to reduce chilling effects arising out of issues of discrimination pending investigations. Thus, the Commission continues to support the voluntary use of a holding period as described in the May 1996 Policy Statement.

Consistent with this discussion, the February 26, 1997, document is being withdrawn.

Dated at Rockville, Maryland, this 30th day of January 1998.

For the Nuclear Regulatory Commission.

**Annette Vietti-Cook,**

*Acting Secretary of the Commission.*

[FR Doc. 98–2993 Filed 2–5–98; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

### Event Reporting Guidelines; Availability of Report

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** The NRC is announcing the availability of a report, NUREG–1022, Revision 1, ''Event Reporting Guidelines, 10 CFR 50.72 and 50.73.''

**ADDRESSES:** NUREG-series documents are available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC. NUREG-series documents may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20402–9328.

**FOR FURTHER INFORMATION CONTACT:** Dennis Allison, Office for Analysis and Evaluation of Operational Data, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Telephone (301) 415–6835, e-mail dpa@NRC.gov

**SUPPLEMENTARY INFORMATION:** The purpose of this report is to help ensure that events are reported as required by improving the guidelines for implementing 10 CFR 50.72, ''Immediate notification requirements for operating nuclear power reactors,'' and 10 CFR 50.73, ''Licensee event report system,'' including consolidation of the guidelines into a single reference document. NUREG–1022, Revision 1 supersedes NUREG–1022 and its Supplements 1 and 2.

### Previous Draft and Comment

The availability of the second draft report for public comment was announced on February 7, 1994 (59 FR 5614). The comment period expired April 5, 1994. Eighteen comment letters were received, representing comments from fourteen nuclear power plant licensees (utilities), three organizations of utilities, and one individual. A list is provided below. All the comment letters provided specific recommendations for changes to the report. Seven letters indicated general support, at least to the extent of indicating that a document which satisfies the mutual goals of the NRC and its licensees was within reach. Two letters appeared to indicate general disapproval. The resolution of comments is summarized below. This summary addresses the principal comments (i.e., those that are not minor, editorial, or supportive in nature).

*Comment:* Two comment letters appeared to express general disapproval. One commentor indicated that, although there were some significant improvements over the existing reporting guidance, significant issues remained in the report that would very likely result in an increase in reporting burden with little or no gain in safety. Four specific examples were cited: (1) The voluntary reporting guidance in the Foreword, Sections 2.5 and 3.3.2, (2) an example of relief valve testing in Section 2.7, (3) the need to report as ''outside the design basis'' when a system is found to lack suitable redundancy as discussed in Section 3.2.4, and (4) an example of inadvertent opening of a high pressure to low pressure isolation valve in Section 3.2.4. Another commentor indicated that the guidance would expand the reporting requirements of 10 CFR 50.73 without appropriate rulemaking or backfit analysis. The comment emphasized two particular items: (1) The need to report non-redundant emergency assessment equipment out of service after 8 hours as discussed in Section 3.2.7 and (2) the guidance and rationale related to voluntary reporting in Section 5.1.5.

*Response:* The NRC staff has considered the guidance and the comments and modified the guidance where appropriate. After these modifications the NRC staff concludes that the guidance properly interprets the requirements of the current rules and is, therefore, appropriate.

With regard to burden, the staff has reviewed the guidance which is new or different in a meaningful way from previously published generic guidance (i.e., NUREG–1022 and its Supplements 1 and 2 and generic correspondence such as generic letters and information notices). Such new or different guidance is marked by redlining in Revision 1. In most cases the new or different guidance is expected to result in the same number of reported events, or fewer reported events. Where there is an expected increase in the number of reported events, the number is small. On balance, the net effect is expected to be a modest reduction in the number of reported events.

Responses to the specific issues cited above are included in the discussions below.

*Comment:* Several comment letters objected to guidance in the Foreword and Sections 2.5 and 3.3.2 which requested voluntary reporting in certain circumstances for events that result in actuation of the systems listed in Table 2. The comments indicated that discussion of voluntary reporting in NUREG–1022 was not appropriate and would lead to enforcement problems.

*Response:* The Foreword has been deleted. Sections 2.5 and 3.3.2 have been revised and no longer call for voluntary reporting. They indicate that the reporting criterion is based on the premise that engineered safety features (ESFs) are provided to mitigate the consequences of a significant event, and the NRC staff considers the systems listed in Table 2 to be a reasonable interpretation of what constitutes systems provided to mitigate the consequences of a significant event.

*Comment:* Several comment letters objected to the discussion of relief valve testing in Section 2.7. The comments included the following: (1) The entire discussion should be deleted, (2) the discussion characterized relief valves with set points outside of technical specification (T.S.) limits as being inoperable although they were still capable of performing their safety functions, and (3) the example should simply be characterized as a condition or operation prohibited by the plant's T.S.

*Response:* The discussion of relief valve testing has been deleted from Section 2.7. The specific example of multiple relief valves with set points outside of T.S. limits has been moved to Section 3.2.2 and characterized as a condition or operation prohibited by the plant's T.S.

*Comment:* Some comment letters recommended that the definition of ''discovery date'' in Section 2.11, which starts the 30-day reportability clock for licensee event reports (LERs), be revised to allow for appropriate management and/or engineering review. One suggested definition, for example, was ''The discovery date is when someone in the plant recognizes that a reportable event has occurred or it is determined that an existing condition is reportable.''

*Response:* The NRC staff continues to conclude that the current guidance, which has been in use since 1984, is appropriate. Allowing additional time

for management and/or engineering review in the definition of discovery date could lead to open ended due dates for reporting.

*Comment:* Several comment letters objected to the guidance in Section 3.2.4 which indicates that lack of suitable redundancy means the nuclear power plant is in a condition outside of its design basis. The comments indicate that this guidance will call for one-hour telephone notification (as a condition outside design basis) for events that are currently reported via LER only (as a condition prohibited by T.S.).

*Response:* The NRC staff continues to conclude that a plant operating for an extended period of time without suitable redundancy in its emergency core cooling system (ECCS), for example, is operating outside the design basis of the plant, as defined in 10 CFR 50.2 and described in the Final Safety Analysis Report.

*Comment:* Two comment letters suggested that the plant being in a condition outside of its design basis should be applied at the plant level. It was suggested that this would mean determining whether the plant remained within the design bases of its principal barriers. The specific safety function (design bases) of each principal barrier would be limiting the release of radioactive material. Typical controlling parameters (design bases) would be quantities such as offsite dose, fuel clad temperature, fuel clad oxidation, hydrogen generation, core geometry, primary containment integrity and reactor coolant pressure boundary integrity.

*Response:* The NRC staff has deferred issuance of any new or different guidance, beyond the definition of ''design bases'' provided in § 50.2, pending consideration of rulemaking to clarify the extent of reporting required.

*Comment:* Some comment letters suggested adding guidance on the use of Probabilistic Risk Assessment (PRA) determinations to define or to bound the intent of the terms ''seriously degraded'' and ''significantly compromised.''

*Response:* Providing guidance on PRA as a tool to quantify plant risk for the purpose of making reportability decisions is beyond the scope of this report. Modification of event reporting requirements to make them more risk-informed has been identified as a future rulemaking initiative.

*Comment:* Some comment letters objected to the example of reporting the loss of part of a normal barrier between the reactor coolant system and the environment, for example, when one of the Event V isolation valves is inadvertently opened. The comments indicated that the discussion was too broad and should be deleted. They also indicated that loss of a single isolation valve and not the isolation function would not result in the plant being ''seriously degraded.''

*Response:* The example has been deleted.

*Comment:* Two comment letters objected to the statement in Section 3.2.7 that the unavailability of one non-redundant emergency assessment system would become reportable after 8 hours as a ''major loss of emergency assessment capability.'' The comments indicated that the 8-hour standard would be inconsistent with the allowed remedial action times in the plant's T.S.

*Response:* The 8-hour standard has been deleted.

*Comment:* One comment letter objected to the need to report starting of a charging pump in response to ''rapidly decreasing pressurizer level'' associated with a reactor coolant system leak, as discussed in Section 3.3.2. The comment stated that this appears to be a case of component level reporting that adds confusion to the guidance.

*Response:* The example has been retained. It shows that actuation of a component of an ESF should be reported if the ESF is needed to mitigate the consequences of the event, consistent with the statements of considerations for 10 CFR 50.72 and 50.73.

*Comment:* One comment letter objected to the statement in Section 5.1.5 that encourages the use of voluntary LERs, rather than information letters for example, for the purpose of voluntary reporting.

*Response:* The NRC staff continues to conclude that the current guidance, which has been in use since 1984, is appropriate. Voluntary reporting, and thus the format chosen, is non-mandatory. Use of the LER format will facilitate distribution of the information as well as entry into computerized data bases.

**List of Comment Letters**

1. John L. Crooks, letter dated 2/23/94
2. A.C. Passwater, Union Electric Company, letter dated 3/22/94
3. Burton A. Grabo, Arizona Public Service Company, letter dated 3/31/94
4. Thomas E. Tipton, Nuclear Energy Institute, letter dated 4/5/94
5. Daniel F. Stenger, William A. Horin, Mark J. Hedian, Winston & Strawn, letter dated 4/5/94
6. George A. Hunger, Jr., PECO Energy, letter dated 4/5/94
7. L.A. England, BWR Owner's Group, letter dated 4/5/94
8. Jerrold G. Dewease, Entergy Operations, Inc., letter dated 4/6/94
9. E.A. DeBarba, Northeast Utilities System, letter dated 4/5/94
10. Richard F. Phares, Illinois Power Company, letter dated 4/5/94
11. Bob Link, Wisconsin Electric Power Company, letter dated 4/4/94
12. C.A. Schrock, Wisconsin Public Service Corporation, letter dated 4/5/94
13. John S. Marshall, TUELECTRIC, letter dated 4/8/94
14. Richard M. Rosenblum, Southern California Edison Company, letter dated 3/30/94
15. D.W. Edwards, Yankee Atomic Electric Company, letter dated 4/4/94
16. Dave Morey, Southern Nuclear Operating Company, letter dated 4/5/94
17. J.T. Beckham, Georgia Power, letter dated 4/5/94
18. M.L. Bowling, Virginia Power, letter dated 4/27/94

**Impact**

NUREG–1022, Revision 1 clarifies and consolidates the guidance on implementing the event notification and reporting requirements in 10 CFR 50.72 and 50.73. Little of the guidance is new or different from the generic reporting guidance previously published in final form in NUREG–1022 (1983), its Supplement 1 (1984) and subsequent generic communications. Where it is different, the changes are minor. In some areas the new guidance will result in fewer reports and in some areas it will result in more reports. On balance, the clarified guidance will result in a small decrease in reporting burden.

The NRC has determined that this report is not a major rule and verified this determination with the Office of Management and Budget.

**Paperwork Reduction Act Statement**

This report amends the guidance for information collections contained in 10 Code of Federal Regulations (CFR) part 50 and NRC Form 366, Licensee Events Reports. The changes are considered to be insignificant when compared with the overall requirements of the CFR part and the form (NRC Form 366 reduction of 350 hours annually vs. the current 75K, and 10 CFR 50.72 reduction of 150 hours annually vs. the current 2.4K). NRC does not consider the burden change to be significant enough to trigger the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing requirements were approved by the Office of Management and Budget (OMB), approval number 3150–0011 and 3150–0104.

**Public Protection Notification**

If an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

**Planned Rulemaking**

The NRC staff recognizes that there is also a need to revise 10 CFR 50.72 and 50.73 to correct weaknesses in the current rules, including elimination of unnecessary reporting, and better align the rules with the NRC's current needs, including support for the move toward risk-informed regulation. Accordingly, the staff plans to request permission to initiate rulemaking to address these areas. In the future, as rule changes are developed, appropriate changes to the guidance in NUREG–1022, Revision 1 will be developed as well.

Dated at Rockville, MD, this 3d day of February, 1998.

For the Nuclear Regulatory Commission.

**Charles E. Rossi,**

*Director, Safety Programs Division, Office for Analysis and Evaluation of Operational Data.*

[FR Doc. 98–2994 Filed 2–5–98; 8:45 am]

BILLING CODE 7590–01–P

## OFFICE OF PERSONNEL MANAGEMENT

### Submission for OMB Review; Comment Request for Reclearance of Information Collection; OPM 1536

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, May 22, 1995), this notice announces that the Office of Personnel Management has submitted to the Office of Management and Budget a request for reclearance of the following information collection. OPM 1536, Former Spouse's Application for Survivor Annuity Under the Civil Service Retirement System, is designed for use by former spouses of Federal employees and annuitants who are applying for a monthly Civil Service Retirement System benefit. This application collects information about whether the applicant is covered by the Federal Employees Health Benefits Program and about any court order which awards the applicant retirement benefits.

Approximately 500 OPM Forms 1536 will be completed annually. We estimate it takes approximately 45 minutes to complete the form. The annual burden is 375 hours.

For copies of this proposal, contact Jim Farron on (202) 418–3208, or E-mail to jmfarron@mail.opm.gov

**DATES:** Comments on this proposal should be received on or before March 8, 1998.

**ADDRESSES:** Send or deliver comments to—

Lorraine E. Dettman, Chief, Operations Support Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW., Room 3349, Washington, DC 20415–0001

and

Joseph Lackey, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., Room 3002, Washington, DC 20503

**FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION—CONTACT:** Mary Beth Smith-Toomey, Budget and Administrative Services Division, (202) 606–0623.

Office of Personnel Management.

**Janice R. Lachance,**

*Director.*

[FR Doc. 98–2902 Filed 2–5–98; 8:45 am]

BILLING CODE 6325–01–P

## OFFICE OF PERSONNEL MANAGEMENT

### Federal Prevailing Rate Advisory Committee; Cancellation of Open Committee Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92–463), notice is hereby given that the meeting of the Federal Prevailing Rate Advisory Committee scheduled for Thursday, March 12, 1998, has been canceled and rescheduled for Thursday, March 19, 1998.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 5559, 1900 E Street, NW., Washington, DC 20415, (202) 606–1500.

Dated: January 30, 1998.

**Phyllis G. Heuerman,**

*Chair, Federal Prevailing Rate Advisory Committee.*

[FR Doc. 98–2903 Filed 2–5–98; 8:45 am]

BILLING CODE 6325–01–M

## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections; the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

*Title and purpose of information collection:* Supplement to Claim of Person Outside the United States; OMB 3220–0155.

Under the Social Security Amendments of 1983 (Public Law 98–21), which amends Section 202(t) of the Social Security Act, the Tier I or the O/M (overall minimum) portion of an annuity and Medicare benefits payable under the Railroad Retirement Act to certain beneficiaries living outside the U.S., may be withheld effective January 1, 1985. The benefit withholding provision of P.O. 98–21 applies to divorces spouses, spouses, minor or disabled children, students, and survivors of railroad employees who (1) initially became eligible for Tier I amounts, O/M shares, and Medicare benefits after the December 31, 1984; (2) are not U.S. citizens or U.S. nationals; and (3) have resided outside the U.S. for more than six consecutive months starting with the annuity beginning date. The benefit withholding provision does not apply, however to a beneficiary who is exempt under either a treaty obligation of the U.S., in effect on August 1, 1956, or a totalization agreement between the U.S. and the country in which the beneficiary resides, or to an individual who is exempt under other criteria specified in P.L. 98–21.

RRB Form G–45, Supplement to Claim of Person Outside the United States, is used by the RRB to determine applicability of the withholding provision of P.L. 98–21. Completion of the form is required to obtain or retain