

NATIONAL CAPITAL PLANNING COMMISSION

Notice for Publication of Proposed Freedom of Information Access Procedures

SUMMARY: In accordance with the Electronic Freedom of Information Act of 1996 this document sets out procedures for obtaining records and information from the National Capital Planning Commission (Commission). Certain information may also be obtained from the Commission's Web Site (www.ncpc.gov).

DATES: These procedures will become effective November 17, 1998.

SUPPLEMENTARY INFORMATION: The following are procedures by which information may be obtained from the Commission pursuant to the Electronic Freedom of Information Act Amendments of 1996, 5 U.S.C. 552, as amended by Public Law 104-231, 110 Stat. 3048 (hereinafter the "Act"). The Commission is the central planning agency for the Federal Government in the National Capital Region. The Commission is composed of the following members (1) five citizens, three of whom are appointed by the President of the United States, and two of whom are appointed by the Mayor of the District of Columbia. Of the three citizens appointed by the President at least one shall be a bona fide resident of Virginia and at least one shall be a bona fide resident of Maryland. Presidential appointments are for six-year terms; Mayoral appointments are for four-year terms. The two mayoral appointees shall be bona fide residents of the District of Columbia. The President designates the Chairman of the Commission, and (2) ex-officio, the Secretary of the Interior, the Secretary of Defense; the Administrator of General Services; the Mayor of the District of Columbia; the Chairman of the Council of the District of Columbia; the Chairman of the Committee on Governmental Affairs, United States Senate; and the Chairman of the Committee on Government Reform and Oversight, U.S. House of Representatives; or their alternates.

A staff headed by an Executive Director assists the Commission. The staff is organized functionally as follows:

- (a) Office of the Executive Director
- (b) Office of the General Counsel
- (c) Office of the Secretariat
- (d) Office of Administration
- (e) Office of Long Range Planning
- (f) Office of Plans Review
- (g) Technology Development and Applications Team

a. General Policy

It is the Commission's general policy to facilitate the broadest possible availability and dissemination of information to the public. The Commission's Freedom of Information Act Officer and the Information Resource Specialist are available to assist the public in obtaining information formally by using the procedures herein or informally by discussions with the staff. The Commission's staff may, therefore, furnish information informally to the public, provided that it is in a manner not inconsistent with these procedures. In addition, the Commission will make available records which it is authorized to withhold under the Act, when it determines that such disclosure is in the public interest.

Some information and documents may be available in an electronic format upon request. In addition some documents, such as the Extending the Legacy, are available on the NCPCC website at www.ncpc.gov. For information on electronic retrieval, please contact the Freedom of Information Act Officer.

b. Established Place to Obtain Information

Information may be obtained from the Commission's offices, located at 801 Pennsylvania Avenue, NW, Suite 301, Washington, D.C. 20576, Monday through Friday, from 8:00 a.m. to 5:30 p.m., excluding legal holidays.

c. Information Sources Within the Commission

Requests for publications or informal requests for general information should be directed to the Information Resource Specialist. All formal requests for agency records pursuant to the Act must be directed to the Commission's Freedom of Information Act Officer. The Commission's staff will correctly route any information request directed initially to the wrong information source and the requesting party will be notified. The 20-day time period within which the Commission is required to determine whether to comply with a request shall not begin to run until the request reaches, or with the exercise of due diligence should have reached, the appropriate information source.

d. Information Routinely Available

The following types of information shall be routinely available for public dissemination, unless such information falls within one of the exemptions to agency disclosure listed in 5 U.S.C. 552(b):

- (1) Publications

- (2) Correspondence between the Commission and the Congress, other Federal and local agencies, and the public
- (3) Commission actions, including decisions, and official correspondence
- (4) Executive Director's Recommendations
- (5) Committee Reports
- (6) Commission Memoranda of Actions
- (7) Transcripts of Commission Proceedings
- (8) Maps (record drawings)
- (9) Comprehensive Plan for the National Capital
- (10) Master Plan Submission Requirements
- (11) Project Plans Submissions Requirements
- (12) Environmental Policies and Procedures;
- (13) Procedures for Intergovernmental Cooperation
- (14) Guidelines and Submission Requirements for Antennas on Federal Property in the National Capital Region
- (15) Policies relating to the Recognition of Private Contributions to Memorials, Museums, and other Cultural Facilities on Public Lands in the National Capital
- (16) Federal Capital improvements Programs for the National Capital Region
- (17) Development Controls for the Chancery Section of the International Center in the District of Columbia
- (18) Extending the Legacy, Planning America's Capital for the 21 Century

Requests for any of the above information, with the exception of publications and maps, which do not require formal requests, should be directed to the Commission's Freedom of Information Act Officer. Requests for publications should be directed to the Information Resource Specialist, and map requests should be directed to the Technology Development and Applications Team.

e. Formal Requests for Information

All formal requests for information pursuant to the Act should be made in writing to the Commission's Freedom of Information Act Officer. To expedite internal handling of such requests, the words "Freedom of Information Act Request" should appear on the face of the correspondence bearing such request. The request should state that it is being made pursuant to the Act, and should reasonably describe the information sought, including the date the Commission received or produced

the requested information, if known. The request should also state, pursuant to the fee schedule set forth *infra*, the maximum fee the party making the request would be willing to pay for the duplication of the requested records, and shall, if possible, provide a telephone number at which the requesting party can be contacted to facilitate the handling of the request.

f. Commission Response to Formal Requests

The Commission's Freedom of Information Act Officer, upon request for information made in compliance with these regulations, shall determine within 20 days (excepting Saturdays, Sundays, and legal holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor and of the rights of such person to appeal to the head of the agency any adverse determination. In unusual circumstances as specified, *infra*, the 20-day time limit may be extended by written notice to the person making the request setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No extension shall be for more than 20 working days. As used in this paragraph, "unusual circumstances" means, but only to the extent reasonably necessary for the proper processing of the particular request:

- (1) The need to search for and collect the requested records from establishments that may be separate from the Commission's offices;
- (2) The need to search for, collect, and appropriately examine a voluminous number of separate and distinct records which are demanded in a single request; or
- (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request.

g. Determination to Grant Request

If the Commission's Freedom of Information Act Officer makes a determination to grant a request in whole or in part, the person making such request will be so notified in writing. If the information cannot be included with the above notification, the response shall also include a description of the information to be made available, a statement of the time when and the place where such information may be inspected or, alternatively, the procedure for duplication and delivery (by mail or

other means) of the information to the requesting party, and a statement of the total fees chargeable to the requesting person pursuant to the free schedule, *infra*.

h. Determination to Deny Requests—Appeal Procedure

If the Commission's Freedom of Information Act Officer makes a determination to deny, in whole or in part, a request for information; he/she shall so notify the party making the request in writing. Any appeal of such determination shall be made in writing to the Executive Director of the Commission and shall include a brief statement of the legal, factual, or other basis for the party's objection to the initial decision. The Executive Director shall, within twenty (20) days (excepting Saturdays, Sundays, and legal holidays) of the receipt of any such appeal determine whether to grant or deny the appeal and shall, immediately upon making his decision, give written notice of the decision to the party, including a brief statement of the reasons.

i. Waiver

Whenever a waiver of any of the procedures set forth herein would further the purpose of the Act by causing the public disclosure of non-confidential information within the time period required by the Act, the Commission's Freedom of Information Act Officer may, in the context of individual requests for information, waive any of the procedural requirements herein.

j. Schedule of Fees

(1) The Commission may charge the following fees for the production of information pursuant to the Act:

- (i) Publications offered for sale—*as marked*
 - (ii) Commission reports—\$0.25/page
 - (iii) Committee reports—\$0.25/page
 - (iv) Commission Memoranda of Actions—\$0.25/page
 - (v) Transcripts of Commission/Committee Proceedings—\$0.25/page
 - (vi) Other records—\$0.25/page
 - (vii) Projects Maps—\$5.00 each
- Manual Record Research: \$5.00 per quarter hour

Fees for information and products processed through the Washington Geographic Information System (WGIS) are set out in NCPC's WGIS distribution policy.

(2) The Commission keeps on file a limited quantity of copies of Executive Director's Recommendations and other

documents. The Commission will first attempt to fill specific requests for these documents from its supply at no charge until the supply is exhausted. Once the supply is exhausted, the requested documents will be provided in accordance with the fee schedule.

(3) The first 100 pages of information are provided at no cost to the requestor. All requests in excess of the allowable 100 pages will be chargeable in accordance with the above fee schedule. The Commission's Freedom of Information Act Officer may waive fees when it is deemed to be in the public interest to do so. Such a waiver will be in the public interest, for example, when that officer determines that the request will not impose an undue burden or expense and the request is: (i) from another government organization, Federal, state or local; (ii) for the purpose of obtaining information primarily for the benefit of the general public rather than for the primary benefit of the requester, as will be the case with certain requests from the news media and from organizations engaged in a non-profit activity designed for public safety, health, welfare, or education; (iii) from employees and former employees seeking information from their own personnel records; (iv) from or on behalf of the defending party in connection with a proceeding against such party by the Federal government; and (v) from a low-income individual upon whom the fee would impose a financial hardship.

NCPC Publications

Extending the Legacy, Planning America's Capital for the 21st Century (final)
 Extending the Legacy, Planning America's Capital for the 21st Century (draft)
 Extending the Legacy, Fact Sheets
 NCPC Quarterly
 Winter 1998
 Spring 1998
 Changing in Place, Smithsonian Brochure
 Streetscape Manual
 Federal Capital Improvements Programs
 Fiscal Years 1999–2003
 Fiscal Years 1998–2002
 Fiscal Years 1997–2001
 Fiscal Years 1996–2000
 Fiscal Years 1995–1999
 Fiscal Years 1994–1998
 Fiscal Years 1993–1997
 A Vision for Monumental Washington Worthy of the Nation
 Federal Elements of the Comprehensive Plan for the National Capital
 Foreign Missions Manual
 Special Streets Plan
 Boundary Markers of the Nation's Capital

The Pennsylvania Avenue Plan
The Urban River
Federal Employment in the National
Capital Region, Report #4

FOR FURTHER INFORMATION PLEASE

CONTACT: Sandra H. Shapiro, National
Capital Planning Commission, 801
Pennsylvania Ave., NW., Suite 301,
Washington, D.C. 20576, Phone: (202)
482-7200.

Sandra H. Shapiro,
General Counsel.

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BILLING CODE 7520-01-M

**NUCLEAR REGULATORY
COMMISSION**

**Agency Information Collection
Activities: Proposed Collection;
Comment Request**

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

ACTION: Notice of pending NRC action to
submit an information collection
request to OMB and solicitation of
public comment.

SUMMARY: The NRC is preparing a
submittal to OMB for review of
continued approval of information
collections under the provisions of the
Paperwork Reduction Act of 1995 (44
U.S.C. Chapter 35).

Information pertaining to the
requirement to be submitted:

1. *The title of the information
collection:* 10 CFR Part 61—Licensing
Requirements for Land Disposal of
Radioactive Waste.

2. *Current OMB approval number:*
3150-0135.

3. *How often the collection is
required:* Applications for licenses are
submitted once. Applications for
renewals or amendments are submitted
as needed. Other reports are submitted
annually and as other events require.

4. *Who is required or asked to report:*
Applicants for and holders of an NRC
license for land disposal of low-level
radioactive waste, and all generators,
collectors, and processors of low-level
waste intended for disposal at a low-
level waste facility.

5. *The number of annual responses:*
111

6. *The number of hours needed
annually to complete the requirement or
request:* 374 hours for reporting
(approximately 3.4 hours per response)
plus 4513 hours for recordkeeping
(approximately 645 hours per
recordkeeper). The industry total
burden is 4887 hours annually.

7. *Abstract:* 10 CFR Part 61 establishes
the procedures, criteria, and license
terms and conditions for the land
disposal of low-level radioactive waste.
Reporting and recordkeeping
requirements are mandatory or, in the
case of application submittals, are
required to obtain a benefit. The
information collected in the
applications, reports, and records is
evaluated by the NRC to ensure that the
licensee's or applicant's physical plant,
equipment, organization, training,
experience, procedures and plans
provide an adequate level of protection
of public health and safety, common
defense and security, and the
environment.

Submit, by November 17, 1998,
comments that address the following
questions:

1. Is the proposed collection of
information necessary for the NRC to
properly perform its functions? Does the
information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the
quality, utility, and clarity of the
information to be collected?

4. How can the burden of the
information collection be minimized,
including the use of automated
collection techniques or other forms of
information technology?

A copy of the draft 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/NEWS/OMB/
index.html](http://www.nrc.gov/NRC/NEWS/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 about the
information collection requirements
may be directed to the NRC Clearance
Officer, Brenda Jo. Shelton, U.S. Nuclear
Regulatory Commission, T-6 F33,
Washington, DC, 20555-0001, or by
telephone at 301-415-7233, or by
Internet electronic mail at
BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 11th day
of September 1998.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

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

[FR Doc. 98-25066 Filed 9-17-98; 8:45 am]

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**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 72-4]

**Duke Power Company; Notice of
Docketing of the Materials License
SNM-2503 Amendment; Application
for the Oconee Nuclear Station
Independent Spent Fuel Storage
Installation**

By letter dated January 19, 1998, Duke
Power Company submitted an
application to the Nuclear Regulatory
Commission (the Commission) in
accordance with 10 CFR Part 72
requesting the amendment of the
Oconee Nuclear Station independent
spent fuel storage installation (ISFSI)
license (SNM-2503) and the Technical
Specifications for the ISFSI located in
Seneca, South Carolina. Duke Power
Company is seeking Commission
approval to amend the materials license
and the ISFSI Technical Specifications
to reflect its corporate name change
from Duke Power Company to Duke
Energy Corporation. The name change is
the result of a recent merger of Duke
Power Company and PanEnergy
Corporation.

This application was docketed under
10 CFR Part 72; the ISFSI Docket No. is
72-4 and will remain the same for this
action. The amendment of an ISFSI
license is subject to the Commission's
approval.

The Commission will determine if the
amendment presents a genuine issue as
to whether public health and safety will
be significantly affected and may issue
either a notice of hearing or a notice of
proposed action and opportunity for
hearing in accordance with 10 CFR
72.46(b)(1) or take immediate action on
the amendment in accordance with 10
CFR 72.46(b)(2).

For further details with respect to this
application, see the application dated
January 19, 1998, which is available for
public inspection at the Commission's
Public Document Room, 2120 L Street,
NW, Washington, DC 20555.

Dated at Rockville, Maryland, this 4th day
of September 1998.

For the Nuclear Regulatory Commission.

William F. Kane,

*Director, Spent Fuel Project Office, Office of
Nuclear Material Safety and Safeguards.*

[FR Doc. 98-25063 Filed 9-17-98; 8:45 am]

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