

RD-1 respondents: 1,600 respondents × 1 response × 18 burden hours = 28,800 hours/year.

All respondents: 51,400 burden hours hours/year during CY 2002, 2003, and 2004.

Dated: September 18, 2001.

Suzanne H. Plimpton,

NSF Reports Clearance Officer.

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NUCLEAR REGULATORY COMMISSION

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

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).

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

2. *The title of the information collection:* 10 CFR part 63—Disposal of High-Level Radioactive Wastes in a Proposed Geologic Repository at Yucca Mountain, Nevada.

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

4. *How often the collection is required:* One time.

5. *Who will be required or asked to report:* The State of Nevada, local governments, or Indian Tribes, or their representatives, requesting consultation with the NRC staff regarding review of the potential high-level waste geologic repository site, or wishing to participate in a license application review for the potential geologic repository.

6. *An estimate of the number of responses:* 9

7. *The estimated number of annual respondents:* 3

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* An average of 40 hours per response for consultation requests, 80 hours per response for license application review participation proposals, and one hour per response for statements of representative authority. The total burden for all responses is estimated to be 363 hours annually.

9. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:*

Applicable.

10. *Abstract:* 10 CFR part 63 requires the State of Nevada, local governments, or Indian Tribes to submit certain information to the NRC if they request consultation with the NRC staff concerning the review of the potential repository site, or wish to participate in a license application review for the potential repository. Representatives of the State of Nevada, local governments, or Indian Tribes must submit a statement of their authority to act in such a representative capacity. The information submitted by the State, local governments, and Indian Tribes is used by the Director of the Office of Nuclear Material Safety and Safeguards as a basis for decisions about the commitment of NRC staff resources to the consultation and participation efforts.

A copy of the 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 packages 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 by October 25, 2001:

Byron Allen, Office of Information and Regulatory Affairs (3150-), 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 20th day of September, 2001.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01-23928 Filed 9-24-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

Duke Energy Corporation McGuire Nuclear Station, Unit Nos. 1 and 2; Notice of Consideration of Approval of Transfer of Operating Authority Under Facility Operating Licenses and Conforming Amendments and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 approving the transfer of operating authority under Facility Operating Licenses Nos. NPF-9 and NPF-17 for McGuire Nuclear Station, Unit Nos. 1 and 2, (McGuire) currently held by Duke Energy Corporation (DEC), which is the owner of McGuire. DEC would continue to own McGuire. The transfer of authority to operate McGuire would be to a new limited liability company, Duke Energy Nuclear, LLC (DEN LLC). DEN LLC will be a subsidiary of DEC, as a result of a corporate restructuring of DEC. The Commission is further considering amending the licenses for administrative purposes to reflect the proposed transfer. If authorized to operate the facility, DEN LLC will also become a general licensee for the Independent Spent Fuel Storage Installation at McGuire, pursuant to 10 CFR 72.210. The facility is located in Mecklenburg County, North Carolina.

According to an application for approval filed by DEC, DEC's ownership of McGuire would be unchanged and DEC would continue to be responsible for the costs associated with operating and maintaining McGuire and for decommissioning funding assurance. DEN LLC would become a licensee, authorized to operate the units. No physical changes to the facility or operational changes are being proposed in the application.

The proposed amendments would replace references to DEC in the licenses as the operator of McGuire with references to DEN LLC.

Pursuant to 10 CFR 50.80, no license shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission gives its consent in writing. The Commission will approve an application for the transfer of a license if the Commission determines that the proposed transferee is qualified to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By October 15, 2001, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon: Lisa F. Vaughn, Legal Department, Duke Energy Corporation, 422 South Church Street, Charlotte, North Carolina 28201-1006; the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: OGCLT@NRC.gov);

and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by October 25, 2001, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated July 10, 2001, available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site (<http://www.nrc.gov/ADAMS/index.html>) If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4737 or by email to pdr@nrc.gov.

Dated at Rockville, Maryland this 19th day of September 2001.

For the Nuclear Regulatory Commission.

Leonard N. Olshan,

Acting Section Chief, Section 1, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01-23926 Filed 9-24-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-269, 50-270, 50-287, and 72-004]

Duke Energy Corporation, Oconee Nuclear Station, Unit Nos. 1, 2 and 3, Oconee Independent Spent Fuel Storage Installation; Notice of Consideration of Approval of Transfer of Operating Authority Under Renewed Facility Operating Licenses and Materials License and Conforming Amendments and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an order under 10 CFR 50.80 and 72.50 approving the transfer of operating authority under Renewed Facility Operating Licenses Nos. DPR-38, DPR-47 and DPR-55 for Oconee Nuclear Station, Unit Nos. 1, 2 and 3 (Oconee), and Materials License No. SNM-2503 for the Oconee Independent Spent Fuel Storage Installation (ISFSI), currently held by Duke Energy Corporation (DEC), which is the owner of the facilities. DEC would continue to own Oconee and the ISFSI. The transfer of authority to operate Oconee and the ISFSI would be to a new limited liability company, Duke Energy Nuclear, LLC (DEN LLC). DEN LLC will be a subsidiary of DEC, as a result of a corporate restructuring of DEC. The Commission is further considering amending the licenses for administrative purposes to reflect the proposed transfer. If authorized to operate Oconee, DEN LLC, will also become a general ISFSI licensee pursuant to 10 CFR 72.210. Oconee and the ISFSI are located in Oconee County, South Carolina.

According to an application for approval filed by DEC, DEC's ownership of Oconee and the ISFSI would be unchanged and DEC would continue to be responsible for the costs associated with operating and maintaining Oconee and the ISFSI and for decommissioning funding assurance. DEN LLC would become a licensee, authorized to operate Oconee and the ISFSI. No physical changes to Oconee or the ISFSI or operational changes are being proposed in the application.

The proposed amendments would replace references to DEC in the licenses as the operator of Oconee and the ISFSI with references to DEN LLC.

Pursuant to 10 CFR 50.80 and 72.50, no license, or any right thereunder, or any part, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission gives its consent in writing. The