

Power Station consists of two pressurized-water reactors and an ISFSI located in Surry County in the Commonwealth of Virginia.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR), § 40.64(b) requires that each licensee authorized to possess at any one time and location more than 1,000 kilograms of uranium or thorium, or any combination of uranium or thorium, shall submit to the NRC within 30 days after September 30 of each year a statement of its foreign origin source material inventory. This statement is to be submitted to the address specified in the reporting instructions and include the Reporting Identification Symbol assigned by the NRC to the licensee.

The licensee, in its submittal dated November 5, 2001, proposed an exemption from 10 CFR 40.64(b) to allow for the reporting of foreign origin source material inventory to be made in conjunction with their material status reporting. By letter dated December 29, 2000, the staff approved of the licensee's request to submit the material status reports as of June 30 and December 31 of each year and to file these reports within 30 days after the end of the reporting period. This proposed exemption would allow for the annual statement of foreign origin source material inventory to be submitted once each year concurrently with a material status report. The licensee is proposing this reporting schedular change to avoid diverting personnel resources from refueling activities and post-refueling accountability to the preparation of foreign origin source material inventory reports.

3.0 Discussion

Pursuant to 10 CFR 40.14(a), the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 40 when the exemptions are authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest.

The staff has determined that an exemption would be required to approve of the use of the alternate reporting dates for the foreign origin source material inventory. The staff examined the licensee's rationale to support the exemption request and concluded that the alternate dates would meet the underlying purpose of 10 CFR part 40. An alternative reporting date for the foreign origin source material inventory does not present any risk to the public health and safety. In addition, this exemption will not

change the physical inventory of uranium or thorium or any combination of uranium or thorium at the plant, nor will this exemption change the amount or form of data required to be submitted to the staff by 10 CFR 40.64(b). The annual accounting and subsequent statement of foreign origin source material inventory will still be performed and the criteria for performing this accounting will not be affected.

The staff has examined the licensee's rationale to support the exemption request and concludes that the exemption meets the criteria of 10 CFR 40.14(a) and is appropriate and does not reduce the overall effectiveness of the licensee's foreign origin source material tracking program or the information required for submittal in accordance with 10 CFR 40.64(b).

4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 40.14(a), the exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Therefore, the Commission hereby grants the licensee an exemption from the requirements of 10 CFR 40.64(b), for North Anna and Surry Power Stations, Units 1 and 2, and their respective ISFSIs.

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 58437).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 16th day of September, 2002.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

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

[FR Doc. 02-23947 Filed 9-19-02; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Extension of Public Comment Period Environmental Impact Statement for the Mixed Oxide Fuel Fabrication Facility

AGENCY: Nuclear Regulatory Commission.

ACTION: Extension of comment period.

SUMMARY: On April 24, 2002, the U.S. Nuclear Regulatory Commission (NRC) published a Notice of Delay in Issuance of the Draft and Final Environmental

Impact Statements for the Mixed Oxide (MOX) Fuel Fabrication Facility (see 67 FR 20183, dated April 24, 2002, for more details). The public was asked to submit comments on or before August 30, 2002, on:

(1) How the immobilization of surplus plutonium as a No Action Alternative should be discussed in the Draft Environmental Impact Statement (DEIS), since the Department of Energy (DOE) has canceled plans to build the Plutonium Immobilization Plant.

(2) Whether there are additional reasonable alternatives not identified during scoping that should be considered in the DEIS, in light of the changes described above. As discussed in the Scoping Summary Report, NRC is considering the environmental impacts of the proposed action (construction and operation of the proposed MOX fuel fabrication facility), continued storage of surplus plutonium at existing DOE sites, and immobilization of surplus plutonium. If the immobilization alternative is not considered, then the DEIS would only evaluate the proposed action and one No Action Alternative.

On August 22, 2002, the NRC announced three mid-September public meetings to discuss changes in the applicant's Environmental Report that resulted from changes in DOE's plans (see 67 FR 54501, dated August 22, 2002, for more details). In that notice, the staff indicated that it will also accept comments on the questions included in the April 24, 2002 **Federal Register** Notice. Consistent with this decision, the NRC is extending the August 30, 2002, deadline to submit responses to the above questions to September 30, 2002.

DATES: The comment period is extended to September 30, 2002.

ADDRESSES: Submit written comments to: Michael T. Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Comments will also be accepted by e-mail. Interested parties may e-mail their comments to teh@nrc.gov. Comments will be accepted by fax at (301) 415-5398, Attention: Tim Harris.

AVAILABILITY OF DOCUMENTS FOR REVIEW: Information and documents associated with the MOX project are available for public review through: <http://www.nrc.gov/materials/fuel-cycle-fac/mox/licensing.html>. Documents may also be obtained from NRC's Public Document Room at U.S. Nuclear Regulatory Commission, Public

Document Room, Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: For general or technical information associated with the proposed MOX facility, please contact: Tim Johnson at (301) 415-7299, or Drew Persinko at (301) 415-6522. For general information on the NRC NEPA process, please contact: Tim Harris at (301) 415-6613.

Signed in Rockville, MD, this 12th day of September, 2002.

For the Nuclear Regulatory Commission.

Cheryl Trottier,

Chief, Environmental and Performance Assessment Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02-23946 Filed 9-19-02; 8:45 am]

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POSTAL RATE COMMISSION

Plant Tours

AGENCY: Postal Rate Commission.

ACTION: Notice regarding plant tours.

SUMMARY: The anticipated mid-September tour of Chicago-area mailer and United States Postal Service (USPS) facilities by a Postal Rate Commissioner and several staff members, notices at 67 FR 57463, has been indefinitely postponed. A tour of the USPS facility in Merrifield, Virginia, is scheduled for Wednesday, September 18, 2002.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202-789-6818.

DATES: September 11-13, 2002: Chicago-area plant tours—postponed. September 18, 2002: USPS facility in Merrifield, VA.

Steven W. Williams,

Secretary

[FR Doc. 02-23887 Filed 9-19-02; 8:45 am]

BILLING CODE 7710-FW-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) *Collection title:* Annual Earnings Questionnaire for Annuitants in Last

Pre-Retirement Non-Railroad Employment.

(2) *Form(s) submitted:* G-19L.

(3) *OMB Number:* 3220-0179.

(4) *Expiration date of current OMB clearance:* 11/30/2002.

(5) *Type of request:* Revision of a currently approved collection.

(6) *Respondents:* Individuals or households.

(7) *Estimated annual number of respondents:* 1,000.

(8) *Total annual responses:* 1,000.

(9) *Total annual reporting hours:* 250.

(10) *Collection description:* Under Section 2(e)(3) of the Railroad Retirement Act, an annuity is not payable or is reduced for any month in which the beneficiary works for a railroad or earns more than the prescribed amounts. The collection obtains earnings information needed by the Railroad Retirement Board to determine possible reductions in annuities because of earnings.

Additional Information or Comments: Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312-751-3363).

Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

Chuck Mierzwa,

Clearance Officer.

[FR Doc. 02-23979 Filed 9-19-02; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27568]

Filings Under the Public Utility Holding Company Act of 1935, as Amended

September 13, 2002.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by October 8, 2002, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After October 8, 2002, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

Progress Energy, Inc. et al. (70-9659)

Progress Energy, Inc. ("Progress Energy"), a registered holding company, and its indirect wholly-owned nonutility subsidiary, Progress Ventures, Inc. ("Progress Ventures") (together, "Applicants"), both of 410 South Wilmington Street, Raleigh, NC 27602, have filed a post-effective amendment to their application-declaration in this filing under sections 9(a) and 10 of the Act and rule 54 under the Act.

Progress Energy owns, directly or indirectly, all of the issued and outstanding common stock of three public-utility subsidiaries: Carolina Power & Light Company ("CP&L"), which generates, transmits, purchases and sells electricity in parts of North Carolina and South Carolina; Florida Power Corporation ("Florida Power"), which generates, transmits, purchases and sells electricity in parts of Florida; and North Carolina Natural Gas Corporation ("NCNG"), which distributes gas at retail in parts of North Carolina. Collectively, CP&L, Florida Power and NCNG are referred to as the "Utility Subsidiaries." Together, the Utility Subsidiaries provide electric service and natural gas or gas transportation service to approximately 2.9 million wholesale and retail customers in parts of North Carolina, South Carolina and Florida. Progress Ventures is an intermediate nonutility holding company that holds interests in several "exempt wholesale generators" ("EWGs"), as defined in section 32 of the Act, and energy-related companies within the meaning of rule 58 that are engaged in synthetic fuels production.