

Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2007 (72 FR 31159).

Signed at Washington, DC, on September 23rd, 2008.

Edwin G. Foulke, Jr.

Assistant Secretary of Labor for Occupational Safety and Health.

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NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2008-0359]

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

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

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on July 7, 2008.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* 10 CFR Part 74—Material Control and Accounting of Special Nuclear Material.

3. *Current OMB approval number:* 3150-0123.

4. *The form number if applicable:* Not applicable.

5. *How often the collection is required:* Submission is a one-time requirement which has been completed by all current licensees. However, licensees may submit amendments or revisions to the plans as necessary. In addition, specified inventory and material status reports are required annually or semi-annually. Other reports are submitted as events occur.

6. *Who is required or asked to report:* Persons licensed under 10 CFR 70 who possess and use certain forms and

quantities of Special Nuclear Material (SNM).

7. *An estimate of the number of annual responses:* 21.

8. *The estimated number of annual respondents:* 19.

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* An annual total of 8,589 hours (989 hours for reporting and 7,600 hours for recordkeeping). The average annual burden per respondent for reporting is 47 hours. The average annual burden per recordkeeping for the 110 record keepers is 61 hours.

10. *Abstract:* 10 CFR Part 74 establishes requirements for material control and accounting of SNM, and specific performance-based regulations for licensees authorized to possess, use and produce strategic special nuclear material, and special nuclear material of moderate strategic significance and low strategic significance. The information is used by the NRC to make licensing and regulatory determinations concerning material control and accounting of special nuclear material and to satisfy obligations of the United States to the International Atomic Energy Agency (IAEA). Submission or retention of the information is mandatory for persons subject to the requirements.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC World Wide Web site: <http://www.nrc.gov/public-involve/doc-comment/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 should be directed to the OMB reviewer listed below by November 3, 2008. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Nathan J. Frey, Office of Information and Regulatory Affairs (3150-0123), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to Nathan.J.Frey@omb.eop.gov or submitted by telephone at (202) 395-7345.

The NRC Clearance Officer is Russell Nichols, (301) 415-6874.

Dated at Rockville, Maryland, this 24th day of September 2008.

For the Nuclear Regulatory Commission.

Gregory Trussell,

Acting NRC Clearance Officer, Office of Information Services.

[FR Doc. E8-23231 Filed 10-1-08; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. Stn 50-528]

Arizona Public Service Company, et al.; Palo Verde Nuclear Generating Station, Unit 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of a temporary exemption from Title 10 of the Code of Federal Regulations (10 CFR) Part 50, Section 50.46 and 10 CFR 50, Appendix K, for Facility Operating License No. NPF-41, issued to Arizona Public Service Company (APS, the licensee), for operation of the Palo Verde Nuclear Generating Station (PVNGS), Unit 1, located in Maricopa County, Arizona. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

Environmental Assessment

Identification of the Proposed Action

The proposed action would allow the use of up to eight lead fuel assemblies (LFAs) manufactured by AREVA NP with fuel rods clad with M5 to be inserted into the PVNGS, Unit 1 reactor core during operating Cycles 15, 16, and 17.

The proposed action is in accordance with the licensee's request for exemption dated March 8, 2008, as supplemented by letter dated September 10, 2008.

The Need for the Proposed Action

The proposed temporary exemption is needed to allow the use of M5 LFAs by APS to evaluate cladding for future fuel assemblies that may need to be of a more robust design than current fuel assemblies to allow for possibly higher duty or extended burnup. The regulations specify standards and acceptance criteria only for fuel rods clad with Zircaloy or ZIRLO. Consistent with 10 CFR 50.46, a temporary exemption is required to use fuel rods clad with an advanced alloy that is not Zircaloy or ZIRLO. Therefore, the licensee needs a temporary exemption to insert up to eight LFAs containing new cladding material into the PVNGS,