

5532, TTY--TDD 202/682-5429, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from the Office of Communications, National Endowment for the Arts, Washington, DC 20506, at 202/682-5570.

Dated: October 7, 2009.

Kathy Plowitz-Worden,

Panel Coordinator, Office of Guidelines and Panel Operations.

[FR Doc. E9-24521 Filed 10-9-09; 8:45 am]

BILLING CODE 7537-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2009-0233]

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on June 30, 2009.

1. *Type of submission, new, revision, or extension:* Extension.
2. *The title of the information collection:* NRC Form 790, Classification Record.
3. *Current OMB approval number:* 3150-0052.
4. *The form number if applicable:* NRC Form 790.
5. *How often the collection is required:* On occasion.
6. *Who will be required or asked to report:* NRC licensees, contractors, and certificate holders who classify and declassify NRC information.
7. *An estimate of the number of annual responses:* 450.
8. *The estimated number of annual respondents:* 208.
9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 30.
10. *Abstract:* Completion of the NRC Form 790 is a mandatory requirement

for NRC licensees, contractors, and only certificate holder who classifies and declassifies NRC information in accordance with Executive Order 12958 as amended, "Classified National Security Information," the Atomic Energy Act, and implementing directives.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, 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 should be directed to the OMB reviewer listed below by November 12, 2009. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

NRC Desk Officer, Office of Information and Regulatory Affairs (3150-0052), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

The NRC Clearance Officer is Tremaine Donnell, (301) 415-6258.

Dated at Rockville, Maryland, this 2nd day of October 2009.

For the Nuclear Regulatory Commission.

Tremaine Donnell,

NRC Clearance Officer, Office of Information Services.

[FR Doc. E9-24589 Filed 10-9-09; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2009-0434; Docket No. 40-1162]

Notice of Application From Western Nuclear Inc., for Consent to Indirect Change of Control With Respect to Materials License SUA-56, Opportunity To Provide Comments and To Request a Hearing

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Notice of consideration of a request from Western Nuclear Inc., for consent to indirect transfer of control over materials license SUA-56 and the opportunity to request a hearing.

DATES: A request for a hearing must be filed by November 2, 2009.

FOR FURTHER INFORMATION CONTACT: Richard Chang, Project Manager, Special Projects Branch, Division of Waste

Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7188; fax number: (301) 415-5369; e-mail: richard.chang@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The U.S. Nuclear Regulatory Commission (NRC) is considering an application from Western Nuclear Inc., (WNI or licensee), submitted on July 22, 2009, requesting approval of an indirect change of control with respect to its 10 CFR part 40 source materials license SUA-56. WNI's parent company, Phelps Dodge Corporation (PDC) (currently named Freeport-McMoRan Corporation), was previously acquired in a reverse triangular merger by Freeport-McMoRan Copper & Gold, Inc. (Freeport).

On March 19, 2007, Freeport acquired the entire interest in PDC, and Freeport now owns one hundred percent (100%) of PDC. This transaction resulted in the indirect transfer of control of WNI and license SUA-56 from PDC to Freeport. WNI is requesting that the NRC consent to this indirect change of control.

WNI's application states that, as a result of the 2007 transaction, there has been no change to the licensee's operations, and that its key operating personnel and licensed activities have remained the same. WNI has, and will continue to be, the holder of license SUA-56 after the approval of the indirect change of control. WNI will remain technically and financially qualified as the licensee and will continue to fulfill all responsibilities as the licensee.

Pursuant to 10 CFR 40.46, no source material license shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission, after securing full information, finds that the transfer is in accordance with the provisions of the Atomic Energy Act, and gives its consent in writing. An Environmental Assessment (EA) will not be performed for this proposed action because it falls within a class of actions categorically excluded from the requirement to perform an EA pursuant to 10 CFR 51.22(c)(21).

The NRC staff plans to approve the July 22, 2009, application by issuing the necessary order, along with a supporting safety evaluation report.