

**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:* Revision.

2. *The Title of the Information Collection:* Policy Statement for the "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof By States Through Agreement," Maintenance of Existing Agreement State Programs, Request for Information through the Integrated Materials Performance Evaluation Program (IMPEP) Questionnaire, and Agreement State Participation in IMPEP.

3. *The Form Number if Applicable:* None.

4. *How Often the Collection is Required:* There are four activities that occur under this collection: IMPEP reviews conducted no less frequently than every four years; for States interested in becoming Agreement States; participation by Agreement States in the IMPEP reviews; and annual requirements for Agreement States to maintain their programs.

5. *Who Will be Required or Asked to Report:* 32 Agreement States who have signed Section 274b Agreements with NRC.

6. *An Estimate of the Number of Responses:* 50.

7. *The Estimated Number of Annual Respondents:* 32.

8. *An Estimate of the Total Number of Hours Needed Annually to Complete the Requirement or Request:* For States interested in becoming an Agreement State: Approximately 4,300 hours. For Agreement State participation in 9 IMPEP reviews (8 State and 1 NRC Region): 324 hours (an average of 36 hours per review). For maintenance of existing Agreement State programs: 239,040 hours (an average of 7,470 hours per State). For Agreement State response to 8 IMPEP questionnaires: 424 hours (an average of 53 hours per program). The total number of hours annually is 244,088 hours (5,048 reporting and 239,040 recordkeeping hours).

9. *An Indication of Whether Section 3507(d), Pub. L. 104-13 Applies:* Not applicable.

10. *Abstract:* States wishing to become an Agreement State are requested to provide certain information to the NRC as specified by the

Commission's Policy Statement, "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption Thereof By States Through Agreement." Agreement States need to ensure that the Radiation Control Program under the Agreement remains adequate and compatible with the requirements of Section 274 of the Atomic Energy Act (Act) and must maintain certain information. NRC conducts periodic evaluations through IMPEP to ensure that these programs are compatible with the NRC's, meet the applicable parts of the Act, and are adequate to protect public health and safety.

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, Maryland 20852. OMB clearance requests 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 listed below by May 2, 2001. 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. Amy Farrell, Office of Information and Regulatory Affairs (3150-0183), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-7318.

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

Dated at Rockville, Maryland, this 27th day of March 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. 50-413 and 50-414]**

### **Duke Energy Corporation; Notice of Withdrawal of Application for Amendments to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Duke Energy Corporation (the licensee) to withdraw

its June 1, 2000, application for proposed amendments to Facility Operating License Nos. NPF-35 and NPF-52 for the Catawba Nuclear Station, Units No. 1 and 2, located in York County, South Carolina.

The proposed amendments would have revised the Technical Specification (TS) 3.6.16 Reactor Building and TS 5.5.11 Ventilation Filter Testing Program. It would have also revised Bases Sections 3.6.10, 3.6.16, 3.7.12, and 3.7.13.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on September 6, 2000 (65 FR 54085). However, by letter dated March 8, 2001, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendments dated June 1, 2000, as supplemented by letter dated September 27, 2000, and the licensee's letter dated March 8, 2001, which withdrew the application for license amendments. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 26th day of March 2001.

For the Nuclear Regulatory Commission  
**Chandu P. Patel,**

*Project Manager, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-220 and 50-410]**

### **Niagara Mohawk Power Corporation Nine Mile Point Nuclear Station, Unit Nos. 1 and 2; Notice of Consideration of Approval of Direct and Indirect Transfer of 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 direct transfer of Facility Operating Licenses Nos. DPR-63 and NPF-69 for the Nine Mile Point Nuclear Station, Unit Nos. 1 and 2 (NMP-1, NMP-2), to the extent the NMP-1 license is held by Niagara Mohawk Power Corporation