

For the Nuclear Regulatory Commission.

Arnold E. Levin,

*Acting Designated Senior Official for
Information Resources Management.*

[FR Doc. 97-20185 Filed 7-30-97; 8:45 am]

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**NUCLEAR REGULATORY
COMMISSION**

**Documents Containing Reporting or
Recordkeeping Requirements; Office
of Management and Budget (OMB)
Review**

AGENCY: 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 collection of
information under the provisions of the
Paperwork Reduction Act of 1995 (44
U.S.C. Chapter 35).

1. *Type of submission, new, revision,
or extension:* Revision.

2. *The title of the information
collection:* Proposed Rule, 10 FR Parts
50 and 73, Frequency of Reviews and
Audits for Emergency Preparedness
Programs, Safeguards Contingency Plans
and Security Programs for Nuclear
Power Reactors.

3. *The form number if applicable:* Not
applicable.

4. *How often is the collection
required:* At least once every 2 years for
each program.

5. *Who will be required or asked to
report:* Nuclear power plant licensees.

6. *An estimate of the number of
responses:* Approximately 170 per year.

7. *The estimated number of annual
respondents:* Approximately 73
licensees per year.

8. *An estimate of the number of hours
annually needed to complete the
requirement or request:* A reduction of
approximately of 20,000 hrs annually
(275 hours per licensee).

9. *An indication of whether Section
3504(h), Pub. L. 96-511 applies:*
Applicable.

10. *Abstract:* Currently, the frequency
with which licensees conduct
independent reviews and audits of their
emergency preparedness programs,
safeguards contingency plans, and
security programs is every 12 months.
The proposed amendment would
require that reactor licensees conduct
program reviews and audits in response
to program performance indicators, or
on the occasion of a significant change
in personnel, procedures, equipment, or

facilities, but in no case less frequently
than every 24 months. The potential
savings to some licensees could be as
much as 50 percent of their current
costs.

Submit by September 2, 1997,
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 information
collection be minimized, including the
use of automated collection techniques
or other forms of information
technology?

A copy of the submittal may be
viewed free of charge at the NRC Public
Document Room, 2120 L Street NW,
(lower level), Washington, DC. The
proposed rule indicated in "the title of
the information collection" is or has
been published in the **Federal Register**
within several days of the publication
date of this **Federal Register** notice.

Instruction for accessing the electronic
OMB clearance package for the
rulemaking have been appended to the
electronic rulemaking. Members of the
public may access the electronic OMB
clearance package by following the
directions for electronic access provided
in the preamble to the titled rulemaking.

Comments and questions should be
directed to the OMB reviewer by
September 2, 1997: Edward Michlovich,
Office of Information and Regulatory
Affairs (3150-0002,-0011), NEOB-
10202, Office of Management and
Budget, Washington, DC 20503.

Comments may also be communicated
by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda
Jo. Shelton, (301) 415-7233.

Dated at Bethesda, Maryland, this 24th day
of July, 1997.

For the Nuclear Regulatory Commission.

Arnold E. Levin,

*Acting Designated Senior Official for
Information Resources Management.*

[FR Doc. 97-20186 Filed 7-30-97; 8:45 am]

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**NUCLEAR REGULATORY
COMMISSION**

**Agency Information Collection
Activities: Submission for 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 of
continued approval of information
collection 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.

1. *Type of submission, new, revision,
or extension:* Revision.

2. *The title of the information
collection:* Policy statement on
Cooperation with States at Commercial
Nuclear Power Plants and Other
Production or Utilization Facilities.

3. *Current OMB approval number:*
3150-0163.

4. *How often the collection is
required:* On occasion—when a State
wishes to observe NRC inspections or
perform inspections for NRC.

5. *Who is required or asked to report:*
Those States interested in observing or
performing inspections.

6. *The number of annual respondents:*
Maximum of 50, although not all States
have participated in the program.

7. *The number of hours needed
annually to complete the requirement or
request:* An average estimate of 10 hours
per State or 500 hours if all States
participated in the program.

8. *An indication of whether Section
3507(d), Pub. L. 104-13 applies:* Not
applicable.

9. *Abstract:* States wishing to enter
into an agreement with NRC to observe
or participate in NRC inspections at
nuclear power facilities are requested to
provide certain information to the NRC
to ensure close cooperation and
consistency with the NRC inspection
program as specified by the
Commission's Policy of Cooperation
with States at Commercial Nuclear
Power Plants and Other Nuclear
Production or Utilization Facilities.

A copy of the submittal may be
viewed free of charge at the NRC Public
Document Room, 2120 L Street NW,
(lower level), Washington, DC. Members
of the public who are in the
Washington, DC area can access the
submittal via modem on the Public
Document Room Bulletin Board (NRC's
Advanced Copy Document Library) NRC
subsystem at FedWorld, (703) 321-3339.
Members of the public who are located
outside of the Washington, DC area can
dial FedWorld, 1-800-303-9672, or use
the FedWorld Internet address:

fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at (703) 487-4608. Additional assistance in locating the document is available from the NRC Public Document Room, nationally at 1-800-397-4209, or within the Washington, DC area at (202) 634-3273.

Comments and questions may be directed to the OMB reviewer by September 2, 1997: Edward Michlovich, Office of Information and Regulatory Affairs (3150-0163), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, (301) 415-7233.

Dated at Rockville, Maryland, this 24th day of July, 1997.

For the Nuclear Regulatory Commission.

Arnold E. Levin,

Acting Designated Senior Official for Information Resources Management.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 72-22]

Private Fuel Storage, Limited Liability Company; Notice of Consideration of Issuance of a Materials License for the Storage of Spent Fuel and Notice of Opportunity for a Hearing

The Nuclear Regulatory Commission is considering an application dated June 20, 1997, for a materials license, under the provisions of 10 CFR part 72, from Private Fuel Storage, Limited Liability Company (the applicant or PFS) to possess spent fuel and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation (ISFSI) located on the Skull Valley Goshute Indian Reservation in Skull Valley, Utah. If granted, the license will authorize the applicant to store spent fuel in dry storage cask systems at the ISFSI which the applicant proposes to construct and operate on the Skull Valley Goshute Indian Reservation. Pursuant to the provisions of 10 CFR part 72, the term of the license for the ISFSI would be twenty (20) years.

Prior to issuance of the requested license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the NRC's rules and regulations. The

issuance of the materials license will not be approved until the NRC has reviewed the application and has concluded that approval of the license will not be inimical to the common defense and security and will not constitute an unreasonable risk to public health and safety. The NRC, in accordance with 10 CFR 51.20(b)(9), will complete an environmental impact statement. This action will be the subject of a subsequent notice in the **Federal Register**. Pursuant to 10 CFR 2.105, by September 15, 1997, the applicant may file a request for a hearing; and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the subject materials license in accordance with the provisions of 10 CFR 2.714. If a request for hearing or petition for leave to intervene is filed by the above date, an Atomic Safety and Licensing Board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order. In the event that no request for hearing or petition for leave to intervene is filed by the above date, the NRC may, upon satisfactory completion of all required evaluations, issue the materials license without further prior notice.

A petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order that may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend a petition, without requesting leave of the Board, up to 15 days prior to the holding of the first pre-hearing conference scheduled in the proceeding, but such an amended petition must

satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, Gelman Building, 2120 L Street, NW, Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the NRC by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Mr. William F. Kane, Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards; petitioner's name and telephone number; date petition was mailed; facility name; and publication date and