

## 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 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.

1. Type of submission, new, revision, or extension: Revision.
2. The title of the information collection: 10 CFR 9, Public Records.
3. The form number if applicable: N/A.
4. How often the collection is required: On occasion.
5. Who will be required to report: Individuals requesting access to records under the Freedom of Information or Privacy Acts, or to records that are already publicly available in the NRC Public Document Room.
6. An estimate of the number of responses: 13,656.
7. The estimated number of annual respondents: 13,656.
8. An estimate of the total number of hours needed annually to complete the requirement or request: 3,459.
9. An indication of whether Section 3507(d), Pub. L. 104-13 applies: Not Applicable.

10. Abstract: 10 CFR Part 9 establishes information collection requirements for individuals making requests for records under the Freedom of Information (FOIA) or Privacy Acts (PA). It also contains requests to waive or reduce fees for searching for and reproducing records in response to FOIA requests; and requests for expedited processing of requests. The information required from the public is necessary to identify the records they are requesting; to justify requests for waivers or reductions in searching or copying fees; or to justify expedited processing.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance

requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/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 September 22, 1999. 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. Erik Godwin, Office of Information and Regulatory Affairs (3150-0043), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

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

Dated at Rockville, Maryland, this 16th day of August 1999.

For the Nuclear Regulatory Commission.  
**Brenda Jo Shelton,**  
NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99-21796 Filed 8-20-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293]

### Boston Edison Company; Notice of Withdrawal of Application for Approval of Indirect Transfer of Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Boston Edison Company (BECo) to withdraw its February 3, 1999, application, as supplemented on May 27, 1999, by BECo for approval of the indirect transfer of the Facility Operating License for the Pilgrim Nuclear Power Station (Pilgrim).

The application was seeking approval of the indirect transfer of the Facility Operating License for Pilgrim held by BECo. The indirect transfer would have resulted from the planned formation of a new holding company, NSTAR, of which Commonwealth Energy System and BEC Energy, the parent company of BECo, are to become wholly owned subsidiaries. The approval is no longer needed since BECo sold its interest in Pilgrim to Entergy Nuclear Generation Company on July 13, 1999, and no longer holds the license for Pilgrim.

The Commission had previously issued a Notice of Consideration of Approval of Application Regarding

Proposed Corporate Merger and Opportunity for Hearing published in the **Federal Register** on June 17, 1999 (64 FR 32556). However, by letter dated July 20, 1999, the applicant, through counsel, withdrew the application.

For further details with respect to this action, see the application dated February 3, 1999, as supplemented May 27, 1999, and the applicant's letter dated July 20, 1999, which withdrew the application for approval of the indirect transfer. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Plymouth Public Library, 132 South Street, Plymouth, Massachusetts 02360.

Dated at Rockville, Maryland, this 17th day of August 1999.

For the Nuclear Regulatory Commission.

**Alan B. Wang,**

*Project Manager, Section 2, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-21793 Filed 8-20-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-295 and 50-304]

### Commonwealth Edison Company; Zion Nuclear Power Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of its regulations for Facility Operating License Nos. DPR-39 and DPR-48, issued to Commonwealth Edison Company (ComEd or the licensee) for the Zion Nuclear Power Station (ZNPS) Units 1 and 2, located in Lake County, Illinois.

#### Environmental Assessment

##### Identification of the Proposed Action

The proposed exemption would exempt the ZNPS, because of its permanently shutdown and defueled status, from certain requirements of 10 CFR 50.47(b) regarding onsite and offsite emergency response plans and 10 CFR 50.47(c)(2) to establish plume exposure and ingestion pathway emergency planning zones.

The proposed action is in accordance with the licensee's application for exemption dated April 13, 1999, as

supplemented by letters dated July 8 and July 19, 1999.

#### *The Need for the Proposed Action*

ZNPS was shut down permanently in February 1997. ComEd certified the permanent shutdown on February 13, 1998, and on March 9, 1998, certified that all fuel had been removed from the reactor vessels. In accordance with 10 CFR 50.82(a)(2), upon docketing of the certifications, the facility operating license no longer authorizes ComEd to operate the reactor or to load fuel into the reactor vessel. In this permanently shutdown condition, the facility poses a reduced risk to public health and safety. Because of this reduced risk, certain requirements of 10 CFR 50.47 are no longer required. An exemption is required from portions of 10 CFR 50.47(b) and (c)(2) to allow the licensee to implement a revised defueled station emergency plan (DSEP) that is appropriate for the permanently shutdown and defueled reactor facility.

#### *Environmental Impact of the Proposed Action*

The Commission has completed its evaluation of the proposed action and concludes that the granting of the exemption will not increase the probability or consequences of accidents, 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.

With regard to potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the Commission concludes that there are no significant environmental impacts associated with the proposed action.

#### *Alternatives to the Proposed Action*

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

#### *Alternative Use of Resources*

This action does not involve the use of resources not previously considered in the Final Environmental Statement for the Zion Nuclear Power Station, Units 1 and 2, dated December 1972.

#### *Agencies and Persons Consulted*

In accordance with its stated policy, on August 4, 1999, the staff consulted with the Illinois State official, Mr. Gary Wright, of the Illinois Department of Nuclear Safety (IDNS) regarding the environmental impact of the proposed action. The State official had no comments.

#### **Finding of No Significant Impact**

On the basis of the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated April 13, 1999, as supplemented by letters dated July 8 and July 19, 1999, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, D.C., and at the local public document room located at the Waukegan Public Library, 128 N. County Street, Waukegan, Illinois 60085.

Dated at Rockville, Maryland, this 13th day of August 1999.

For the Nuclear Regulatory Commission.

**Dino C. Scaletti,**

*Project Manager, Decommissioning Section,  
Project Directorate IV & Decommissioning,  
Division of Licensing Project Management,  
Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 070-3073]

### **Finding of No Significant Impact Related to Amendment of Materials License No. SNM-1999, Kerr-McGee Corp., Cushing Refinery Site Cushing, Oklahoma**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing a license amendment to Materials License No. SNM-1999, held by the Kerr-McGee Corporation (Kerr-McGee or the licensee), to authorize remediation of its Cushing Refinery Site

(Cushing site) located in Cushing, Oklahoma.

#### **Summary of Environmental Assessment**

##### *Background*

Kerr-McGee has environmental responsibility for a former refinery site near the city of Cushing, Oklahoma. The refinery opened around 1912 and was purchased by Kerr-McGee in 1956. During the early 1960s, in addition to petroleum processing, Kerr-McGee processed uranium fuel and thorium metal in several buildings onsite under licenses issued by the Atomic Energy Commission (AEC). The uranium fuel and thorium processing area was decommissioned, the property and facilities were released for unrestricted use, and the license was terminated by the AEC. Kerr-McGee continued to operate the refinery until 1972, at which time it was torn down. In May 1990, Kerr-McGee entered into a Consent Order with the Oklahoma State Department of Health (now referred to as the Oklahoma Department of Environmental Quality) (DEQ), addressing the investigation and remediation of the Cushing refinery site. The DEQ Consent Order divided the site work into radiological and non-radiological remediation efforts. The non-radiological remediation is being performed in a manner similar to the Federal Superfund Remedial Investigation/Feasibility Study (RI/FS) process. On April 6, 1993, NRC issued Materials License SNM-1999 to the Kerr-McGee Corporation, for the radiological decommissioning of its Cushing site. This license authorized the licensee to possess radioactive contaminated soil, sludge, sediment, trash, building rubble, and any other contaminated material, at its Cushing site.

##### *Proposed Action*

The licensee has proposed to remediate its Cushing Refinery site. The purpose of this remediation effort is to remove radioactive contamination to levels such that the site can be released for unrestricted use. Kerr-McGee has performed a radiological characterization survey of the site. Those areas found to contain radioactive contamination were designated as radioactive material areas (RMAs). In this action, Kerr-McGee is proposing to collect the radioactive contaminated material that exceeds NRC's Branch Technical Position (BTP) <sup>1</sup> Disposal Option 1 (Option 1), package this

<sup>1</sup> Disposal or Onsite Storage of Thorium or Uranium Waste from Past Operations (46 FR 52061, October 23, 1981).