

5. Q. The guidance identifies some specific circumstances under which NASA will consider a program to be in compliance with its obligation under Title VI to provide written materials in languages other than English. Does this mean that a recipient will be considered out of compliance with Title VI if its program does not fall within these circumstances?

A. No. The circumstances outlined in the guidance are intended to provide "Safe Harbor" for recipients who desire greater certainty with respect to their obligations to provide written translations. Thus, a recipient whose policies and practices fall within these circumstances will generally be found in compliance with Title VI. However, the failure to fall within the "safe harbors" outlined in the guidelines does not mean that a recipient is not in compliance with Title VI. In such circumstances, NASA will review the totality of circumstances to determine the precise nature of a recipient's obligation to provide written materials in languages other than English. If translation of a certain document or set of documents would be so financially burdensome as to defeat the legitimate objectives of its program, or if there is an alternative means of ensuring that LEP persons have meaningful access to the information provided in the document (such as timely, effective oral interpretation of vital documents), NASA will likely not find the translation necessary for compliance with Title VI.

6. Q. The guidance makes reference to "vital documents" and notes that, in certain circumstances, a recipient/covered entity may have to translate such documents into other languages. What is a vital document?

A. Given the programs and activities receiving NASA financial assistance, we do not attempt to identify vital documents and information with specificity in each program area. Rather, written material should be considered vital if it contains information that is critical for accessing the recipient's programs and activities, and their respective benefits. Thus, vital documents include, but are not limited to, announcements of programs and activities, applications to participate in programs and activities, letters or notices that require a response from the potential program participant, and documents that advise of free language assistance. NASA will also collaborate with its recipients to assist in determining which documents are deemed to be vital within a particular program.

7. Q. Will recipients have to translate large documents?

A. Not necessarily. As part of its overall language assistance program, a recipient must develop and implement a plan to provide written materials in languages other than English where a significant number or percentage of the population likely to be directly affected by the program needs services or information in a language other than English to communicate effectively. NASA can provide technical assistance to recipients in assessing the need for written translation of documents and vital information contained in larger documents on a case by case basis. Large documents, such as handbooks, may not need to be

translated or may not need to be translated in their entirety. For example, a recipient may be required to provide written translations of vital information contained in larger documents, but may not have to translate the entire document, to meet its obligations under Title VI.

8. Q. May a recipient require a LEP person to use a family member or a friend as his or her interpreter?

A. No. The recipient is expected to inform the LEP person of the right to receive free interpreter services first and permit the use of family and friends only after such offer of assistance has been declined.

9. Q. How does blindness and deafness among the LEP population affect the obligations of Federal fund recipients?

A. Section 504 of the Rehabilitation Act of 1973, as amended, requires that recipients provide sign language and oral interpreters for people who have hearing impairments and provide materials in alternative formats such as in large print, Braille, or on tape for individuals with visual disabilities. A recipient is expected to provide the same assistance and/or services to members of the LEP population in the particular LEP group's primary language.

10. Q. Can NASA provide help to recipients who wish to come into compliance with Title VI?

A. Yes. NASA OEOP staff at Headquarters and Equal Opportunity (EO) Officers at all NASA Centers are prepared to work with recipients to help them meet their obligations under Title VI. As part of its technical assistance services, NASA can help identify best practices and successful strategies used by other federal fund recipients, identify sources of federal reimbursement for translation services, and point recipients to other resources.

11. Q. How will NASA enforce compliance by recipients with the LEP requirements of Title VI?

A. NASA will enforce Title VI as it applies to recipients through the procedures provided for in the Title VI regulations (14 CFR Part 1250). Title VI regulations provide that NASA will investigate whenever it receives a complaint, report, or other information that alleges or indicates possible noncompliance with Title VI. If the investigation results in a finding of compliance, NASA will inform the recipient in writing of this determination, including the basis for the determination. If the investigation results in a finding of noncompliance, NASA must inform the recipient of the noncompliance in writing. By regulation, NASA must attempt to secure voluntary compliance through informal means. If the matter cannot be resolved informally, NASA must secure compliance through (a) the termination of Federal assistance after the recipient has been given an opportunity for an administrative hearing, (b) referral to DOJ for injunctive relief or other enforcement proceedings, or (c) any other means authorized by law.

12. Q. Does issuing this guidance mean that NASA will be changing how it enforces compliance with Title VI?

A. No. How NASA enforces Title VI is governed by the Title VI implementing

regulations at 14 CFR 1250. The methods and procedures used to investigate and resolve complaints, and conduct compliance reviews, have not changed.

Dated: March 12, 2001.

**George E. Reese,**  
*Associate Administrator for Equal Opportunity Programs.*

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BILLING CODE 7510-01-U

## NATIONAL SCIENCE FOUNDATION

### Agency Information Collection Activities: Comment

**AGENCY:** National Science Foundation.

**ACTION:** Submission for OMB review; comment request.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3501 et seq.), and as part of its continuing effort to reduce paperwork and respondent burden, the National Science Foundation (NSF) is inviting the general public and other Federal agencies to comment on this proposed continuing information collection. This is the second notice for public comment; the first was published in the **Federal Register** at 65 FR 81549 and no comments were received. NSF is forwarding the proposed submission to the Office of Management and Budget (OMB) for clearance simultaneously with the publication of this second notice.

**DATES:** Comments regarding these information collections are best assured of having their full effect if received on or before April 16, 2001.

**ADDRESSES:** Written comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of NSF, including whether the information will have practical utility; (b) the accuracy of NSF's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; or (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for National Science Foundation, 725-17th Street, NW, Room 10235, Washington, DC 20503, and to Teresa R. Pierce, Reports Clearance Officer, National Science

Foundation, 4201 Wilson Boulevard, Suite 295, Arlington, Virginia 22230 or send email to [tpierce@nsf.gov](mailto:tpierce@nsf.gov). Copies of the submission may be obtained by calling (703) 292-7555.

**FOR FURTHER INFORMATION CONTACT:**

Teresa R. Pierce, Reports Clearance Officer at (703) 292-7555 or send email to [tpierce@nsf.gov](mailto:tpierce@nsf.gov).

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

**SUPPLEMENTARY INFORMATION:**

*Title of Collection:* National Science Foundation Information Technology Innovation Survey

*OMB Control No.:* 3145-NEW.

*Abstract:*

*Proposed Project:* The NSF plans to survey a nationally representative sample of about 3,750 U.S. businesses in selected manufacturing and service-sector industries. The survey is designed to collect information about the planning for and impact of technological innovation. Using Web and Computer-Assisted Telephone Interviewing technologies, firms will be asked about their strategic planning, use of technology, innovation activities based on information technology, factors influencing the decision to innovate, and the costs and expected benefits of information technology based innovation.

*Use of the Information:* The information will be used by NSF to: (1) Develop nationally representative profiles of corporate information technology innovators and users; (2) provide the means for comparative analyses among similar national studies; and (3) provide data for use by policy-makers to assist in understanding the development and use of information technology as they relate to formulating technology policy, regulatory reform, and other issues.

*Estimate of Burden:* Public reporting burden for this collection of information is estimated to average 12 minutes per response.

*Respondents:* Business or other for-profit.

*Estimated Number of Responses per Form:* One.

*Estimated Total Annual Burden or Respondents:* 750 hours—3,750 respondents at 12 minutes per response.

*Frequency of Responses:* Once.

Dated: March 9, 2001.

**Teresa R. Pierce,**

*Reports Clearance Officer.*

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**NUCLEAR REGULATORY COMMISSION**

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

**Pennsylvania Power Company, Ohio Edison Company, FirstEnergy Nuclear Operating Company, Beaver Valley Power Station, Unit Nos. 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Facility Operating License Nos. DPR-66 and NPF-73, issued to FirstEnergy Nuclear Operating Company, et al. (FENOC, the licensee), for operation of the Beaver Valley Power Station (BVPS), Unit Nos. 1 and 2, located in Shippingport, Pennsylvania.

**Environmental Assessment**

*Identification of the Proposed Action*

The proposed action would authorize revisions to the BVPS Updated Final Safety Analysis Reports (UFSARs) involving calculated doses and associated descriptions/information for selected Design Basis Accidents (DBAs). The following DBAs were revised as documented in the licensee's submittals for the BVPS, Unit 1 UFSAR (Exclusion Area Boundary (EAB) doses are calculated over the first 2 hours following the accident and all other doses are calculated over the duration of the accident).

*Loss of Offsite AC Power*

Changes include revisions to Table 14.1-3 to reflect corrected or conservative analysis input parameter values or input assumptions based on plant design and operation. The analysis methodology remained the same as had been previously reviewed and approved by the NRC for BVPS, Unit 1, and the revised analysis resulted in no increase in calculated doses.

*Fuel-Handling Accident (FHA)*

Changes include revisions to Section 14.2.1 and Tables 14.2-6 and 14.2-6a to reflect corrected or conservative analysis input parameter values or input assumptions based on plant design and operation. The analysis methodology remained the same as had been previously reviewed and approved by the NRC for BVPS, Unit 1. Because the

FHA dose analysis takes credit for removal of organic iodine by the supplemental leak collection and release system (SLCRS), the licensee added a safety factor of  $\geq 2$  in accordance with guidance given in Generic Letter (GL) 99-02, "Laboratory Testing of Nuclear-Grade Activated Charcoal." GL 99-02 guidance included testing nuclear-activated charcoal filters to a more stringent requirement (supported by the safety factor) than that assumed in the safety analysis to conservatively account for potential degradation to nuclear-grade charcoal filters over the surveillance interval. As a consequence of this safety factor, the calculated doses increased. The calculated thyroid dose at the EAB increased from 14.6 rem to 24.6 rem. The calculated control room operator thyroid dose increased from 3.2 rem to 6.26 rem. These doses are well within the applicable DBA dose guidelines set forth in Title 10 of the Code of Federal Regulations (10 CFR) Section 100.11 (EAB thyroid dose of 300 rem from iodine exposure) and 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 19 (control room operator whole body dose of 5 rem or its equivalent to any organ).

*Accidental Release of Waste Gas*

Changes include revisions to Section 14.2.3 and Table 14.2-8 to reflect corrected or conservative analysis input parameter values or input assumptions based on plant design and operation. Some changes to the analysis methodology were made. As a result of the revisions to the analysis, the calculated control room whole body dose increased from less than .01 rem to .0295 rem.

*Steam Generator Tube Rupture (SGTR)*

Changes include revisions to Section 14.2.4 and Table 14.2-9 to reflect corrected or conservative analysis input parameter values or input assumptions based on plant design and operation. The methodology for the offsite dose analysis was changed to that of the current SGTR analysis of record for the control room operator dose. As a result, the calculated thyroid dose at the EAB for the coincident iodine spike increased from .9 rem to 1.37 rem.

*Rod Cluster Control Assembly Ejection*

Changes include revisions to Table 14.2.12 to reflect corrected or conservative analysis input parameter values or input assumptions based on plant design and operation. The analysis methodology remained the same as had been previously approved by the NRC for BVPS, Unit 1. The revised analysis