

- The accuracy of OSHA's estimate of the burden (time and cost) of the information-collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information-collection and -transmission techniques.

### III. Proposed Actions

OSHA is requesting to decrease the existing burden-hour estimate, and to extend OMB approval, of the collection-of-information requirements in the Standard. In this regard, the Agency is requesting to decrease the current burden-hour estimate from 8,926,558 hours to 6,502,811 hours, a total reduction of 2,423,747 hours. The Agency will summarize the comments submitted in response to this notice, and will include this summary in its request to OMB to extend the approval of this information-collection requirements.

*Type of Review:* Extension of currently approved information-collection requirements.

*Title:* Respiratory Protection (29 CFR 1910.134).

*OMB Number:* 1218-0099.

*Affected Public:* Business or other for-profit; not-for-profit institutions; Federal government; State, local or tribal governments.

*Number of Respondents:* 1,300,000.

*Frequency of Response:* Annually; monthly; occasionally.

*Average Time per Response:* Time per response varied from 8 hours for large facilities to develop a written respiratory program to 5 minutes for employers to maintain employee medical-evaluation records.

*Estimated Total Burden Hours:* 6,502,811 hours.

*Estimated Cost (Operation and Maintenance):* \$72,900,680.

### IV. Authority and Signature

R. Davis Layne, Acting Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506), Secretary of Labor's Order No. 3-2000 (65 FR 50017).

Signed at Washington, DC on April 27th, 2001.

**R. Davis Layne,**

*Acting Assistant Secretary of Labor.*

[FR Doc. 01-11024 Filed 5-1-01; 8:45 am]

BILLING CODE 4510-26-M

## NATIONAL INDIAN GAMING COMMISSION

### Paperwork Reduction Act

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Notice.

**SUMMARY:** The National Indian Gaming Commission (NIGC), in accordance with the Paperwork Reduction Act of 1995, intends to submit to the Office of Management and Budget (OMB) a request to review and extend approval for information collection activities prescribed by the following NIGC regulations: (1) Annual Fees; (2) Issuance of Certificates of Self Regulation to Tribes for Class II Gaming. As to each information collection activity, the NIGC solicits public comment on: the need for the information, the practical utility of the information and whether the information is necessary for the proper performance of NIGC functions; the accuracy of the burden estimate; and ways that the NIGC might minimize this burden including the use of automated collection techniques or other forms of information technology. When providing comment, a respondent should specify the particular collection activity to which the comment pertains.

**DATES AND ADDRESSES:** Comments for the NIGC's evaluation of the information collection activities and its request to OMB to extend or approve the information collections must be received by June 29, 2001. Send comments to Ms. Cindy Altimus, National Indian Gaming Commission, 1441 L Street, NW, Suite 9100, Washington, DC 20005. The NIGC regulations to which the information collections pertain are available on the NIGC website, [www.nigc.gov](http://www.nigc.gov), by written request to the NIGC (Attn: Ms. Cindy Altimus), 1441 L Street NW, Suite 9100, Washington, DC, 20005, or by telephone request at (202) 632-7003. There are no toll-free numbers. All other requests for information should be submitted to Ms. Altimus at the above address for the NIGC.

### SUPPLEMENTARY INFORMATION:

*Title:* Annual Fees Payable by Indian Gaming Operations.

*OMB Number:* 3141-0007.

*Abstract:* The Indian Gaming Regulatory Act, 25 U.S.C. § 2701 et seq., authorizes the NIGC to establish a schedule of fees to be paid to the NIGC by each gaming operation under the jurisdiction of the NIGC. Fees are computed using rates set by the NIGC and the assessable gross revenues of each gaming operation. The total of all

fees assessed annually cannot exceed \$8,000,000. Under its implementing regulation for the fee payment program, 25 C.F.R. Part 514, the NIGC relies on a quarterly statement of gross gaming revenues provided by each gaming operation that is subject to the fee requirement. The required information is needed for the NIGC to both set and adjust fee rates and to support the computation of fees paid by each gaming operation.

*Respondents:* Indian tribal gaming operations.

*Estimated Number of Respondents:* 320.

*Estimated Annual Responses:* 1280.

*Estimated Annual Burden Hours per Respondent:* 8.

*Estimated Total Annual Burden on Respondents:* 10,240 hours.

*Title:* Petitions for Certificates of Self-Regulation for Class II Gaming Operations.

*OMB Number:* 3141-0008.

*Abstract:* The Indian Gaming Regulatory Act, 25 U.S.C. § 2701 et seq., allows any Indian tribe that has conducted class II gaming for at least three years to petition the NIGC for a certificate of self-regulation for its class II gaming operations. The NIGC will issue the certificate if it determines from available information that the tribe has conducted its gaming activity in a manner which has resulted in an effective and honest accounting of all revenues, a reputation for safe, fair, and honest operation of the activity, and an enterprise free of evidence of criminal or dishonest activity. The tribe must also have adopted and implemented proper accounting, licensing, and enforcement systems and conducted the gaming operation on a fiscally and economically sound basis. The implementing regulation of the NIGC, 25 CFR Part 518, requires a tribe interested in receiving the certificate to file a petition with the NIGC describing the tribe's gaming operations, its regulatory process, its tribal revenue allocation plan, and its accounting and record keeping systems for the gaming operation. The tribe must also provide copies of various documents in support of the petition. Submission of the petition and supporting documentation is voluntary. The NIGC will use the information submitted by the respondent tribe in making a determination on whether to issue the certificate of self-regulation.

*Respondents:* Indian tribes conducting class II gaming.

*Estimated Number of Potential Respondents:* 200.

*Estimated Annual Voluntary Responses:* 5.

*Estimated Annual Burden Per Voluntary Respondent: 30 hours.*  
*Estimated Total Annual Burden on Respondents: 150 hours.*

**Jacqueline Agtuca,**

*Chief of Staff.*

[FR Doc. 01-10917 Filed 5-1-01; 8:45 am]

**BILLING CODE 7565-01-P**

## **NORTHEAST DAIRY COMPACT COMMISSION**

### **Notice of Meeting**

**AGENCY:** Northeast Dairy Compact Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Compact Commission will hold its regular monthly meeting to consider matters relating to administration and enforcement of the price regulation. This meeting will be held in Rhode Island, continuing the Commission's program of holding a meeting in each of the Compact states. In addition to receiving reports and recommendations of its standing Committees, the Commission will receive a number of informational reports, including reports on the operation of the wholesale and retail markets and about the impact of the price regulation on the Rhode Island WIC Program.

**DATES:** The meeting will begin at 10 a.m. on Friday, May 11, 2001.

**ADDRESSES:** The meeting will be held at the Newport Marriott Hotel, 25 America's Cup Avenue, Newport, Rhode Island.

#### **FOR FURTHER INFORMATION CONTACT:**

Daniel Smith, Executive Director, Northeast Dairy Compact Commission, 64 Main Street, Room 21, Montpelier, VT 05602. Telephone (802) 229-1941.

**Authority:** 7 U.S.C. 7256.

Dated: April 25, 2001.

**Daniel Smith,**

*Executive Director.*

[FR Doc. 01-10888 Filed 5-1-01; 8:45 am]

**BILLING CODE 1650-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-338 and 50-339]**

### **Virginia Electric and Power Company, North Anna Power Station, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact**

The U.S. Nuclear Regulatory Commission (NRC) is considering

issuance of an exemption from the requirements of Title 10 of the Code of Federal Regulations (10 CFR) part 50, appendix G, for Facility Operating License Nos. NPF-4 and NPF-7, issued to Virginia Electric and Power Company (the licensee), for operation of the North Anna Power Station, Units 1 and 2, located in Louisa County, Virginia.

### **Environmental Assessment**

#### *Identification of the Proposed Action*

10 CFR Part 50, Appendix G, requires that the pressure-temperature (P-T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic or leak testing conditions. Specifically, 10 CFR part 50, Appendix G, states that "[t]he appropriate requirements on both the pressure-temperature limits and the minimum permissible temperature must be met for all conditions." Appendix G of 10 CFR part 50 specifies that the requirements for these limits are contained in the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code), Section XI, Appendix G.

To address provisions of an amendment to the Technical Specifications P-T limits and low-temperature overpressure protection (LTOP) system setpoints, the licensee requested in its submittal dated June 22, 2000, as supplemented on January 4, February 14, March 13, and March 22, 2001, that the NRC staff exempt North Anna Power Station from the requirements of 10 CFR Part 50, Appendix G, to allow the use of ASME Code Case N-641.

Code Case N-641 permits the use of an alternate reference fracture toughness ( $K_{IC}$  fracture toughness curve instead of the  $K_{IA}$  fracture toughness curve) for reactor vessel materials in determining the P-T limits, LTOP system setpoints and  $T_{enable}$ , and provides for plant-specific evaluation of  $T_{enable}$ . Since the  $K_{IC}$  fracture toughness curve shown in ASME Section XI, Appendix A, Figure A-2200-1 (the  $K_{IC}$  fracture toughness curve) provides greater allowable fracture toughness than the corresponding  $K_{IA}$  fracture toughness curve of ASME Section XI, Appendix G, Figure G-2210-1 (the  $K_{IA}$  fracture toughness curve), and a plant-specific evaluation of  $T_{enable}$  would give lower values of  $T_{enable}$  than use of a generic bounding evaluation for  $T_{enable}$ , use of Code Case N-641 for establishing the P-T limits, LTOP system setpoints and  $T_{enable}$  would be less conservative than the methodology currently endorsed by 10 CFR Part 50, Appendix G. Although the use of the  $K_{IC}$  fracture toughness

curve in ASME Code Case N-641 was recently incorporated into Appendix G to Section XI of the ASME Code, an exemption is still needed because 10 CFR Part 50, Appendix G requires a licensee's analysis to use an edition and addenda of Section XI of the ASME Code incorporated by reference into 10 CFR Part 50, section 50.55a, i.e., the editions through 1995 and addenda through the 1996 addenda (which do not include the provisions of Code Case N-641). Therefore, an exemption to apply the Code case is required by 10 CFR Part 50, section 50.60. The proposed action is in accordance with the licensee's application for exemption dated June 22, 2000, as supplemented by letters dated January 4, February 14, March 13, and March 22, 2001.

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

ASME Code Case N-641 is needed to revise the method used to determine the reactor coolant system (RCS) P-T limits, LTOP setpoints, and  $T_{enable}$ .

The purpose of 10 CFR part 50, Section 50.60(a), and 10 CFR part 50, appendix G, is to protect the integrity of the reactor coolant pressure boundary in nuclear power plants. This is accomplished through these regulations that, in part, specify fracture toughness requirements for ferritic materials of the reactor coolant pressure boundary. Pursuant to 10 CFR part 50, appendix G, it is required that P-T limits for the RCS be at least as conservative as those obtained by applying the methodology of the ASME Code, Section XI, Appendix G.

Current overpressure protection system (OPPS) setpoints produce operational constraints by limiting the P-T range available to the operator to heat up or cool down the plant. The operating window through which the operator heats up and cools down the RCS becomes more restrictive with continued reactor vessel service. Reducing this operating window could potentially have an adverse safety impact by increasing the possibility of inadvertent OPPS actuation due to pressure surges associated with normal plant evolutions such as reactor coolant pump start and swapping operating charging pumps with the RCS in a water-solid condition. The impact on the P-T limits and OPPS setpoints has been evaluated for an increased service period for operation to 32.3 effective full-power years (EFPYs) for Unit 1 and 34.3 EFPYs for Unit 2, based on ASME Code, Section XI, Appendix G requirements. The results indicate that these OPPS setpoints would significantly restrict the ability to perform plant heatup and cooldown,