

Freedom of Information Act or Privacy Act to the records.

6. Information from the system may be given to another Federal agency, a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency when the Government is a party to the judicial or administrative proceeding.

7. Information from the system may be given to the Department of Justice, to the extent disclosure is compatible with the purpose for which the record was collected and is relevant and necessary to litigation or anticipated litigation, in which one of the following is a party or has an interest: (a) NSF or any of its components; (b) an NSF employee in his/her official capacity; (c) an NSF employee in his/her individual capacity when the Department of Justice is representing or considering representing the employee; or (d) the United States, when NSF determines that litigation is likely to affect the Agency.

8. Records from this system may be disclosed to representatives of the General Services Administration and the National Archives and Records Administration who are conducting records management inspections under the authority of 44 U.S.C. 2904 and 2906.

9. Information from the system may be given to appropriate agencies, entities, and persons when (1) the NSF suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the NSF has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the NSF or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the NSF's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Records are maintained in a computerized database.

**RETRIEVABILITY:**

Records may be retrieved by the individual's name and work e-mail.

**SAFEGUARDS:**

Records are safeguarded by restricted computer user ids and passwords. Access to the records is restricted to those who require the records in the performance of official duties related to the purposes for which the system is maintained.

**RETENTION AND DISPOSAL:**

Periodic purging and disposal of those records concerning individuals who are no longer employees, IPAs, guests or select contractors of the National Science Foundation. Otherwise, records are retained and disposed of in accordance with the appropriate National Archives and Records Administration General Records Schedules.

**SYSTEM MANAGER(S) AND ADDRESS:**

National Science Foundation, Director, Division of Administrative Services, 4201 Wilson Blvd, Room 295, Arlington, VA 22230.

**NOTIFICATION PROCEDURES:**

All requests to determine whether this system of records contains a record pertaining to the requesting individual may be directed to the Privacy Act Officer, Office of the General Counsel, 4201 Wilson Blvd, Arlington, VA 22230.

**RECORD ACCESS PROCEDURES:**

Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of this record may contact the Privacy Act Officer, Office of the General Counsel, 4201 Wilson Blvd, Arlington, VA 22230.

**CONTESTING RECORDS PROCEDURES:**

See record access procedures above.

**RECORD SOURCE CATEGORIES:**

Information is provided by current employees, IPAs, guests and selected contractors of the National Science Foundation.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

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**BILLING CODE 7555-01-P**

**NUCLEAR REGULATORY COMMISSION**

**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 April 7, 2008.

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

2. *The title of the information collection:* Grant and Cooperative Agreement Provisions.

3. *Current OMB approval number:* 3150-0107.

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

5. *How often the collection is required:* Technical performance reports are submitted every six months, other information is submitted on occasion, as needed.

6. *Who will be required or asked to report:* Grantees and Cooperators.

7. *An estimate of the number of annual responses:* 458 (318 responses plus 140 recordkeepers).

8. *The estimated number of annual respondents:* 140.

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 3,381 (3,153 reporting hours plus 228 recordkeeping hours).

10. *Abstract:* The Division of Contracts (DC) is responsible for awarding grants and cooperative agreements for the NRC. The DC collects information from grantees and cooperators in order to administer these programs. The DC uses provisions (required to obtain or retain a benefit in its awards and cooperative agreements) to ensure: adherence to Public Laws, that the Government's rights are protected, that work proceeds on schedule, and that disputes between the Government and the recipient are settled.

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 worldwide 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 August 11, 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 (3150-0107), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [Nathan\\_J.\\_Frey@omb.eop.gov](mailto:Nathan_J._Frey@omb.eop.gov) or submitted by telephone at (202) 395-7345.

The NRC Clearance Officer is Margaret A. Janney, (301) 415-7245.

Dated at Rockville, Maryland, this 2nd day of July, 2008.

For the Nuclear Regulatory Commission.

**Gregory Trussell,**

*Acting NRC Clearance Officer, Office of Information Services.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-09068]

### Notice of License Application of Lost Creek ISR, LLC, for a New In Situ Leach Uranium Recovery Facility at the Lost Creek Site, Sweetwater County, Wyoming, and Opportunity to Request a Hearing and Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information (SUNSI) for Contention Preparation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of license application for a new uranium recovery facility, and opportunity to request a hearing.

**DATES:** A request for a hearing must be filed by September 8, 2008.

**FOR FURTHER INFORMATION CONTACT:** Stephen J. Cohen, Project Manager, Uranium Recovery Licensing Branch, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7182; fax number: (301) 415-5369; e-mail: [stephen.cohen@nrc.gov](mailto:stephen.cohen@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Introduction

By letter dated October 30, 2007, Lost Creek ISR, LLC (LCI) submitted a Source Materials License Application to the Nuclear Regulatory Commission (NRC) for a new *in situ* leach (ISL) uranium recovery facility at its Lost Creek site in Sweetwater County, Wyoming. The Lost Creek facility would involve the recovery of uranium by ISL extraction techniques. By letter dated February 29, 2008, LCI withdrew the application to revise its radiation protection program; the application was resubmitted on March 31, 2008. An NRC administrative review, documented in a letter dated June 10, 2008, found the application acceptable to begin a detailed technical and environmental review. Before approving the license application, the NRC will need to make the 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 (SER) and a site-specific environmental review consistent with the provisions of 10 CFR Part 51.

## II. Opportunity To Request a Hearing

The NRC hereby provides notice that this is a proceeding on an application for a source materials license regarding LCI's proposal to construct and operate the Lost Creek ISL uranium recovery facility in Sweetwater County, Wyoming. Any person whose interest may be affected by this proceeding, and who desires to participate as a party, must file a request for a hearing and a specification of the contentions which the person seeks to have litigated in the hearing, in accordance with the NRC E-Filing rule, which the NRC promulgated in August 2007, 72 **Federal Register** 49139 (August 28, 2007). The E-Filing rule requires participants to submit and serve documents over the internet or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the petitioner/requester must contact the Office of the Secretary by e-mail at [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov), or by calling (301) 415-1677, to request (1) a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances in which the

petitioner/requester (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each petitioner/requester will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at <http://www.nrc.gov/site-help/e-submittals/install-viewer.html>. Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>.

Once a petitioner/requester has obtained a digital ID certificate, has a docket created, and downloaded the EIE viewer, the petitioner/requester can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the filer submits its documents through EIE. To be timely, an electronic filing must be submitted to the EIE system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically may seek assistance through the "Contact Us" link located on the NRC website at <http://www.nrc.gov/site-help/e-submittals.html>, or by calling the NRC technical help line, which is available between 8:30 a.m. and 4:15 p.m., Eastern Time, Monday through Friday. The help line number is (800) 397-4209 or locally, (301) 415-4737.

Participants who believe that they have a good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format.