

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirements to be submitted:

1. *The title of the information collection:* 10 CFR Part 25—Access Authorization for Licensee Personnel.
2. *Current OMB approval number:* 3150-0046.
3. *How often the collection is required:* On occasion.
4. *Who is required or asked to report:* NRC regulated facilities and other organizations requiring access to NRC classified information.
5. *The number of annual respondents:* 20.
6. *The number of hours needed annually to complete the requirement or request:* 257 hours (197 hours Reporting and 60 hours Recordkeeping) or 3.8 hours/response.

7. *Abstract:* NRC regulated facilities and other organizations are required to provide information and maintain records to ensure that an adequate level of protection is provided NRC classified information and material.

Submit by December 2, 1997, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street NW (lower level), Washington, DC. OMB clearance packages are available at the NRC worldwide web site (<http://www.nrc.gov>) under the FedWorld collection link on the home page tool bar. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC 20555-0001, or by telephone at (301) 415-7233, or by Internet electronic mail at [BJS1@NRC.GOV](mailto:BJS1@NRC.GOV).

Dated at Rockville, Maryland, this 29th day of September 1997.

For the Nuclear Regulatory Commission.

**Arnold E. Levin,**

*Acting Designated Senior Official for Information Resources Management.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Number 40-8902]

### Atlantic Richfield Company; Notice of Opportunity for a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of placing the Bluewater uranium mill and tailings disposal site near Grants, New Mexico, in the custody and long-term care of the U.S. Department of Energy under the general licensing provisions of 10 CFR part 40.28; and notice of opportunity for a hearing.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has accepted the Long-Term Surveillance Plan (LTSP) submitted by U.S. Department of Energy (DOE), by letter dated July 31, 1997, for the Bluewater uranium mill and tailings disposal site. The LTSP was developed by DOE as the long-term custodian of the Bluewater site. By accepting the LTSP, the Bluewater site will be regulated by NRC under the general licensing provisions of 10 CFR 40.28, and the Atlantic Richfield Company's Source Material License SUA-1470 for the Bluewater site has been terminated. These actions complete all requirements for closure of the Bluewater site under Title II of the Uranium Mill Tailings Radiation Control Act of 1978, as amended. An NRC staff environmental assessment is not required for this action, since it is categorically excluded under 10 CFR 51.22(c)(11).

**FOR FURTHER INFORMATION CONTACT:** Kenneth R. Hooks, Uranium Recovery

Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 415-7777.

### NOTICE OF OPPORTUNITY FOR HEARING:

The Commission hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudications in Materials Licensing Proceedings, of the Commission's Rules of Practice for Domestic Licensing Proceedings in 10 CFR Part 2" (54 FR 8269). Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for a hearing must be filed within thirty (30) days from the date of publication of this **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

(1) By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

Each request for a hearing must also be served, by delivering it personally or by mail to:

(1) The applicant, Atlantic Richfield Company, Bluewater Mill, P.O. Box 638, Grants, New Mexico 87020; and

(2) The NRC staff, by delivery to the Executive Director of Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the Commission's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) the requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

Any hearing that is requested and granted will be held in accordance with

the Commission's Informal Hearing Procedures for Adjudications in Materials Licensing Proceedings in 10 CFR part 2, subpart L.

Dated at Rockville, Maryland, this 25th day of September, 1997.

**Joseph J. Holonich,**

*Chief, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 97-26271 Filed 10-2-97; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Updated Environmental Standard Review Plan: Availability

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) has prepared an update to the Environmental Standard Review Plan for the review of environmental reports for nuclear power plants (ESRP) for review and comment. A draft of the updated ESRP, NUREG-1555, incorporates changes in the regulation of the nuclear power industry, and changes in the treatment of environmental protection and siting issues that have occurred since the ESRP was initially issued in 1978 as NUREG-0555. Organizational changes have been made to the structure of ESRP sections to conform to the structure of the companion safety Standard Review Plan for the review of safety analysis reports for nuclear power plants (SRP), NUREG-0800. Most notably, significant changes have been made to incorporate the changes in environmental protection and resource statutes, other Federal regulations, Presidential executive orders, hearing decisions and case law, and NRC regulations related to new plant and site licensing, and license renewal. NUREG-1555 will supersede NUREG-0555.

**DATES:** The comment period expires January 30, 1998. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

#### ADDRESSES AND SUBMISSION OF

**COMMENTS:** Mail comments to: Chief, Rules and Directives Branch, Division of Freedom of Information and Publications Services, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may be hand-delivered

to the NRC at 11545 Rockville Pike, Rockville, Maryland between 7:45 a.m. and 4:15 p.m. on Federal workdays. Comments may be submitted electronically in WordPerfect or ASCII format via the Internet to the NRC at [esrp@nrc.gov](mailto:esrp@nrc.gov). Written comments and comments received electronically will be available for inspection at the NRC Public Document Room, 2120 L Street NW (Lower Level), Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Barry Zalcman, Office of Nuclear Reactor Regulation, Mail Stop O-10H5, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-3467.

**SUPPLEMENTARY INFORMATION:** The proposed text in NUREG-1555, "Environmental Standard Review Plan," reflects the combined effort of NRC staff and NRC contractors. NRC staff review and evaluation, including resolution of public comments, and consideration by the Advisory Committee on Reactor Safeguards will be needed before a final version of NUREG-1555 can be published.

Due to the significance of the changes in NRC regulations related to new plant and site licensing, NRC regulations related to license renewal and environmental protection, other Federal regulations, environmental protection and resource statutes, Presidential executive orders, hearing decisions and case law, and due to the goal of restructuring the ESRP to conform to the structure of NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants—LWR Edition," NUREG-1555 will supersede the earlier ESRP (NUREG-0555). For every section, the ESRP now identifies the specific acceptance criteria, which may have been the driver that forms the basis for the change to ESRP sections. For these reasons, the NRC judged that supporting documentation, including a redline/strikeout copy, that traces back to the original ESRP need not be provided. The updated ESRP also contains several new sections to address issues that emerged since 1978, for example, severe accident mitigation design alternatives and environmental justice.

The updated ESRP is not a generic communication that proposes new NRC staff positions or seeks additional licensee commitments. It does not impose new or revised requirements but simply compiles and documents NRC and other Federal requirements, and NRC staff positions. The ESRP does not explicitly incorporate State, regional or Native American tribal agency

requirements that may also need to be addressed by applicants or licensees.

Work activities related to updating the ESRP were performed substantially in conformance with the guidance in NUREG-1447, "Standard Review Plan Update and Development Program—Implementing Procedures Document," dated May 1992. NUREG-1447 documents the results of developing the major work assumptions and work processes for completing the standard review plan revision process.

Information management protocols and process modifications were made to account for the unique drivers that resulted from changes outside of the Atomic Energy Act and NRC regulations arena including, but not limited to, the National Environmental Policy Act, the Endangered Species Act, the Presidential executive order on environmental justice, guidance from the Council on Environmental Quality, and the regulations of the Environmental Protection Agency on non-radiological issues. The entire work effort and responsibility for updating the ESRP resides in the NRC Generic Issues and Environmental Projects Branch, which coordinates with the appropriate technical review branches and essential technical specialists on particular issues.

The purpose of this notice is to solicit specific public comment on whether the updated ESRP accurately and fully reflects established NRC staff positions and existing requirements that include statutes, regulations, executive orders, and NRC decisions. Consideration should be given to the thoroughness and utility in use of the guidance provided to implement NRC rules promulgated since the original ESRP was published in 1978 with particular emphasis given to those related to siting and environmental protection and to those new licensing frameworks related to early site permits, combined licenses, and license renewal. The SRP is made available to the public as part of NRC's policy to inform the nuclear industry and general public of regulatory procedures and policies. Environmental standard review plans are not substitutes for regulatory guides or NRC regulations. Compliance with ESRPs is not required. Published environmental standard review plans will be revised periodically, as appropriate, to accommodate comments and to reflect new information and experience.

The NRC encourages comment from all interested parties; however, public review is not intended to reopen a dialogue on the merits of the requirements themselves but should be focused on the purposes stated above.