

acceptance criteria may be resolved through the design-centered review approach for initial applications containing common information, but we do not intend to impose any resolution so obtained on subsequent COL applicants. While there is no requirement to adopt a previously-approved resolution of an issue, and subsequent applicants are free to use the most recent state-of-the-art methods to resolve such issues, we nevertheless urge such applicants to consider adopting previous resolutions in order to maximize plant standardization. If a COL applicant adopts an approach to a technical issue previously found acceptable, no further staff review of the adequacy of the approach is necessary. Rather, the staff review should be limited to verification that the applicant has indeed adopted the previously approved approach and will properly implement it.

### C. ITAAC

In first promulgating 10 CFR Part 52 in 1989, we determined that hearings on whether the acceptance criteria in a COL have been met (ITAAC-compliance hearings) would be held in accordance with the Administrative Procedure Act (APA) provisions applicable to determining applications for initial licenses, but that we would specify the procedures to be followed in the Notice of Hearing. See § 52.103(b)(2)(i) (1990); 54 FR 15395. In enacting the Energy Policy Act of 1992, Congress subsequently confirmed our authority to adopt 10 CFR Part 52, and by statute accorded us additional discretion to determine procedures, whether formal or informal, for ITAAC-compliance hearings. See Atomic Energy Act section 189a.(1)(B)(iv), 42 U.S.C. 2239(a)(1)(B)(iv). We therefore amended § 52.103(d) to provide that we would determine, in our discretion, “appropriate hearing procedures, whether informal or formal adjudicatory, for any hearing under [§ 52.103(a)].”

While we recognize that specification of procedures for the treatment of requests for hearings on ITAAC would lend some predictability to the ITAAC compliance process, we are not yet in a position to specify such procedures, since we have not approved even one complete set of ITAAC necessary for issuing a COL. Further, ITAAC-compliance hearings are likely several years distant, and we have no experience with the type and number of hearing requests that we might receive with respect to ITAAC compliance. While it may not be necessary to consider the first requests for ITAAC-

compliance hearings in order for us to determine the procedures appropriate to govern such hearings, we believe it premature to specify such procedures now. In addition, the staff is now formulating guidance on the times necessary for the staff to consider different categories of completed ITAAC, and this guidance should assist licensees in scheduling and performing ITAAC so as to minimize the critical path for staff consideration of completed ITAAC.

In view of the above considerations, we have identified one measure to lend predictability to the ITAAC compliance process: The Commission itself will serve as the presiding officer with respect to any request for a hearing filed under § 52.103. In acting as the presiding officer under these circumstances, we will make three initial determinations. First, we will decide whether the person requesting the hearing has shown, *prima facie*, that one or more of the acceptance criteria in the COL have not been, or will not be met, and the attendant public health and safety consequences of such non-conformance that would be contrary to providing reasonable assurance of adequate protection of the public health and safety. Second, if we decide to grant a request for a hearing on ITAAC compliance, we will decide, pursuant to § 52.103(c), whether there will be reasonable assurance of adequate protection of the public health and safety during a period of interim operation. Third, we will designate the procedures under which the proceeding shall be conducted. We have amended § 52.103 and our Rules of Practice (§§ 2.309, 2.310, and 2.341) to incorporate these changes.

### III. Conclusion

The Commission reiterates its long-standing commitment to the expeditious completion of adjudicatory proceedings while still ensuring that hearings are fair and produce an adequate record for decision. The Commission intends to monitor its proceedings to ensure that they are being concluded in a fair and timely fashion. To this end, the Commission will act in individual proceedings, as appropriate, to provide guidance to licensing boards and parties, and to decide issues in the interest of a prompt and effective resolution of the matters set for adjudication.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 4th day of June 2007.

**Annette Vietti-Cook,**

*Secretary of the Commission.*

[FR Doc. E7-11264 Filed 6-8-07; 8:45 am]

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## OFFICE OF MANAGEMENT AND BUDGET

### Audits of States, Local Governments, and Non-Profit Organizations; Circular A-133 Compliance Supplement

**AGENCY:** Executive Office of the President, Office of Management and Budget.

**ACTION:** Notice of availability of the 2007 Circular A-133 Compliance Supplement.

**SUMMARY:** This notice announces the availability of the 2007 Circular A-133 Compliance Supplement. The notice also offered interested parties an opportunity to comment on the 2007 Circular A-133 Compliance Supplement. The 2007 Supplement adds three programs, as well as, includes seven existing programs combined into two existing clusters. It also deletes two programs, updates for program changes, and makes technical corrections. A list of changes to the 2007 Supplement can be found at Appendix V. Due to its length, the 2007 Supplement is not included in this Notice. See Addresses for information about how to obtain a copy.

**DATES:** The 2007 Supplement will apply to audits of fiscal years beginning after June 30, 2006 and supersedes the 2006 Supplement. All comments on the 2007 Supplement must be in writing and received by October 31, 2007. Late comments will be considered to the extent practicable.

Due to potential delays in OMB's receipt and processing of mail sent through the U.S. Postal Service, we encourage respondents to submit comments electronically to ensure timely receipt. We cannot guarantee that comments mailed will be received before the comment closing date.

*Electronic mail comments may be submitted to:*

*Hai\_M.\_Tran@omb.eop.gov.* Please include “A-133 Compliance Supplement—2007” in the subject line and the full body of your comments in the text of the electronic message and as an attachment. Please include your name, title, organization, postal address, telephone number, and E-mail address in the text of the message. Comments may also be submitted via facsimile to 202-395-3952.

Comments may be mailed to Gilbert Tran, Office of Federal Financial Management, Office of Management and Budget, Room 6025, New Executive Office Building, Washington, DC 20503.

**ADDRESSES:** Copies of the 2007 Supplement may be purchased at any Government Printing Office (GPO) bookstore (*stock number*: 041-001-00643-5). The main GPO bookstore is located at 710 North Capitol Street, NW., Washington, DC 20401, (202) 512-0132. A copy may also be obtained under the Grants Management heading from the OMB home page on the Internet which is located at <http://www.omb.gov> and then select "Grants Management."

**FOR FURTHER INFORMATION CONTACT:** Recipients should contact their cognizant or oversight agency for audit, or Federal awarding agency, as appropriate under the circumstances. Subrecipients should contact their pass-through entity. Federal agencies should contact Gilbert Tran, Office of Management and Budget, Office of Federal Financial Management, telephone (202) 395-3052.

**Linda M. Combs,**  
Controller.

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## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This gives notice of OPM decisions granting authority to make appointments under Schedules A, B, and C in the excepted service as required by 5 CFR 6.6 and 213.103.

**FOR FURTHER INFORMATION CONTACT:** C. Penn, Executive Resources Services Group, Center for Human Resources, Division for Human Capital Leadership and Merit System Accountability, 202-606-2246.

**SUPPLEMENTARY INFORMATION:** Appearing in the listing below are the individual authorities established under Schedules A, B, and C between April 1, 2007, and April 30, 2007. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 is published each year.

### Schedule A

No Schedule A appointments were approved for April 2007.

### Schedule B

No Schedule B appointments were approved for April 2007.

### Schedule C

The following Schedule C appointments were approved during April 2007.

#### *Section 213.3303 Executive Office of the President*

Office of National Drug Control Policy  
QQGS70006 Counselor to the Deputy Director for Demand Reduction. Effective April 13, 2007.

Official Residence of the Vice President  
RVGS00005 Deputy Social Secretary and Residence Manager to the Assistant to the Vice President and Deputy Chief of Staff. Effective April 10, 2007.

#### *Section 213.3304 Department of State*

DSGS61221 Senior Advisor to the Assistant Secretary for Economic and Business Affairs. Effective April 02, 2007.

DSGS61223 Special Assistant to the Assistant Secretary for Public Affairs. Effective April 02, 2007.

DSGS69721 Staff Assistant to the Director, Policy Planning Staff. Effective April 02, 2007.

DSGS69722 Senior Advisor to the Assistant Secretary for Democracy Human Rights and Labor. Effective April 02, 2007.

DSGS61222 Special Assistant to the Principal Deputy Assistant Secretary. Effective April 12, 2007.

#### *Section 213.3305 Department of the Treasury*

DYGS60391 Deputy Scheduler to the Chief of Staff. Effective April 10, 2007.

DYGS00490 Special Advisor to the Special Envoy for China and the Strategic Economic Dialogue. Effective April 25, 2007.

DYGS60277 Speechwriter to the Assistant Secretary (Public Affairs). Effective April 25, 2007.

DYGS00491 Senior Advisor to the Assistant Secretary (Deputy Under Secretary) International Affairs. Effective April 26, 2007.

#### *Section 213.3306 Department of Defense*

DDGS17028 Staff Assistant to the Special Assistant to the Secretary of Defense for White House Liaison. Effective April 03, 2007.

DDGS17036 Public Affairs Specialist to the Assistant Secretary of Defense Public Affairs. Effective April 11, 2007.

DDGS17027 Special Assistant to the Assistant Secretary of Defense (Legislative Affairs). Effective April 13, 2007.

DDGS17030 Staff Assistant to the Deputy Assistant Secretary of Defense (North Atlantic Treaty Organization and Europe). Effective April 13, 2007.

DDGS17016 Defense Fellow to the Special Assistant to the Secretary of Defense for White House Liaison. Effective April 18, 2007.

DDGS17031 Special Assistant to the Deputy Under Secretary of Defense (Asian and Pacific Security Affairs) Effective April 18, 2007.

DDGS17033 New Media Development Account Assistant to the Assistant Secretary of Defense Public Affairs. Effective April 18, 2007.

DDGS17035 Staff Assistant to the Deputy Assistant Secretary of Defense (Near East and South Asian Affairs). Effective April 18, 2007.

DDGS17034 Administrative Assistant to the Director, Department of Defense Office of Legislative Counsel. Effective April 24, 2007.

#### *Section 213.3307 Department of the Army*

DWGS60032 Special Assistant to the Deputy Assistant Secretary of the Army (Environment, Safety and Occupational Health) to the General Counsel. Effective April 18, 2007.

#### *Section 213.3308 Department of the Navy*

DNGS07152 Confidential Assistant to the Assistant Secretary of the Navy (Research Development and Acquisition). Effective April 18, 2007.

DNGS07194 Attorney Advisor (General) to the General Counsel. Effective April 18, 2007.

#### *Section 213.3310 Department of Justice*

DJGS00302 Associate Director to the Deputy Director. Effective April 04, 2007.

#### *Section 213.3311 Department of Homeland Security*

DMGS00653 Assistant Director to the Assistant Secretary for Legislative Intergovernmental Affairs. Effective April 02, 2007.

DMGS00655 Coordinator for Local Affairs to the Director, Office of State and Local Government Coordination. Effective April 02, 2007.

DMGS00654 Associate Director, Ready Campaign to the Assistant Secretary for Public Affairs. Effective April 04, 2007.

DMGS00656 Director of Speechwriting to the Assistant Secretary for Public Affairs. Effective April 05, 2007.