

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.

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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.