

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for OMB Review; Comment Request

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

**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). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* Extension.
2. *The title of the information collection:* 10 CFR Part 26, "Fitness for Duty Program".
3. *The form number if applicable:* Not applicable.
4. *How often the collection is required:* On occasion.
5. *Who will be required or asked to report:* All licensees authorized to construct or operate a nuclear power reactor and all licensees authorized to possess, use, or transport unirradiated Category 1 nuclear material.
6. *An estimate of the number of responses:*
  - a. 144 semi-annual reports (an average of 40 hours per response).
  - b. 72 telephonic event reports (an average of 15 minutes per response).
  - c. 44,000 written statements from applicants for unescorted access authorization to protected areas (an average of 30 seconds per response).
7. *The estimated number of annual respondents:* 72.
8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 61,574.6 (6097 hours of reporting burden and 55,477.6 hours of recordkeeping burden).
9. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:* Not applicable.

10. *Abstract:* 10 CFR Part 26, "Fitness for Duty Program," requires licensees of nuclear power plants and licensees authorized to possess, use, or transport unirradiated Category 1 nuclear material to implement fitness-for-duty programs to assure that personnel are not under the influence of any substance or mentally or physically impaired, to

retain certain records associated with the management of these programs, and to provide reports concerning significant events and program performance. Compliance with these program requirements is mandatory for licensees subject to 10 CFR Part 26.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. 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 August 11, 1999. 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.

Erik Godwin, Office of Information and Regulatory Affairs (3150-0146), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

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

Dated at Rockville, Maryland, this 7th day of July 1999.

For the Nuclear Regulatory Commission.

**Beth C. St. Mary,**

*Acting NRC Clearance Officer, Office of the Chief Information Officer.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-289]

### GPU Nuclear, Inc.; Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-50 issued to GPU Nuclear, Inc., (the licensee) for operation of the Three Mile Island Nuclear Station, Unit 1, (TMI-1) located in Dauphin County, Pennsylvania.

The proposed amendment would grant authority for the licensee to possess radioactive materials without

unit distinction so that after the sale and transfer of the TMI-1 license to AmerGen, radioactive materials may continue to be moved between the TMI-1 and TMI-2 units as they currently are. After the license transfer, GPU Nuclear will need to access the waste handling and processing facilities at TMI-1 (currently common facilities) for its normal post defueling monitored storage (PDMS) activities. Similarly, AmerGen as the TMI-1 licensee and PDMS contractor, will need to move radioactive apparatus and materials between units. The amendment would not authorize receipt or possession of radioactive material or waste from other sites.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

1. Operation of the facility in accordance with the proposed amendment would not involve a significant increase in the probability or the consequences of an accident previously evaluated. The proposed changes do not affect assumptions contained in plant safety analyses, the physical design and/or operation of the plant, nor do they affect Technical Specifications that preserve safety analysis assumptions. None of the proposed changes involve a physical modification to the plant, a new mode of operation or a change to the UFSAR [Updated Final Safety Analysis Report] transient analyses. No Technical Specification Limiting Condition for Operation, Action statement or Surveillance Requirement is affected by any of the proposed changes. Examples of TMI-2 radioactive materials which are moved or staged in TMI-1, such as liquid or solid radwaste or contaminated protective clothing, provide negligible source terms for any potential release. Further, the proposed changes do not alter the design, function, or operation of any plant component. Therefore, the proposed amendment does not affect the