

effective, resolving the problem that is the subject of the waiver.

The Interim Waiver provisions added by the 1986 amendment allow the Assistant Secretary to grant an Interim Waiver when it is determined that the applicant will experience economic hardship if the Application for Interim Waiver is denied, if it appears likely that the Petition for Waiver will be granted, and/or the Assistant Secretary determines that it would be desirable for public policy reasons to grant immediate relief pending a determination on the Petition for Waiver. An Interim Waiver remains in effect for a period of 180 days or until the Department issues its determination on the Petition for Waiver, whichever is sooner, and may be extended for an additional 180 days, if necessary.

Kool-Fire filed a "Petition for Waiver," dated July 18, 1994, in accordance with Section 430.27 of 10 CFR Part 430. The Department published in the **Federal Register** on March 3, 1995, Kool-Fire's petition, and solicited comments, data, and information respecting the petition. 60 FR 11967. Kool-Fire also filed an "Application for Interim Waiver" under Section 430.27(g), which the Department granted on February 22, 1995. 60 FR 11968, March 3, 1995.

No comments were received concerning either the "Petition for Waiver" or the "Interim Waiver." The Department consulted with the Federal Trade Commission (FTC) concerning the Kool-Fire Petition. The FTC did not have any objections to the issuance of the waiver to Kool-Fire.

Assertions and Determinations

Kool-Fire's Petition seeks a waiver from the Department's testing of the heating mode operation for its burner-assisted heat pumps because the current Department test procedure does not address burner-assisted heat pumps. Thus, the Department is granting a waiver of the requirement to test Kool-Fire's HC and LTH models in the heating mode.

It is, therefore, ordered that:

(1) The "Petition for Waiver" filed by Kool-Fire (Case No. CAC-007) is hereby granted as set forth in paragraph (2) below, subject to the provisions of paragraphs (3), (4) and (5).

(2) Kool-Fire shall be required to test its lines of HC and LTH heat pumps on the basis of the test procedures specified in 10 CFR Part 430, Subpart B, Appendix M, for the cooling mode of operation, Section 2.1. The heating mode test, Section 2.2, is waived.

(3) The Waiver shall remain in effect from the date of issuance of this Order

until the Department prescribes final test procedures appropriate to the HC and LTH lines of burner-assisted heat pumps manufactured by Kool-Fire.

(4) This Waiver is based upon the presumed validity of statements, allegations, and documentary materials submitted by the petitioner. This Waiver may be revoked or modified at any time upon a determination that the factual basis underlying the petition is incorrect.

(5) Effective July 27, 1995, this Waiver supersedes the Interim Waiver granted Kool-Fire on February 22, 1995. 60 FR 11967, March 3, 1995 (Case No. CAC-007).

Issued In Washington, DC, on July 27, 1995.

Christine A. Ervin,

Assistant Secretary, Energy Efficiency and Renewable Energy.

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Energy Information Administration

Proposed Agency Information Collection Under OMB Review

AGENCY: Energy Information Administration, Department of Energy.

ACTION: Notice of the Proposed Revision of Form RW-859, "Nuclear Fuel Data," Proposed New Form RW-859S, "Nuclear Fuel Data Supplement," and Solicitation of Comments.

SUMMARY: The Energy Information Administration (EIA) is soliciting comments concerning the proposed revision to the Form RW-859, "Nuclear Fuel Data," and proposed new survey Form RW-859S, "Nuclear Fuel Data Supplement."

DATES: Written comments must be submitted by October 2, 1995. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below of your intention to do so as soon as possible.

ADDRESSES: Send comments to Ms. Kathy Gibbard, Program Manager, Form RW-859 and RW-859S, U.S. Department of Energy, Energy Information Administration (EI-531), 1000 Independence Avenue, S.W., Washington, DC 20585, or via e-mail (internet) Kathy.Gibbard@HQ.DOE.GOV. FAX (202) 254-5765.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to Ms. Gibbard at the

address listed above, telephone (202) 254-5559.

SUPPLEMENTARY INFORMATION:

- I. Background
- II. Current Actions
- III. Request for Comments

I. Background

In order to fulfill its responsibilities under the Federal Energy Administration Act of 1974 (Pub. L. No. 93-275) and the Department of Energy Organization Act (Pub. L. No. 95-91), the Energy Information Administration is obliged to carry out a central, comprehensive, and unified energy data and information program. As part of this program, EIA collects, evaluates, assembles, analyzes, and disseminates data and information related to energy resource reserves, production, demand, and technology, and related economic and statistical information relevant to the adequacy of energy resources to meet demands in the near and longer term future for the Nation's economic and social needs.

The Energy Information Administration, as part of its continuing effort to reduce paperwork and respondent burden (required by the Paperwork Reduction Act of 1995 (Pub. L. 104-13)), conducts a presurvey consultation program to provide the general public and other Federal agencies with an opportunity to comment on proposed and/or continuing reporting forms. This program helps to ensure that requested data can be provided in the desired format, reporting burden is minimized, reporting forms are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

The Nuclear Waste Policy Act of 1982, as amended (NWPA), 42 U.S.C. 10101 *et seq.*, requires that the Secretary develop and implement programs to dispose of spent nuclear fuel. The Office of Civilian Radioactive Waste Management (OCRWM) uses the information from Form RW-859 to understand and explore the specific requirements of developing and conducting programs to effectuate the purposes of the NWPA.

The EIA administers the Form RW-859, "Nuclear Fuel Data", which is used to collect data from owners of commercial nuclear power plants and owners and caretakers of spent nuclear fuel. The Federal Energy Administration Act of 1974 (15 U.S.C. 761 *et seq.*) authorizes the EIA to collect data. The current Form RW-859 collects data on every fuel assembly discharged from domestic commercial nuclear reactors,

spent fuel projected to be discharged, and spent fuel storage pool inventories and capacities. The form has been approved through December 31, 1997. Major revisions to Form RW-859 necessitate that the proposed form and new supplemental schedule be approved by the Office of Management and Budget (OMB).

II. Current Actions

This notice is to solicit comments on proposed revisions to Form RW-859 and corresponding instructions. The extension request to OMB will be through December 31, 1998. The DOE is proposing to reduce the content of the Form RW-859 survey to only collect data elements that require annual update. Data that are not subject to annual revision will be collected every five years on a new Form RW-859S supplementary survey form. A summary of the proposed changes follows.

The following items will no longer be collected on the survey:

- Capacity data other than licensed capacity and current usable capacity
- Temporarily discharged fuel (all discharged fuel will now be designated as permanently discharged) and changes in assembly status
- Cross-reference assembly identifiers including American National Standard Institute (ANSI) identifier and fuel fabricator assembly identifiers
- Data on reconstituted fuel.

The following items will no longer be collected annually on the Form RW-859 survey, but will be collected once every five years on the Form RW-859S survey supplement:

- Dates not subject to annual revision (license renewal, reactor retirement, etc.)
- Cask-handling data
- Specific data on canisters and their contents
- Nonfuel components data.

The following items have been added to the annual Form RW-859 survey:

- Questions on quality assurance procedures and traceability
- Assembly-specific information on initial uranium content, initial enrichment, and burnup
- Current cycle start date.

The following will now be collected on the five-year Form RW-859S supplement:

- Reactor information including type, nuclear steam system supplier, design type, operational status, location, and rating
- Pool site configuration
- Crane data including capacity, limiting factors, dimensions, and clearance
- Site specific access and configuration data for the receiving/

upending area, cask handling area, pool cask loading area, and set-down platform area

- Transportation data including information on on-site roads, rail, and barge
- Historical assembly-specific data not previously reported.

III. Request for Comments

Prospective respondents and other interested parties should comment on the actions discussed in item II. The following guidelines are provided to assist in the preparation of responses. Please indicate to which form(s) your comments apply.

General Issues

EIA is interested in receiving comments from persons regarding:

A. Whether the proposed collection(s) of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility. Practical utility is the actual usefulness of information to or for an agency, taking into account its accuracy, adequacy, reliability, timeliness, and the agency's ability to process the information it collects.

B. What enhancements can EIA make to the quality, utility, and clarity of the information to be collected?

As a Potential Respondent

A. Are the instructions and definitions clear and sufficient? If not, which instructions require clarification?

B. Can data be submitted in accordance with the due date specified in the instructions?

C. Public reporting burden for the annual Form RW-859 data collection is estimated to average 40 hours per response. Public reporting burden for the five-year Form RW-859S supplement is estimated to be 100 hours for the initial data collection and 20 hours for subsequent data collections. Burden includes the total time, effort, or financial resources expended to generate, maintain, retain, or disclose or provide the information including: (1) Reviewing instructions; (2) developing, acquiring, installing, and utilizing technology and systems for the purposes of collecting, validating, verifying, processing, maintaining, disclosing and providing information; (3) adjusting the existing ways to comply with any previously applicable instructions and requirements; (4) training personnel to respond to a collection of information; (5) searching data sources; (6) completing and reviewing the collection of information; and (7) transmitting, or otherwise disclosing the information.

Please comment on (1) the accuracy of our estimate and (2) how the agency could minimize the burden of the collection of information, including the use of automated collection techniques or other forms of information technology.

D. What is the estimated cost of completing these forms, including the direct and indirect costs associated with the data collection? Direct costs should include all costs, such as administrative costs, directly attributable to providing this information.

E. Do you know of any other Federal, State, or local agency that collects similar data? If you do, specify the agency, the data element(s), and the methods of collection.

As a Potential User

A. Can you use data at the levels of detail indicated on the forms?

B. For what purpose would you use the data? Be specific.

C. Are there alternate sources of data and do you use them? If so, what are their deficiencies and/or strengths?

D. For the most part, information is published by EIA in U.S. customary units, e.g., cubic feet of natural gas, short tons of coal, and barrels of oil. Would you prefer to see EIA publish more information in metric units, e.g., cubic meters, metric tons, and kilograms? If yes, please specify what information (e.g., coal production, natural gas consumption, and crude oil imports), the metric unit(s) of measurement preferred, and in which EIA publication(s) you would like to see such information.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the form. They also will become a matter of public record.

Statutory Authority: Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 (Pub. L. No. 104-13).

Issued in Washington, DC, July 20, 1995.

John Gross,

Acting Director, Office of Statistical Standards, Energy Information Administration.

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