimate of the burden of the collection of information; (iii) ways to enhance the quality, utility, and clarity of the information collected; and (iv) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: June 28, 2002.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 02–17247 Filed 7–9–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon written request, copies available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension

Rule 17f–2(d) SEC File No. 270–36 OMB Control No. 3235–0028

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 17f–2(d) was adopted on March 16, 1976, and was last amended on November 18, 1982. Paragraph (d) of the rule (i) requires that records produced pursuant to the fingerprinting requirements of section 17(f)(2) of the Securities Exchange Act of 1934 (''Exchange Act'') be maintained, (ii) permits the designating examining authorities of broker-dealers or members of exchanges, under certain circumstances, to store and to maintain records required to be kept by this rule, and (iii) permits the required records to be maintained on microfilm.

The general purposes for Rule 17f–2 are: (i) To identify security risk personnel; (ii) to provide criminal record information so that employers can make fully informed employment decisions; and (iii) to deter persons with criminal records from seeking employment or association with covered entities.

Retention of fingerprint records, as required under paragraph (d) of the rule, enables the Commission or other examining authority to ascertain whether all required persons are being fingerprinted and whether proper procedures regarding fingerprint are being followed. Retention of these records for the term of employment of all personnel plus three years ensures that law enforcement officials will have easy access to fingerprint cards on a timely basis. This in turn acts as an effective deterrent to employee misconduct.

Approximately 9,468 respondents are subject to the recordkeeping requirements of the rule. Each respondent keeps approximately 32 new records per year, which takes approximately 2 minutes per record for the respondent to maintain, for an annual burden of 64 minutes per respondent. All records subject to the rule must be retained for the term of employment plus 3 years. The Commission estimates that the total annual cost to submitting entities is approximately $196,850. This figure reflects estimated costs of labor and storage of records.

Written comments are invited on: (i) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (ii) the accuracy of the agency's estimate of the burden of the collection of information; (iii) ways to enhance the quality, utility, and clarity of the information collected; and (iv) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549.

Dated: June 28, 2002.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 02–17248 Filed 7–9–02; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–15587]

Issuer Delisting: Notice of Application To Withdrawal From Listing and Registration on the American Stock Exchange LLC (Med Diversified, Inc., Common Stock, $.001 par value)

July 3, 2002.

Med Diversified, Inc., a Nevada Corporation (''Issuer''), has filed an application with the Securities and Exchange Commission (''Commission''), pursuant to section 12(d) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 12d2–2(d) thereunder,[2] to withdraw its Common Stock, $.001 par value (''Security''), from listing and registration on the American Stock Exchange LLC (''Amex'' or ''Exchange'').

[1] 15 U.S.C. 78*l*(d).

[2] 17 CFR 240.12d2–2(d).