FOR FURTHER INFORMATION CONTACT: Becky Baker, Secretary of the Board, Telephone: 703–518–6304.

Becky Baker,

Secretary of the Board.

[FR Doc. 02–31701 Filed 12–12–02; 2:16 pm]

BILLING CODE 7535–-01–M

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:* 10 CFR Part 55, ''Operators' Licenses''.

2. *Current OMB approval number:* 3150–0018.

3. *How often the collection is required:* As necessary for NRC to meet its responsibilities to determine the eligibility of applicants for operators' licenses, prepare or review initial operator licensing and requalification examinations, and review applications for and performance of simulation facilities.

4. *Who is required or asked to report:* Holders of and applicants for facility (*i.e.*, nuclear power, research, and test reactor) operating licenses and individual operators' licenses.

5. *The number of annual respondents:* 106.

6. *The number of hours needed annually to complete the requirement or request:* 65,586 (approximately 44,736 hours of reporting burden and approximately 20,850 hours of recordkeeping burden).

7. *Abstract:* 10 CFR Part 55, ''Operators' Licenses,'' of the NRC's regulations, specifies information and data to be provided by applicants and facility licenses so that the NRC may make determinations concerning the licensing and requalification of operators for nuclear reactors, as necessary to promote public health and safety. The reporting and recordkeeping requirements contained in 10 CFR Part 55 are mandatory for the licensees and applicants affected.

Submit, by February 14, 2003, 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–1 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide web site: *http://www.nrc.gov/public-involve/doc-comment/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 *INFOCOLLECTS@NRC.GOV.*

Dated at Rockville, Maryland, this 9th day of December 2002.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 02–31610 Filed 12–13–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–261]

Carolina Power & Light Company; H. B. Robinson Steam Electric Plant, Unit No. 2; Exemption

1.0 Background

Carolina Power & Light Company (CP&L) is the holder of Facility Operating License No. DPR–23, which authorizes operation of the H. B. Robinson Steam Electric Plant, Unit No. 2 (HBRSEP2). The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor located in Darlington County, South Carolina.

2.0 Request/Action

Pursuant to 10 CFR 55.59(c), a facility's licensed operator requalification program must be conducted for a continuous period not to exceed 2 years (24 months) and upon conclusion must be promptly followed, pursuant to a continuous schedule, by successive requalification programs. Each 2-year requalification program must include a comprehensive biennial written examination and annual operating tests.

By letter dated October 11, 2002, CP&L requested a one-time exemption from the schedular requirements of 10 CFR 55.59(c). Specifically, for HBRSEP2, CP&L has requested a one-time extension from December 31, 2002, to March 31, 2003, for completing the licensed operator requalification annual operating test and comprehensive biennial written examination. This requested exemption would allow an extension of 3 months beyond the schedule for completion of the operating test and written examination as required by 10 CFR 55.59(c). CP&L's letter constitutes a request for exemption under 10 CFR 55.11, which states: ''The Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property and are otherwise in the public interest.'' The exemption is being requested for HBRSEP2 due to an unusually high workload associated with a plant refueling outage (RFO21) and a power uprate project, which occurred just prior to the originally scheduled examinations. Due to the refueling outage and power uprate activities, which included modifying the plant-specific simulator and extensive training of personnel on new and modified procedures, development and administration of the written examination and operating test within the required schedule is viewed as a schedule and workload hardship by the licensee.

3.0 Discussion

Pursuant to 10 CFR 55.11, the Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or

property and are otherwise in the public interest.

The Commission has determined that, pursuant to 10 CFR 55.11, granting an exemption to the facility licensee from the schedular requirements in 10 CFR 55.59(c) by allowing HBRSEP2 a one-time extension in the allowed time for completing the licensed operator requalification annual operating test and comprehensive biennial written examination is authorized by law and will not endanger life or property and is otherwise in the public interest. Although the schedular requirements of 10 CFR 55.59(c) at HBRSEP2 will be exceeded, operator performance continues to be satisfactory, as demonstrated both in the plant and during other aspects of operator requalification training. Granting this exemption will allow HBRSEP2 to continue with safe plant operations during the refueling outage, which includes a power uprate project, without undue hardship to plant personnel and HBRSEP2 licensed operators.

4.0 Conclusion

Accordingly, the Commission hereby grants the facility licensee an exemption on a one-time basis from the schedular requirements of 10 CFR 55.59(c) to allow the current HBRSEP2 requalification program to be extended beyond the 24 months, from December 31, 2002, to March 31, 2003. The NRC understands that, following the completion of the operating test and written examination, the next 24-month licensed operator requalification program will begin on April 1, 2003, and continue for a 24-month period.

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 72983).

This exemption is effective upon issuance and expires on March 31, 2003.

Dated at Rockville, Maryland, this 10th day of December, 2002.

For the Nuclear Regulatory Commission.

Bruce A. Boger,

Director, Division of Inspection Program Management, Office of Nuclear Reactor Regulation.

[FR Doc. 02–31608 Filed 12–13–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 040–00017]

Notice of Consideration of Amendment Request for the Dow Chemical Company, Midland, MI and Opportunity for Providing Comments and Requesting a Hearing

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a license amendment to Material License No. STB–527 issued to The Dow Chemical Company (Dow), to authorize decommissioning of its Bay City Site Decommissioning Management Plan (SDMP) site in Bay City, Michigan.

Dow began using thorium metal and compounds in 1956 for the production of magnesium-thorium alloys at a Dow-owned site in Bay City, Michigan. The waste slag from the alloying process was disposed of on Dow property in Bay City. Magnesium-thorium material returned by Dow customers was received at Dow's Midland, MI, site for storage. The decommissioning plan (DP) submitted by Dow to decommission the two (Midland and Bay City) sites was approved by a license amendment on July 19, 1996 (Amendment 6). The Midland site was remediated and removed from the license on March 3, 2000 (Amendment 8). After remediating about 31 acres of the 40 acre contaminated area at the Bay City site, Dow proposed, in March 2001, a different approach and conceptual plan for remediating the remaining nine acres. According to Dow, the reason for the change in the approach is that the decommissioning cost is expected to be too high under the previously approved DP. In August 2001, Dow submitted a Supplement to the previously (1996) approved DP. This Supplement was rejected in September 2001 because it was found to be administratively deficient for a detailed technical review. Dow submitted a revised Supplement on January 31, 2002. On July 19, 2002, Dow submitted Attachment 1 to the January 31, 2002, revised Supplement. An NRC administrative review, documented in a letter to Dow dated August 5, 2002, found the revised Supplement acceptable to begin a technical review.

If the NRC approves the revised Supplement, the approval will be documented in an amendment to NRC License No. STB–527. However, before approving the proposed amendment, the NRC will need to make the findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and either an Environmental Assessment or an Environmental Impact Statement.

II. Opportunity To Provide Comments

The NRC is providing notice to individuals in the vicinity of the site that the NRC is in receipt of a revised Supplement to the DP, and will accept comments concerning this decommissioning proposal and its associated environmental impacts. Comments with respect to this action should be provided in writing within 30 days of this notice and addressed to M. (Sam) Nalluswami, Project Manager, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone: (301) 415–6694, fax number (301) 415–5398, e-mail: *smn@nrc.gov.* Comments received after 30 days will be considered if practicable to do so, but only those comments received on or before the due date can be assured consideration.

III. Opportunity To Request a Hearing

NRC also provides notice that this is a proceeding on an application for an amendment of a license falling within the scope of Subpart L, ''Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings,'' of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Whether or not a person has or intends to provide comments as set out in section II above, pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Rulemakings and Adjudications Staff of the Office of the Secretary, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852–2738, between 7:45 a.m. and 4:15 p.m., Federal workdays; or

2. By mail or telegram, addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Attention: Rulemakings and Adjudications Staff. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing be also transmitted to the