

- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment Standards Administration.

*Title:* Executive Order 12933, 29 CFR Part 9, Nondisplacement of Qualified Workers Under Certain Contracts.

*OMB Number:* 1215-0190.

*Frequency:* On occasion.

*Affected Public:* Business and other for-profit, Individuals or households, Federal government.

*Number of Respondents:* 88.

*Estimated Time Per respondent:* 15 minutes.

*Total Burden Hours:* 22 hours.

*Total Annualized capital/startup costs:* \$0.

*Total annual costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* These rules provide recordkeeping requirements in certain building service contracts documenting offers of employment of a successor contractor.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 00-1092 Filed 1-14-00; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Extension of Information Collection Request Submitted for Public Comment and Recommendation; Definition of "Plan Assets"—Participant Contributions

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), as part of its continuing effort to reduce paperwork and respondent burden, provides the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized,

collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Pension and Welfare Benefits Administration is soliciting comments concerning the proposed extension of a currently approved collection of information, Definition of Plan Assets—Participant Contributions, CFR § 2510.3-102. A copy of the proposed information collection request can be obtained by contacting the individual listed below in the address section of this notice.

**DATES:** Written comments must be submitted on or before March 20, 2000.

**ADDRESSES:** Gerald B. Lindrew, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Washington, D.C. 20210, (202) 219-4782 (not a toll-free number), FAX (202) 219-4745.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

This regulation describes when certain monies, which a participant pays to or has withheld by an employer for contribution to an employee benefit plan, are "plan assets" for purposes of Title I of the Employee Retirement Security Act of 1974 (ERISA) and the related prohibited transaction provisions of the Internal Revenue Code (IRC). The regulation establishes that participant contributions to an employee pension benefit plan become plan assets on the earliest date that they can reasonably be segregated from an employer's general assets, but in no event later than 15 business days for pension plans, 90 days for welfare plans, and, in the case of SIMPLE Retirement Accounts, 30 days following the month in which the contribution amounts would otherwise have been payable to the participant in cash.

The regulation also establishes a procedure (for pension plans only) whereby an employer may obtain an additional 10 business days to comply with the contribution time limits. In order to take advantage of this opportunity, an employer is required to satisfy certain exemption conditions, including notification to participants, bonding, and certification to the Secretary of the Department of Labor when the funds are transmitted. These conditions are intended to protect participant contributions and provide the Department with adequate notice of an employer's compliance.

##### II. Desired Focus of Comments

The Department of Labor (Department) is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

##### III. Current Actions

The regulation provides guidance for fiduciaries, participants, and beneficiaries of employee benefit plans on the requirements for transmission of employee contributions withheld from wages. Extension of the information collection provision of the regulation is important because delays in the transmittal of funds may result in lost earnings to pension plan participants and beneficiaries. In addition, for those employers who may have difficulty meeting regulation deadlines for participant contribution transmissions, the extension provision of the regulation provides an alternate means of employer compliance with the regulation, while providing participants, beneficiaries, and the Department with sufficient information to protect their rights under ERISA.

This notice requests comments on the extension of the ICR included in the regulation governing the definition of "plan assets." The Department is not proposing or implementing changes to the existing ICR at this time. Comments received in response to this notice will be incorporated in the submission to OMB for continued clearance of the ICR.

*Type of Review:* Extension.

*Agency:* Pension and Welfare Benefits Administration.

*Title:* Definition of Plan Assets—Participant Contributions.

*OMB Number:* 1210-0100.

*Affected Public:* Business or other for-profit, Not-for-profit institutions, Individuals.

*Total Respondents:* 1.  
*Frequency:* On occasion.  
*Total Responses:* 1.  
*Average Time Per Response:* 6 hours.  
*Estimated Total Burden Hours:* 2.  
*Total Burden Cost (Operating and Maintenance):* \$300.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: January 11, 2000.

**Gerald B. Lindrew,**

*Deputy Director, Office of Policy and Research, Pension and Welfare Benefits Administration.*

[FR Doc. 00-1093 Filed 1-14-00; 8:45 am]

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## **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 140, "Financial Protection Requirements and Indemnity Agreements".

2. Current OMB approval number: 3150-0039.

3. How often the collection is required: As necessary in order for NRC to meet its responsibilities called for in Section 170 and 193 of the Atomic Energy Act of 1954, as amended (the Act).

4. Who is required or asked to report: Licensees authorized to operate reactor facilities in accordance with 10 CFR part 50 and licensees authorized to construct and operate a uranium enrichment facility in accordance with 10 CFR parts 40 and 70.

5. The number of annual respondents: Approximately 178.

6. The number of hours needed annually to complete the requirement or request: 821.

7. Abstract: 10 CFR part 140 of the NRC's regulations specified information

required to be submitted by licensees to enable the NRC to assess (a) the financial protection required of licensees and for the indemnification and limitation of liability of certain licensees and other persons pursuant to Section 170 of the Atomic Energy Act of 1954, as amended, and (b) the liability insurance required of uranium enrichment facility licensees pursuant to Section 193 of the Atomic Energy Act of 1954, as amended.

Submit, by March 20, 2000, 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/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 about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, US Nuclear Regulatory Commission, T-6 E6, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail at [BJS1@NRC.GOV](mailto:BJS1@NRC.GOV).

Dated at Rockville, Maryland, this 11th day of January 2000.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

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

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## **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 50-361 and 50-362]

### **Southern California Edison Company; San Onofre Nuclear Generating Station, Units 2 and 3; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing**

The US Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating Licenses Nos. NPF-10 and NPF-15 issued to Southern California Edison Company (SCE, the licensee) for operation of the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3, located in San Diego County, California.

The proposed amendments would revise the SONGS Units 2 and 3 Technical Specification (TS) 3.7.6, "Condensate Storage Tank (CST T-121 and T-120)" to change the minimum inventory of water maintained in the condensate storage tank (T-120) from 280,000 gallons to 360,000 gallons during plant operation Modes 1, 2 and 3.

Before issuance of the proposed license amendments, 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 amendments 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. Involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The purpose of the increased water volume is to ensure that the required volume of water preserved by Technical Specification 3.7.6 is sufficient to meet the San Onofre Units 2 and 3 Licensing and Design Basis. To meet the guidance of Reactor Systems Branch Technical Position RSB-5-1, the Southern