

See Black's Law Dictionary (7th ed. 1999) at 341 (a "corporation" is "[a]n entity (usu. a business) having authority under law to act as a single person distinct from the shareholders who own it \* \* \*; a group or succession of persons established in accordance with legal rules into a legal or juristic person that has legal personality distinct from the natural persons who make it up [and] exists indefinitely apart from them \* \* \*"). See also Webster's Third New International Dictionary (2002) at 510 (a "corporation" is "a group of persons \* \* \* treated by the law as an individual or unity having rights and liabilities distinct from those of the persons \* \* \* composing it \* \* \*"). Significantly, a number of LLCs in the mining industry are the sort of relatively large and corporately structured entities which Congress had in mind when it enacted Section 110(c). The Secretary believes that the underlying objective Congress identified when it enacted the Coal Act in 1969 and reiterated when it enacted the Mine Act in 1977—to place responsibility for compliance and liability for violations "on those who control or supervise the operation of \* \* \* mines as well as on those who operate them"—will best be advanced if Section 110(c) is interpreted as being applicable to agents of LLCs.

For all of the foregoing reasons, the Secretary believes that the interpretation set forth in this Interpretive Bulletin is permissible under the Mine Act, and that it will advance the Act's objectives in cases involving LLCs by imposing legal liability on those individuals within the LLC who actually make the decisions with regard to safety and health in the mine.<sup>2</sup>

Dated: May 3, 2006.

**David G. Dye,**

*Acting Assistant Secretary for Mine Safety and Health.*

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<sup>2</sup> The Secretary recognizes that Section 110(c) has been held not to apply to agents of partnerships because, by its terms, Section 110(c) applies only to agents of corporations. *Paul Shirel and Donald Guess, employed by Pyro Mining Co.*, 15 FMSHRC 2440 (1993), *aff'd*, 52 F.3d 1123 (D.C. Cir. 1995) (unpublished). That holding has no bearing in this situation, however, because partnerships, unlike LLCs, existed and were a well-known form of business organization when Congress enacted the Mine Act.

The Secretary does not address in this Interpretive Bulletin whether Section 110(c) is applicable to agents of non-traditional business entities other than LLCs. The Secretary will address the applicability of Section 110(c) to the agents of such entities as the question arises.

## NATIONAL SCIENCE FOUNDATION

### National Science Board; Hearing on International Science Partnerships

*Date And Time:* May 11, 2006.

*Place:* George Washington University, Elliott School of International Affairs, 1957 E Street 7th Floor, City View Room, Washington, DC.

*Contact Information:* Please refer to the National Science Board Web site (<http://www.nsf.gov/nsb>) for updated schedule.

NSB Office: Amanda K Slocum, (703) 292-7000.

*Status:* This hearing is open to the public.

#### *Agenda:*

7:30 a.m.–8 a.m.: Registration

8 a.m.–8:10 a.m.: Opening Comments

- Dr. Jon Strauss, Chair, Task Force on International Science

8:10 a.m.–8:20 a.m.: Welcoming Remarks

- Dr. Stephen Joel Trachtenberg, President, George Washington University

8:20 a.m.–8:30 a.m.: Introductions and Overview of Proceedings

- Dr. Michael Crosby, Executive Officer, NSB

8:30 a.m.–9:30 a.m.: Panel I—The Role of Mission Agencies in International Science Partnerships

9:30 a.m.–10:45 a.m.: Panel II—Funding for International Science Partnerships

10:45 a.m.–11 a.m.: Break

11 p.m.–12:15 p.m.: Panel III—The Role of Non-Governmental Organizations in International Science

1:45 p.m.–3:15 p.m.: Panel IV—Policy Perspectives on International Science Partnerships

3:15 p.m.–3:30 p.m.: Summaries of Discussions and Next Steps for the Task Force

**Michael P. Crosby,**

*Executive Officer and NSB Office Director.*

[FR Doc. E6-6940 Filed 5-8-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

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

**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 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 current valid OMB control number.

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

2. *The title of the information collection:* "Generic Customer Satisfaction Surveys and NRC Form 671, Request for Review of a Customer Satisfaction Survey Under Generic Clearance."

3. *The form number if applicable:* NRC Form 671.

4. *How often the collection is required:* On occasion.

5. *Who will be required or asked to report:* Voluntary reporting by the public and NRC licensees.

6. *An estimate of the number of responses:* 1,770.

7. *The estimated number of annual respondents:* 1,770.

8. *An estimate of the number of hours needed annually to complete the requirement or request:* 393 hours. (.222 hours per response).

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

10. *Abstract:* Voluntary customer satisfaction surveys will be used to contact users of NRC services and products to determine their needs, and how the Commission can improve its services and products to better meet those needs. In addition, focus groups will be contacted to discuss questions concerning those services and products. Results from the surveys will give insight into how NRC can make its services and products cost effective, efficient, and responsive to its customer needs. Each survey will be submitted to OMB for its review.

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 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide 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 June 8, 2006. 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. John Asalone, Office of Information and Regulatory Affairs (3150-0014), NEOB-10202, Office of Management and Budget, Washington, DC 20503. Comments can also be e-mailed to

*John\_A.\_Asalone@omb.eop.gov* or submitted by telephone at (202) 395-4650.

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

Dated at Rockville, Maryland, this 3rd day of May, 2006.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E6-6997 Filed 5-8-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-259, 50-260, and 50-296]

### Tennessee Valley Authority; Browns Ferry Nuclear Plant, Units 1, 2, and 3 Notice of Issuance of Renewed Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 for an Additional 20-Year Period

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) has issued Renewed Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 to the Tennessee Valley Authority (the licensee), the operator of the Browns Ferry Nuclear Plant (BFN), Units Nos. 1, 2, and 3 (Unit 1, 2, and 3). Renewed Facility Operating License No. DPR-33 authorizes operation of BFN, Unit 1, by the licensee at reactor core power levels not in excess of 3293 megawatts thermal (1100 megawatts electric), in accordance with the provisions of the BFN renewed license and its Technical Specifications. Renewed Facility Operating License No. DPR-52 authorizes operation of BFN, Unit 2, by the licensee at reactor core power levels not in excess of 3458 megawatts thermal (1155 megawatts electric), in accordance with the provisions of the BFN renewed license and its Technical Specifications. Renewed Facility Operating License No. DPR-68 authorizes operation of BFN, Unit 3, by the licensee at reactor core power levels not in excess of 3458 megawatts thermal (1155 megawatts electric), in accordance with the provisions of the BFN renewed license and its Technical Specifications.

BFN, Units 1, 2, and 3, are located on the north shore of Wheeler Reservoir in Limestone County, Alabama, at

Tennessee River Mile 294. The site is approximately 30 miles west of Huntsville, Alabama; it is also 10 miles northwest of Decatur, Alabama, and 10 miles southwest of Athens, Alabama. The licensee's application for the renewed licenses complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. As required by the Act and the Commission's regulations in 10 CFR Chapter I, the Commission has made appropriate findings, which are set forth in each license. Prior public notice of the action involving the proposed issuance of the renewed licenses and of an opportunity for a hearing regarding the proposed issuance of the renewed licenses was published in the **Federal Register** on March 10, 2004 (69 FR 11460).

For further details with respect to this action, see (1) the Tennessee Valley Authority license renewal application for Browns Ferry Nuclear Plant, Units 1, 2, and 3 dated December 31, 2003, as supplemented by letters dated through April 4, 2006; (2) the Commission's safety evaluation report (NUREG-1843 and Supplement 1), published in April 2006; and (3) the Commission's final environmental impact statement (NUREG-1437, Supplement 21), published in June 2005. These documents are available at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, and can be viewed from the NRC Public Electronic Reading Room at (<http://www.nrc.gov/reading-rm/adams.html>).

Copies of Renewed Facility Operating License Nos. DPR-33, DPR-52, and DPR-68 may be obtained by writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Director, Division of License Renewal. Copies of the BFN, Units 1, 2, and 3, Safety Evaluation Report (NUREG-1843 and Supplement 1) and the Final Environmental Impact Statement (NUREG-1437, Supplement 21) may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, VA 22161-0002 (<http://www.ntis.gov>), 703-605-6000, or the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954 (<http://www.gpoaccess.gov>), 202-512-1800. All orders should clearly identify the NRC publication number and the requester's Government Printing Office deposit account number or a VISA or MasterCard number and expiration date.

Dated at Rockville, Maryland, this 4th day of May 2006.

For the Nuclear Regulatory Commission.

**Pao-Tsin Kuo,**

*Deputy Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-6995 Filed 5-8-06; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-334 and 50-412]

### FirstEnergy Nuclear Operating Company; FirstEnergy Nuclear Generation Corp.; Ohio Edison Company; The Toledo Edison Company; Beaver Valley Power Station, Unit Nos. 1 and 2; Draft Environmental Assessment and Finding of No Significant Impact Related to the Proposed License Amendment To Increase the Maximum Reactor Power Level

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

**ACTION:** Notice of opportunity for public comment.

**SUMMARY:** The NRC has prepared a Draft Environmental Assessment as part of its evaluation of a request by FirstEnergy Nuclear Operating Company (FENOC), *et al.*, for a license amendment to increase the maximum rated thermal power at Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS-1 and 2) from 2689 megawatts-thermal (MWt) to 2900 MWt. This represents a power increase of approximately 8 percent for BVPS-1 and 2. As stated in the NRC staff's position paper dated February 8, 1996, on the Boiling-Water Reactor Extended Power Uprate (EPU) Program, the NRC staff will prepare an environmental impact statement if it believes a power uprate will have a significant impact on the human environment. The NRC staff did not identify any significant impact from the information provided in the licensee's EPU application for BVPS-1 and 2 or from the NRC staff's independent review; therefore, the NRC staff is documenting its environmental review in an environmental assessment (EA). Also, in accordance with the position paper, this Draft Environmental Assessment and Finding of No Significant Impact is being published in the **Federal Register** with a 30-day public comment period.

### Environmental Assessment

#### Plant Site and Environs

The EPU would apply to the facilities at the BVPS-1 and 2 site, located on the south bank of the Ohio River in