

Nuclear Station, Unit No. 2 (NMP-2), to the extent held by Rochester Gas and Electric Corporation (RG&E). The indirect transfer would result from the planned acquisition of RG&E's parent company, RGS Energy Group, Inc. (RGS), by Energy East Corporation (Energy East).

In February 2001, RGS and Energy East entered into an agreement pursuant to which RGS would be merged with and into a wholly owned subsidiary of Energy East. Subsequent to consummation of the planned merger transaction, RG&E will continue to exist as a wholly owned indirect subsidiary of Energy East.

According to an application filed by RG&E, RG&E would continue to own its current 14 percent undivided ownership interest in NMP-2 notwithstanding the merger. RG&E is licensed to possess (along with several other co-owners of NMP-2) but not operate NMP-2. Niagara Mohawk Power Corporation (NMPC)'s status as the facility licensed operator would not change by reason of the RGS merger and acquisition.

The NRC has recently approved certain direct NMP-2 license transfers involving RG&E, in addition to other co-owners of NMP-2. See Order Approving Transfer of Licenses and Conforming Amendments, 66 FR 34723 (2001). If such direct license transfers are consummated prior to completion of the NRC staff's action on the instant application filed by RG&E with respect to NMP-2, the request for approval of the indirect transfer of the NMP-2 license as held by RG&E would become moot.

Pursuant to 10 CFR 50.80, no license, or any right thereunder, shall be transferred, directly or indirectly, through transfer of control of the license, unless the Commission shall give its consent in writing. The Commission will approve an application for the indirect transfer of a license if the Commission determines that the underlying transaction effecting the indirect transfer will not affect the qualifications of the holder of the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

By September 3, 2001, any person whose interest may be affected by the Commission's action on the application may request a hearing, and, if not the applicant, may petition for leave to

intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart M, "Public Notification, Availability of Documents and Records, Hearing Requests and Procedures for Hearings on License Transfer Applications," of 10 CFR part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.1306, and should address the considerations contained in 10 CFR 2.1308(a). Untimely requests and petitions may be denied, as provided in 10 CFR 2.1308(b), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely requests or petitions, set forth in 10 CFR 2.1308(b)(1)-(2).

Requests for a hearing and petitions for leave to intervene should be served upon: Daniel F. Stenger, Esq., Foley & Lardner, 888 16th Street, N.W., Washington, D.C. 20006 (e-mail: [dstenger@foleylaw.com](mailto:dstenger@foleylaw.com)); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555 (e-mail address for filings regarding license transfer cases only: [OGCLT@NRC.gov](mailto:OGCLT@NRC.gov)); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.1313.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, by September 13, 2001, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated June 22, 2001, available for public inspection

at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/ADAMS/index.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 7th day of August 2001.

For the Nuclear Regulatory Commission.

**Peter S. Tam,**

*Senior Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

### **Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of August 13, 20, 27; September 3, 10, 17, 2001.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

### **MATTERS TO BE CONSIDERED:**

#### **Week of August 13, 2001**

*Tuesday, August 14, 2001*

9:30 a.m.—Briefing on NRC International Activities (Public Meeting) (Contact: Elizabeth Doroshuk, 301-415-2775)

*Wednesday, August 1, 2001*

9:30 a.m.—Briefing on EEO Program (Public Meeting) (Contact: Irene Little, 301-415-7380)

1:25 p.m.—Affirmation Session (Public Meeting) (Tentative) a. Final Rule: Interim Storage for Greater than Class C. Waste, 10 CFR Parts 30, 70, 72, and 150

1:30 p.m.—Meeting with Organization of Agreement States (OAS) and Conference of Radiation Control Program Directors (CRCPD) (Public Meeting) (Contact: John Zabko, 301-415-1277)

**Week of August 20, 2001—Tentative**

There are no meetings scheduled for the Week of August 20, 2001.

**Week of August 27, 2001—Tentative**

There are no meetings scheduled for the Week of August 27, 2001.

**Week of September 3, 2001—Tentative**

There are no meetings scheduled for the Week of September 3, 2001.

**Week of September 10, 2001—Tentative**

There are no meetings scheduled for the Week of September 10, 2001.

**Week of September 17, 2001—tentative**

There are no meetings scheduled for the Week of September 17, 2001.

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: David Louis Gamberoni (301) 415-1651.

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: August 9, 2001.

**Sandra M. Joosten,**

*Executive Assistant, Office of the Secretary.*

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## OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

### Privacy Act of 1974; New, Deleted, and Altered Systems of Records; Compilation of Blanket Routine Uses

**AGENCY:** Occupational Safety and Health Review Commission.

**ACTION:** Notice.

**SUMMARY:** This notice announces proposed new, deleted and altered systems of records, maintained by the Occupational Safety and Health Review Commission (Review Commission or OSHRC), in accordance with the Privacy Act of 1974, 5 U.S.C. 552a, as amended, and Presidential Memorandum of May 14, 1998. In addition, by this notice, the

Review Commission reassigns in sequence the relevant OSHRC numbers to its systems of records in light of the deleted systems of records. Also included is a compilation of blanket routine uses already published.

**DATES:** Comments must be received by the Review Commission by September 17, 2001. The new and revised systems of records will become effective on October 22, 2001, without any further notice in the **Federal Register**, unless comments or government approval procedures necessitate otherwise.

**ADDRESSES:** Submit any written comments to Patricia A. Randle, Executive Director and Chief Information Officer, Occupational Safety and Health Review Commission, 1120 20th St., NW., Ninth Floor, Washington, DC 20036-3419.

**FOR FURTHER INFORMATION CONTACT:** Patricia A. Randle, Executive Director and Chief Information Officer, Occupational Safety and Health Review Commission, 1120 20th St., N.W., Ninth Floor, Washington, D.C. 20036-3419, telephone (202) 606-5380.

**SUPPLEMENTARY INFORMATION:** The Privacy Act applies to information about individuals that may be retrieved by a unique identifier associated with each individual, such as a name or social security number. The information about each individual is called a "record" and the system, whether manual or computer-driven, is called a "system of records." Aspects of a system may change over time, such as the system location, system manager or storage method.

The May 14, 1998 Presidential memorandum directed executive departments and agencies to conduct a thorough review of all agency systems of records for accuracy and completeness. The memorandum specifically directed agencies to consider changes in technology, function, and organization that may have made the systems out of date, and to review the routine uses published in the system notices to make sure they continue to be necessary and compatible with the purpose for which the information is collected. The memorandum also directed agencies to identify systems that may not have been described in a notice published in the **Federal Register** and to publish notices for any changes to the agency systems of records.

In its review, the Review Commission determined that one additional systems of records should be identified and included in the Review Commission's systems of records. It was also determined that, for accuracy and completeness, five other systems needed

revision to indicate changes to system names, locations, categories of records in the system, names of systems managers, storage methods, retrieval methods, safeguards, and retention periods. Five systems of records were identified as in need of deletion, as maintenance of these systems was no longer relevant and necessary to accomplish an agency purpose, and the numbers of these systems were reassigned sequentially to the remaining systems of records. In addition, a "housekeeping" change was made to consistently refer to the entire agency as the "Review Commission" or "OSHRC," as opposed to "Commission."

The Review Commission proposes the following additional system of records, not previously identified, in which information by individual name or identifier is relevant and necessary to an agency purpose: OSHRC-6 Case Management/Tracking System. In this newly identified system of records, information is retrieved through the use of an individual name, case docket number, or computer assigned reference code.

Regarding its ten previously identified systems of records, OSHRC-1 to OSHRC-6 and OSHRC-8 to OSHRC-11 (OSHRC-7 was deleted (see 44 FR 18572, March 28, 1979)), the Review Commission proposes revisions to: (1) Delete five systems of records because maintenance of these systems is no longer relevant and necessary to accomplish an agency purpose; (2) reassign the numbers of those former systems of records in sequence to the remaining systems of records; (3) two systems of records to update system names; (4) four systems to update system locations; (5) two systems to update categories of records in the system; (6) five systems to update how the systems are stored; (7) five systems to update the names of the system managers; (8) two systems to update how records in the systems are retrieved; (9) five systems to update safeguards applied to those systems to specifically indicate how the systems' security and confidentiality are protected and to update routine uses to indicate for each of the five systems that readers should note the blanket routine uses; (10) one system to update retention periods and (11) add one additional system of records.

The Review Commission proposes changing the system location of OSHRC-1 Travel Records, to the Office of Financial and Administrative Services to accurately describe where this system is kept, reflecting an organizational change that altered the name of the office in which this system