

ACTION: Notice of permits issued under the Antarctic Conservation of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

FOR FURTHER INFORMATION CONTACT: Nadene G. Kennedy, Permit Office, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

SUPPLEMENTARY INFORMATION: On August 29, 2000, the National Science Foundation published a notice in the **Federal Register** of a permit applications received. A permit was issued on October 17, 2001 to: Moody Gardens, Inc., Permit No. 2001-017.

Nadene G. Kennedy,
Permit Officer.

[FR Doc. 01-27678 Filed 11-2-01; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-369 and 50-370]

Duke Energy Corporation; McGuire Nuclear Station, Unit Nos. 1 and 2; Notice of Partial Denial of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) has partially denied a request by Duke Energy Corporation (the licensee) for an amendment to Facility Operating License (FOL) Nos. NPF-9 and NPF-17 issued to the licensee for operation of the McGuire Nuclear Station, Unit Nos. 1 and 2, respectively, located in Mecklenburg County, North Carolina. Notice of Consideration of Issuance of this amendment was published in the **Federal Register** on November 1, 2001 (65 FR 65341).

The purpose of the licensee's amendment request was to revise the FOLs by (a) deleting the license conditions (LCs) that have been fulfilled by actions that have been completed or are imposed by other regulatory requirements, (b) changing the license conditions that have been superseded by the current plant status, and (c) incorporating other administrative changes.

The NRC staff has concluded that the licensee's request cannot be fully granted with regard to the following elements for Unit 1:

License Condition 2.G, Reporting of Violations

The licensee's basis for deletion of license condition 2.G which requires the reporting of violations of the requirements of license conditions 2.C(1), Maximum Power Level, 2.C(4) Fire Protection program, and 2.E, on safeguards and security, is that the primary reporting requirements for these license conditions are covered by 10 CFR 50.72 and 10 CFR 50.73. However, the staff does not find that the licensee has shown that specific issues addressed by these LCs are encompassed by the provisions of 10 CFR 50.72 and 10 CFR 50.73 and, on this basis denies the request to delete license condition 2.G as it applies to license condition 2.C(1), 2.C(4) and 2.E. The licensee's request to delete portions of license condition 2.G as it applies to other license conditions has been granted.

The NRC staff has concluded that the licensee's request cannot be fully granted with regard to the following elements for Unit 2:

License Condition 2.C(11), Protection of the Environment

The NRC staff determined that the license condition must be retained on the basis that the requirement of the license condition is an ongoing requirement and will be germane for the life of the license. Licensee compliance with some environmental regulations is, in fact, monitored by the State of North Carolina and the U.S. Environmental Protection Agency. However, in its role as a licensing agency, the NRC is responsible for monitoring compliance with other regulations. Examples include the Endangered Species Act and the Historic Preservation Act. In order to meet its responsibilities, the NRC must be made aware of planned licensee activities which may result in a significant adverse environmental impact that was not evaluated or that is significantly greater than that evaluated in the Final Environmental Statement or any other environmental impact statement (EIS) relevant to the site (e.g., an EIS associated with license renewal). Therefore, staff finds that this requirement must remain in place and that its request for deletion is denied.

License Condition 2.F, Reporting of Violations

The licensee's basis for deletion of license condition 2.F which requires the reporting of violations of the requirements of license conditions 2.C(1), Maximum Power Level, 2.C(7) Fire Protection, 2.C(11) Protection of the

Environment, and 2.E, on safeguards and security, is that the primary reporting requirements for these license conditions are covered by 10 CFR 50.72 and 10 CFR 50.73. However, the staff does not find that the licensee has shown that the specific issues addressed by these LCs are encompassed by the provisions of 10 CFR 50.72 and 10 CFR 50.73 and, on this basis denies the request to delete license condition 2.G as it applies to license condition 2.C(1), 2.C(7), 2.C(11) and 2.E. The licensee's request to delete portions of license condition 2.F as it applies to other license conditions has been granted.

Accordingly, this aspect of the licensee's proposed license amendment is denied. The licensee was notified of the Commission's denial of the proposed change by a letter dated October 19, 2001.

By December 5, 2001, the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 Attention: Rulemakings and Adjudications Staff, or may be delivered to the U.S. Nuclear Regulatory Commission, Public Document Room, Washington, DC 20555-0001, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to Ms. Lisa F. Vaughn, Duke Energy Corporation, 422 South Church Street, Charlotte, North Carolina 28201-1006 attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated June 13, 2000, as supplemented August 30 and September 10, 2001, and (2) the Commission's letter to the licensee dated October 19, 2001.

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 19th day of October 2001.

For the Nuclear Regulatory Commission.

Herbert N. Berkow,

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

[FR Doc. 01-27731 Filed 11-2-01; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

Request for Public Comment

Upon Written Request, Copies Available
from: Securities and Exchange
Commission, Office of Filings and
Information Services, Washington, DC
20549.

Extension:

Form N-8F, Form S-6—OMB Control No.
3235-0157, SEC File No. 270-136; OMB
Control No. 3235-0184, SEC File No.
270-181

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is publishing for public comment the following summary of previously approved information collection requirements. The Commission plans to submit these existing collections of information to the Officer of Management and Budget for extension and approval.

Form N-8F is the form prescribed for use by registered investment companies in certain circumstances to request orders of the Commission declaring that the registration of that investment company cease to be in effect. The form requests, from investment companies seeking a deregistration order, information about (i) the investment company's identity, (ii) the investment company's distributions, (iii) the investment company's assets and liabilities, (iv) the events leading to the request to deregister, and (v) the conclusion of business. The information is needed by the Commission to determine whether an order of deregistration is appropriate.

Form N-8F takes approximately 3 hours on average to complete. It is estimated that approximately 200 investment companies file Form N-8F annually, so that the total annual burden for the form is estimated to be 600 hours.

Form S-6 is used for registering, under the Securities Act of 1933 (1933 Act), the securities of any unit investment trust registered under the Investment Company Act of 1940 (1940 Act) on Form N-8B-2.¹ A separate

registration statement under the 1933 Act must be filed for each series of units issued by the trust. Form S-6 consists of two parts. Part I contains the prospectus, and Part II consists of a list of exhibits and financial information and contains other information required in the registration statement but not required to appear in the prospectus.

Section 10(a)(3) of the 1933 Act (15 U.S.C. 77j(a)(3)) provides that when a prospectus is used more than nine months after the effective date of the registration statement, the information therein shall be as of a date not more than sixteen months prior to such use. Unit investment trusts file post-effective amendments to their registration statements on Form S-6 in order to update their prospectus. As a result, most unit investment trusts update their registration statements on Form S-6 Act on an annual basis in order that their sponsors may continue to maintain a secondary market in the units.

The purpose of the registration statement on Form S-6 is to provide disclosure of financial and other information that investors may use to make informed decisions regarding the merits of the securities offered for sale. To that end, unit investment trusts must furnish to investors a prospectus containing pertinent information set forth in the registration statement. Without the registration requirement, this material information would not necessarily be available to investors. The Commission reviews registration statements filed on Form S-6 to ensure adequate disclosure is made to investors.

Each year investment companies file approximately 3,639 Forms S-6. It is estimated that preparing Form S-6 requires a unit investment trust to spend approximately 35 hours so that the total burden on preparing Form S-6 for all affected investment companies is 127,365 hours.

Estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act, and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms.

Written comments are requested on: (a) Whether the collections of information necessary for the proper performance of the functions of the Commission, including whether the information has practical utility; (b) the accuracy of the Commission's estimate

1940 Act. The form requires that certain material information about the trust, its sponsor, its trustees, and its operation be disclosed. The registration on Form N-8B-2 is a one-time filing that applies to the first series of the unit investment trust as well as any subsequent series that is issued by the sponsor.

of the burdens of the collection of information; (c) ways to enhance the quality, utility and clarity of the information collection; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: October 26, 2001.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 01-27709 Filed 11-2-01; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request Copies Available
From: Securities and Exchange
Commission, Office of Filings and
Information Services, Washington, DC
20549.

Extensions:

Rule 425, Schedule TO—OMB Control No.
3235-0521, SEC File No. 270-462; OMB
Control No. 3235-0515, SEC File No.
270-456

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget for extension and approval.

Rule 425 requires the filing of certain prospectuses and communications under Rule 135 in connection with business combinations. The purpose of the rule was to relax existing restrictions on oral and written communications with shareholders about tender offers, mergers and other business combination transactions by permitting the dissemination of more information on a timely basis as long as the written communications are filed on the date of first use. Approximately 5,739 issuers file communications under Rule 425 for a total of 1,435 annual burden hours.

Schedule TO must be filed by a reporting company that makes a tender

¹ Form N-8B-2 is the form used for registration statements filed by unit investment trusts under the