

#### 4. Review Procedures

##### 4.1 Threshold Review and Determination

The reviewer should first analyze all of the information submitted by the applicant sufficient to comply with 10 CFR 50.33(d), as well as other relevant information of which the reviewer is aware, to determine whether there is any reason to believe that the applicant is an alien or citizen, national, or agent of a foreign country, or an entity that is owned, controlled, or dominated by an alien, a foreign corporation, or foreign government. If there is no such reason to believe based on the foregoing information, no further review is required and the reviewer should proceed to make a recommendation regarding whether there is any foreign control obstacle to granting the application. On the other hand, if there is any reason to believe that the applicant may be owned, controlled, or dominated by foreign interests, the reviewer should request and obtain the additional information specified in Section 2.2.

##### 4.2 Supplementary Review

If it is necessary to obtain the additional information specified in Section 2.2, the reviewer should consider the acceptance criteria above, and consult with the Office of the General Counsel on Commission precedent. Information related to the items listed below may be sought and may be taken into consideration in determining whether the applicant is foreign owned, controlled, or dominated. The fact that some of the below listed conditions may apply does not necessarily render the applicant ineligible for a license.

1. Whether any foreign interests have management positions such as directors, officers, or executive personnel in the applicant's organization.

2. Whether any foreign interest controls, or is in a position to control the election, appointment, or tenure of any of the applicant's directors, officers, or executive personnel. If the reviewer knows that a domestic corporation applicant is held in part by foreign stockholders, the percentage of outstanding voting stock so held should be quantified. However, recognizing that shares change hands rapidly in the international equity markets, the staff usually does not evaluate power reactor licensees to determine the degree to which foreign entities or individuals own relatively small numbers of shares of the licensees' voting stock. The Commission has not determined a specific threshold above which it would

be conclusive that an applicant is controlled by foreign interests.

3. Whether the applicant is indebted to foreign interests or has contractual or other agreements with foreign entities that may affect control of the applicant.

4. Whether the applicant has interlocking directors or officers with foreign corporations.

5. Whether the applicant has foreign involvement not otherwise covered by items 1–4 above.

##### 4.3 Supplementary Determination

After reviewing the additional information specified in Section 2.2, if the reviewer continues to conclude that the applicant may be an alien or owned, controlled, or dominated by foreign interests, or has some reason to believe that may be the case, the reviewer shall determine:

1. The nature and extent of foreign ownership, control, or domination, to include whether a foreign interest has a controlling or dominant minority position.

2. The source of foreign ownership, control, or domination, to include identification of immediate, intermediate, and ultimate parent organizations.

3. The type of actions, if any, that would be necessary to negate the effects of foreign ownership, control, or domination to a level consistent with the Atomic Energy Act and NRC regulations.

On the other hand, if the reviewer determines after reviewing the additional information specified in Section 2.2 that there is no further reason to believe that the applicant is an alien or owned, controlled, or dominated by a foreign person or entity, no additional review is necessary.

##### 4.4 Negation Action Plan

If the reviewer continues to conclude following the Supplementary Determination that an applicant may be considered to be foreign owned, controlled, or dominated, or that additional action would be necessary to negate the foreign ownership, control, or domination, the applicant shall be promptly advised and requested to submit a negation action plan. When factors not related to ownership are present, the plan shall provide positive measures that assure that the foreign interest can be effectively denied control or domination. Examples of such measures that may be sufficient to negate foreign control or domination include:

1. Modification or termination of loan agreements, contracts, and other understandings with foreign interests.

2. Diversification or reduction of foreign source income.

3. Demonstration of financial viability independent of foreign interests.

4. Elimination or resolution of problem debt.

5. Assignment of specific oversight duties and responsibilities to board members.

6. Adoption of special board resolutions.

##### 5. Evaluation Findings

The reviewer should verify that sufficient information has been provided to satisfy the regulations and this Standard Review Plan. In consideration of the guidance of this Standard Review Plan, the reviewer should then draft an analysis and recommendation, based on the applicable information specified in Sections 2 and 4 above, concerning whether the reviewer knows, or has reason to believe that the applicant is an alien, or is a corporation or other entity that is owned, controlled, or dominated by an alien, a foreign corporation, or foreign government, and whether there are conditions that should be imposed before granting the application so as to effectively deny foreign control of the applicant.

##### 6. References

1. Sections 103, 104, and 184 of the Atomic Energy Act of 1954, as amended (42 USC 2133, 2134, and 2234).

2. Part 50 "Domestic Licensing of Production and Utilization Facilities" of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50).

3. General Electric Co. and Southwest Atomic Energy Associates, Docket No. 50–231, 3 AEC 99 (1966).

4. Letter from W. Dircks to J. MacMillan (Dec. 17, 1982) (Re: Babcock & Wilcox/McDermott) (attached).

5. Letter from N. Palladino to A. Simpson (Sept. 22, 1983) w/attachment (Re: Union Carbide/Cintichem) (attached).

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## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Proposed Request

In compliance with Public Law 104–13, the Paperwork Reduction Act of 1995, SSA is providing notice of its information collections that require submission to the Office of Management and Budget (OMB). SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility and

clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

The information collections listed below will be submitted to OMB within 60 days from the date of this notice. Therefore, comments and recommendations regarding the information collections would be most useful if received by the Agency within 60 days from the date of this publication. Comments should be directed to the SSA Reports Clearance Officer at the address listed at the end of the notices. You can obtain a copy of the collection instruments by calling the SSA Reports Clearance Officer on (410) 965-4145, or by writing to him.

1. **Representative Payee System—0960-NEW.** The information collected is used to determine the proper payee for a Social Security beneficiary, and aids in the investigation of a payee applicant. The information establishes the applicant's relationship to the beneficiary, the justification, the concern for the beneficiary and the manner in which the benefits will be used. The respondents are applicants for selection as representative payee for Old-Age, Survivors and Disability Insurance (OASDI); Supplemental Security Income (SSI); and Black Lung benefits. The time it takes to collect the information ranges from 5 minutes for a simple representative payee interview to 45 minutes for a complicated interview. We have used an average to compute the public reporting burden, shown below.

Number of Respondents: 1,574,786  
Frequency of Response: 1  
Average Burden Per Response: 25 minutes  
Estimated Annual Burden: 656,161 hours

2. **Modernized Enumeration System—0960-NEW.** The information collected is used to assign a Social Security Number (SSN) and issue a card. The SSN is used to keep an accurate record of each individual's earnings for the payment of benefits. It is also used for administrative purposes as an identifier for health-maintenance and income-maintenance programs, such as the OASDI program; the SSI program; and other programs administered by the Federal government including Black Lung, Medicare and veterans compensation and pension programs. The Internal Revenue Service uses the SSN as a taxpayer identification number for those individuals who are eligible to be assigned an SSN. The respondents are applicants for a Social Security Card.

Number of Respondents: 12,385,502

Frequency of Response: 1  
Average Burden Per Response: 5 minutes  
Estimated Annual Burden: 1,032,125 hours

3. **Lump-Sum Death Payment Application (Modernized Claims System)—0960-NEW.** The information collected is required to authorize payment of the lump-sum death benefit to a widow, widower, or children as defined in section 202(i) of the Social Security Act. The respondents are widows, widowers or children who apply for a lump-sum death payment.

Number of Respondents: 736,250  
Frequency of Response: 1  
Average Burden Per Response: 20 minutes  
Estimated Annual Burden: 245,417 hours

SAA Address: Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

Dated: September 22, 1999.

**Frederick W. Brickenkamp,**  
*Reports Clearance Officer, Social Security Administration.*

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## DEPARTMENT OF STATE

[Public Notice No. 3101]

### **Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea, Working Group on Fire Protection; Notice of Meeting**

The U.S. Safety of Life at Sea (SOLAS) Working Group on Fire Protection will conduct an open meeting on Tuesday, October 19, 1999, at 9:30 AM, in room 2415 at U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC 20593. The purpose of the meeting will be to prepare for discussions anticipated to take place at the Forty-fourth Session of the International Maritime Organization's Subcommittee on Fire Protection, to be held February 21-25, 2000.

The meeting will focus on proposed amendments to the 1974 SOLAS Convention for the safety of commercial vessels. Specific discussion areas include: comprehensive review of SOLAS chapter II-2, unified interpretations to SOLAS II-2 and related fire test procedures, recommendations on evaluation analysis for passenger ships and high-speed passenger craft, fire test procedures for fire retardant materials

used in the construction of lifeboats, and use of perfluorocarbons in shipboard fire-extinguishing systems.

Members of the public wishing to make a statement on new issues or proposals at the meeting are requested to submit a brief summary to the U.S. Coast Guard five days prior to the meeting.

Members of the public may attend this meeting up to the seating capacity of the room. Interested persons may obtain more information regarding the meeting of the SOLAS Working Group on Fire Protection by writing: Office of Design and Engineering Standards, Commandant (G-MSE-4), U.S. Coast Guard, 2100 Second St., S.W., Washington, DC 20593, by calling: LT Kevin Kiefer at (202) 267-1444, or by visiting the following World Wide Website: <http://www.uscg.mil/hq/g-m/mse4/stdimofp.htm>.

Dated: September 21, 1999.

**Stephen M. Miller,**

*Executive Secretary, Shipping Coordinating Committee.*

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## DEPARTMENT OF TRANSPORTATION

### **Federal Railroad Administration**

[Docket No. FRA-1998-4821]

### **Duluth, Missabe and Iron Range Railway Company; Public Hearing**

The Duluth, Missabe and Iron Range Railway Company (DMIR) has petitioned the Federal Railroad Administration (FRA) seeking relief from the requirements of Section 236.51 of the Rules, Standards, and Instructions (RS&I) Title 49, Code of Federal Regulations, (CFR) Part 236.51, to the extent that DMIR be permitted to utilize wheel count-based trap circuits, on steel deck bridges in signaled territory, in lieu of maintaining the existing track circuits.

This RS&I application proceeding is identified as Docket No. FRA-1998-4821.

The FRA has issued a public notice seeking comments of interested parties and has conducted a field investigation in this matter. After examining the carrier's proposal, letters of protest, and field report, the FRA has determined that a public hearing is necessary before a final decision is made on this proposal.

Accordingly, a public hearing is hereby set for 10 a.m. on Wednesday, November 10, 1999, in Room 407 of the Federal Building and U.S. Court House