

of the Atomic Energy Act of 1954, as amended, with NRC, to regulate, inspect or otherwise exercise control of operations, with respect to source and byproduct material, for disposal of that material at the LLW disposal facility at Richland, Washington.

Prior to the issuance of the proposed renewal, NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment.

The NRC hereby provides notice that this is a proceeding on an application for a license renewal falling within the scope of Subpart L, Informal Hearing Procedures for Adjudications in Materials Licensing Proceedings, of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. 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 of 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 20852-2738; or

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

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC'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).

In accordance with 10 CFR § 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

1. The applicant, American Ecology Corporation, 120 Franklin Road, Oak

Ridge, TN, 37830, ATTN: Mr. Arthur J. Palmer, III, and

2. The NRC staff, by delivery to the Executive Director for 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.

For further details with respect to this action, the application for license renewal is available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland this 19th day of October 1995.

For the U.S. Nuclear Regulatory Commission.

Michael F. Weber,

*Chief, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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BILLING CODE 7590-01-P

#### [Docket No. 50-346]

#### **Toledo Edison Company, et al.; Davis-Besse Nuclear Power Station, Unit No. 1; Amendment to Facility Operating License Notice of Withdrawal of Application for Amendment to Facility Operating License**

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of the Toledo Edison Company, Centor Service Company, and the Cleveland Electric Illuminating Company (the licensees) to withdraw its August 18, 1995, application for proposed amendment to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit No. 1, located in Ottawa County, Ohio.

The proposed amendment would have revised Technical Specification Section 3/4.7.5.1, "Ultimate Heat Sink" to increase the maximum temperature from less than or equal to 85 °F to less than or equal to 90 °F.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the Federal Register on August 24, 1995 (60 FR 44091). However, by letter dated September 12, 1995, the licensee withdrew the proposed change.

For further details with respect to this action, see the request for enforcement discretion dated August 17, 1995, the application for amendment dated August 18, 1995, and the licensee's letter dated September 12, 1995, which withdrew the application for license amendment. The above documents are

available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the University of Toledo, William Carlson Library, Government Documents Collection, 2801 West Bancroft Avenue, Toledo, Ohio 43606.

Dated at Rockville, Maryland, this 27th day of September 1995.

For the Nuclear Regulatory Commission.  
Linda L. Gundrum,  
*Project Manager, Project Directorate III-3, Division of Reactor Projects—III/IV, Office of Nuclear Reactor Regulation.*

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#### **Evaluation of Agreement State Radiation Control Programs**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Interim implementation of the Integrated Materials Performance Evaluation Program pending final Commission approval of the Statement of Principles and Policy for the Agreement State Program and the Policy Statement on Adequacy and Compatibility of Agreement State Programs.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is implementing, on an interim basis, the Integrated Materials Performance Evaluation Program (IMPEP) to be used in the evaluation of Agreement State Programs. To effect this implementation, the NRC will suspend relevant portions of the May 28, 1992 General Statement of Policy "Guidelines for NRC Review of Agreement State Radiation Control Programs, 1992." Management Directive 5.6, Integrated Materials Performance Evaluation Program, will be used as the implementing procedure.

The NRC will implement IMPEP in the evaluation of Agreement State Programs until such time as final implementing procedures for the policy statements: "Statement of Principles and Policy for the Agreement State Program" and "Policy Statement on the Adequacy and Compatibility of Agreement State Programs," and any revisions to these policy statements are approved by the Commission (See 60 FR 39464; August 2, 1995). Conforming revisions to IMPEP in connection with the completion of work on these two policy statements will be done as appropriate. IMPEP will then be implemented on a permanent basis and the 1992 policy statement on "Guidelines for NRC review of

Agreement State Radiation Control Programs" will be rescinded.

**EFFECTIVE DATE:** October 1, 1995.

**ADDRESSES:** Interested persons may obtain a single copy of Management Directive 5.6 by writing Mr. George Deegan, U.S. Nuclear Regulatory Commission, Mail Stop T8-F5, Washington, DC 20555.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathleen N. Schneider, Office of State Programs, U.S. Nuclear Regulatory Commission, Document Control Desk, P1-37, Washington, DC 20555, telephone (301)-415-2320.

**SUPPLEMENTARY INFORMATION:** In 1994, NRC proposed a process to evaluate NRC Regional programs and Agreement State Radiation Control Programs, that regulate the use of radioactive materials, in an integrated manner using common performance indicators. The staff conducted a pilot program in 1994 with three Agreement States and two NRC Regional materials programs using the draft Management Directive 5.6, "Integrated Materials Performance Evaluation Program" (IMPEP). On June 27, 1995, the Commission approved implementation of IMPEP on an interim basis. The draft Management Directive is currently being prepared in final form.

Five common performance indicators, as described in Management Directive 5.6 will be used to determine adequacy of materials programs. Additionally, Compatibility of Regulations and Legal Authority (including enforcement) will be addressed as non-common indicators. Existing procedures for compatibility determinations (Office of State Programs B.7 Procedure) will continue to be utilized in connection with NRC findings on Compatibility of Regulations under IMPEP until the final implementing procedures for the policy statements: "Statement of Principles and Policy for the Agreement State Program" and "Policy Statement on the Adequacy and Compatibility of Agreement State Programs," and any revisions to these policy statements are approved by the Commission. The interim implementation of IMPEP will require the partial suspension of the May 28, 1992 General Statement of Policy "Guidelines for NRC Review of Agreement State Radiation Control Programs, 1992" (57 FR 22495). The NRC will only continue to apply the single program element of the 1992 General Statement of Policy entitled "Legislation and Regulations." NRC will rescind the entire 1992 General Statement of Policy upon final approval and implementation of the "Statement of Principles and Policy for the

Agreement State Program" and "Policy Statement on the Adequacy and Compatibility of Agreement State Programs."

Low-level waste, uranium mill or sealed source and device programs in Agreement States will not be reviewed as common performance indicators since NRC Headquarters conducts these NRC licensing activities. A performance-based evaluation approach, similar to that developed for the common performance indicators, will be utilized in reviews of NRC and Agreement State programs in these areas.

The NRC will review the performance of each Agreement State on a periodic basis. Each Agreement State evaluation will be coordinated with the States. For those Agreement States with program findings that are both adequate and compatible, the staff will consider extending the current review cycle of 2 years to 3-4 years.

Dated at Rockville Maryland this 19th day of October, 1995.

For the Nuclear Regulatory Commission.

John C. Hoyle,

*Secretary of the Commission.*

[FR Doc. 95-26415 Filed 10-24-95; 8:45 am]

**BILLING CODE 7590-01-P**

## **PENSION BENEFIT GUARANTY CORPORATION**

### **Request for a Collection of Information Under the Paperwork Reduction Act; Customer Satisfaction Focus Groups and Surveys**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of request for OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation has requested that the Office of Management and Budget ("OMB") approve a new collection of information under the Paperwork Reduction Act. The purpose of this information collection, which will be conducted through three focus group meetings and a small of number of surveys, is to help the PBGC evaluate its toll-free telephone service providing basic information about the PBGC insurance program.

**DATES:** The PBGC is requesting that OMB approve this request by November 1, 1995.

**ADDRESSES:** All written comments (at least three copies) should be addressed to: Office of Information and Regulatory Affairs of OMB, Attention: Desk Officer for the Pension Benefit Guaranty

Corporation, 725 17th Street, NW., Room 3208, Washington, DC 20503. The request for approval will be available for public inspection at the PBGC Communications and Public Affairs Department, suite 240, 1200 K Street, NW., Washington, DC 20005, between the hours of 9 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** Marc L. Jordan, Attorney, Office of the General Counsel, Suite 340, 1200 K Street, NW., Washington, DC 20005, 202-326-4024 (202-326-4179 for TTY and TDD). (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** The Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35) establishes policies and procedures for controlling the paperwork burdens imposed by Federal agencies on the public. The Act vests the Office of Management and Budget (OMB) with regulatory responsibility over these burdens, and OMB has promulgated rules on the clearance of collections of information by Federal agencies.

The PBGC has established a toll-free telephone service that gives the public general information concerning the PBGC's insurance program. Use of the toll-free service by the general public has been significantly below expectations.

The PBGC plans to conduct a series of three focus groups of 15 participants each, and to distribute survey questionnaires to the focus group participants and to 150 other individuals. (The 45 focus group participants and 150 survey respondents will be selected largely from the 41,000,000 participants and beneficiaries in covered pension plans.) The purpose of the focus groups and survey questionnaires is to evaluate the PBGC's toll-free service and to assist the PBGC in making necessary improvements to that service.

The PBGC estimates that the total annual burden of this collection of information will be 147.5 hours. The PBGC is requesting that OMB approve this collection on an emergency basis so that needed improvements in the toll-free service can be made as soon as possible.

Issued at Washington, D.C., this 23rd day of October, 1995.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 95-26624 Filed 10-24-95; 8:45 am]

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