

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 May 2, 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 February 1, 2001, and supplements dated March 1 and March 16, 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, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (<http://www.nrc.gov>).

Dated at Rockville, Maryland, this 27th day of March 2001.

For the Nuclear Regulatory Commission.

**Peter S. Tam,**

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

[FR Doc. 01-7992 Filed 3-30-01; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Regulatory Guide; Issuance, Availability**

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public such information as methods acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques used by the staff in evaluating specific problems or postulated accidents, and data

needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 3.72, "Guidance for Implementation of 10 CFR 72.48, Changes, Tests, and Experiments," has been developed to provide guidance to licensees and holders of Certificates of Compliance on their evaluation of changes proposed to facilities or cask designs licensed under 10 CFR Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste."

Comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time. Written comments may be submitted to the Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Specific questions on Regulatory Guide 3.72 may be directed to Mr. C.P. Jackson at the NRC at (301)415-2947, email [CPJ@NRC.GOV](mailto:CPJ@NRC.GOV).

Regulatory guides are available for inspection or downloading at the NRC's web site at [WWW.NRC.GOV](http://WWW.NRC.GOV) under Regulatory Guides and in NRC's Electronic Reading Room (ADAMS System) at the same site; Regulatory Guide 3.72 is under Accession Number ML010710153. Single copies of regulatory guides may be obtained free of charge by writing the Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by fax to (301)415-2289, or by email to [DISTRIBUTION@NRC.GOV](mailto:DISTRIBUTION@NRC.GOV). Issued guides may also be purchased from the National Technical Information Service on a standing order basis. Details on this service may be obtained by writing NTIS, 5285 Port Royal Road, Springfield, VA 22161. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 20th day of March 2001.

For the Nuclear Regulatory Commission.

**Roy P. Zimmerman,**

*Deputy Director, Office of Nuclear Regulatory Research.*

[FR Doc. 01-7876 Filed 3-30-01; 8:45 am]

**BILLING CODE 7590-01-P**

## **PENSION BENEFIT GUARANTY CORPORATION**

### **Privacy Act of 1974; System of Records**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of an Altered System of Records—PBGC-12, Personnel Security Investigation Records—PBGC.

**SUMMARY:** The Pension Benefit Guaranty Corporation is proposing to alter a system of records maintained pursuant to the Privacy Act of 1974, as amended, entitled "PBGC-12, Personnel Security Investigation Records—PBGC." The revised system will include records about individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors.

**DATES:** Comments on changes must be received by May 2, 2001. The changes will become effective May 17, 2001, without further notice, unless comments result in a contrary determination and a notice is published to that effect.

**ADDRESSES:** Comments may be mailed to the Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to that address between 9:00 a.m. and 4:00 p.m. on business days. Comments also may be sent by Internet e-mail to [reg.comments@pbgc.gov](mailto:reg.comments@pbgc.gov). Comments will be available for public inspection at the PBGC's Communications and Public Affairs Department, Suite 240 at the same address, between 9:00 a.m. and 4:00 p.m. on business days.

**FOR FURTHER INFORMATION CONTACT:** D. Bruce Campbell, Attorney, Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026; 202-326-4020 (extension 3672). (For TTY/TDD users, call the federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020 (extension 3672).)

**SUPPLEMENTARY INFORMATION:** The PBGC conducts background investigations and reinvestigations to establish that applicants for employment and employees are reliable, trustworthy, of good conduct and character, and loyal to the United States. The PBGC maintains records about these investigations in a system of records subject to the Privacy Act of 1974, as amended (5 U.S.C. 552a) ("Privacy Act"), entitled "PBGC-12, Personnel Security Investigation Records—PBGC." The PBGC's regulations implementing

the Privacy Act exempt under 5 U.S.C. 552a(k)(5) certain records maintained in PBGC-12 from the access, contest, and certain other provisions of the Privacy Act (29 CFR 4902.9).

The PBGC is expanding its use of background investigations and reinvestigations to cover individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors. To reflect the change, the PBGC is proposing to alter PBGC-12 by revising the description of the categories of individuals covered by PBGC-12 and the purpose(s) for which information is collected, amending the authority for maintaining the system, and adding a new system manager for background investigation records pertaining to contractors. A proposed rule amending 29 CFR 4902.9 to make conforming changes appears elsewhere in today's **Federal Register**. The amendment would protect the identity of a source who furnishes information in confidence to PBGC about an individual who works, or who is being considered for work, for the PBGC as a contractor or as an employee of a contractor.

The PBGC is also making other clarifying changes to PBGC-12 by updating the citations to its regulations and revising the description of how records are stored and safeguarded to make them more specific. The PBGC is clarifying the description of the categories of records in the system to more accurately differentiate between records on background investigations maintained by the PBGC and records on background investigations on PBGC employees and applicants conducted and maintained by the Office of Personnel Management. For the convenience of the public, PBGC-12, as amended, is published in full below with the changes italicized.

Issued in Washington, DC, this 28th day of March, 2001.

**John Seal,**

*Acting Executive Director, Pension Benefit Guaranty Corporation.*

## **PBGC-12**

### **SYSTEM NAME:**

Personnel Security Investigation Records—PBGC.

### **SECURITY CLASSIFICATION:**

Not applicable.

### **SYSTEM LOCATION:**

Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Employees and applicants for employment with the PBGC. Individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors.

### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Investigatory material regarding an individual's character, conduct, and behavior, including: records of arrests and convictions for violations of law; reports of interviews with the subject of the investigation and with persons such as present and former supervisors, neighbors, co-workers, associates, and educators who may have information about the subject of the investigation; reports about the qualifications of an individual for a specific position; reports of inquiries to law enforcement agencies, employers, and educational institutions; reports of action after an Office of Personnel Management ("OPM") or Federal Bureau of Investigation field investigation; and other information or correspondence relating to or developed from the above.

This system of records is distinct from the OPM's Privacy Act system of records, OPM/Central-9 (Personnel Investigation Records), which covers records of personnel security investigations conducted by the OPM with respect to employees or applicants for employment with the PBGC.

### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

29 U.S.C. 1302; 5 CFR 5.2(c) and (d); 5 CFR parts 731 and 736; and OMB Circular No. A-130—Revised, Appendix III, 61 FR 6428.

### **PURPOSE(S):**

This system of records is maintained to document investigations of individuals' character, conduct, and behavior. Records are used, in accordance with Federal personnel regulations, in making determinations relating to an individual's suitability and fitness for PBGC employment or work for the PBGC as a contractor or as an employee of a contractor, access to information, and security clearance.

### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

1. A record from this system of records may be disclosed to any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, or identify the type of information requested.

2. A record from this system of records may be disclosed to the OPM, the Merit Systems Protection Board, the Federal Labor Relations Authority, or the Equal Employment Opportunity Commission to carry out its authorized functions (under 5 U.S.C. 1103, 1204, and 7105, and 42 U.S.C. 2000e-4, in that order).

General Routine Uses G1 through G8 (see Prefatory Statement of General Routine Uses) apply to this system of records.

### **DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

None.

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

#### **STORAGE:**

Records are maintained in paper and electronic form.

#### **RETRIEVABILITY:**

Records are indexed by name.

#### **SAFEGUARDS:**

Paper records are kept in file cabinets in areas of restricted access that are locked after office hours. Electronic records are stored on computer networks and protected by assigning user identification numbers to individuals needing access to the records and by passwords set by authorized users that must be changed periodically.

#### **RETENTION AND DISPOSAL:**

Records in cases in which favorable determinations are made are destroyed promptly after the determination. Records of cases in which unfavorable determinations are made are destroyed 1 year after issuance if litigation has not been initiated and otherwise upon completion of litigation.

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

For employees and applicants for employment with PBGC: Director, Human Resources Department, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026. For individuals who work, or who are being considered for work, for the PBGC as contractors or as employees of contractors: Director, Facilities and Services Department, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026.

#### **NOTIFICATION PROCEDURE:**

Procedures are detailed in PBGC regulations: 29 CFR Part 4902.

#### **RECORD ACCESS PROCEDURES:**

Same as notification procedure.

**CONTESTING RECORD PROCEDURES:**

Same as notification procedure.

**RECORD SOURCE CATEGORIES:**

Information contained in this system of records is obtained from the following: (a) Applications and other personnel and security forms; (b) personal interviews with the individual that is the subject of the investigation and with persons such as employers, references, neighbors, and associates who may have information about the subject of the investigation; (c) investigative records and notices of personnel actions furnished by other federal agencies; (d) sources such as educational institutions, police departments, credit bureaus, probation officials, prison officials, and doctors; and (e) public records such as court filings and publications such as newspapers, magazines, and periodicals.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

This system of records is exempt from the access and contest and certain other provisions of the Privacy Act (5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G) through (I), and (f)) to the extent that disclosure would reveal the identity of a source who furnished information to the PBGC under an express promise of confidentiality or, prior to September 27, 1975, under an implied promise of confidentiality (5 U.S.C. 552a(k)(5)).

[FR Doc. 01-8057 Filed 3-30-01; 8:45 am]

BILLING CODE 7708-01-P

**SECURITIES AND EXCHANGE COMMISSION****Request For Public Comment**

Upon Written Request, Copies Available

From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 19b-5 and From PILOT; SEC File No. 270-448; OMB Control No. 3235-0507

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 19b-5 provides a temporary exemption from the rule-filing requirements of section 19(b) of the Securities Exchange Act of 1934 ("Act")

to self-regulatory organizations ("SROs") wishing to establish and operate pilot trading systems. Rule 19b-5 permits an SRO to develop a pilot trading system and to begin operation of such system shortly after submitting an initial report on Form PILOT to the Commission. During operation of the pilot trading system, the SRO must submit quarterly reports of the system's operation to the Commission, as well as timely amendments describing any material changes to the system. After two years of operating such pilot trading system under the exemption afforded by Rule 19b-5, the SRO must submit a rule filing pursuant to section 19(b)(2) of the Act in order to obtain permanent approval of the pilot trading system from the Commission.

The collection of information is designed to allow the Commission to maintain an accurate record of all new pilot trading systems operated by SROs and to determine whether an SRO has properly availed itself of the exemption afforded by Rule 19b-5.

The respondents to the collection of information are SROs, as defined by the Act, including national securities exchanges and national securities associations.

Ten respondents file an average total of 6 initial reports, 24 quarterly reports, and 12 amendments per year, with an estimated total annual response burden of 252 hours. At an average hourly cost of \$51.71, the aggregate related cost of compliance with Rule 19b-5 for all respondents is \$13,032 per year (252 burden hours multiplied by \$51.71/hour = \$13,032).

Written comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

Dated: March 27, 2001.

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 01-8024 Filed 3-30-01; 8:45 am]

BILLING CODE 8010-01-M

**SECURITIES AND EXCHANGE COMMISSION**

[Investment Company Act Release No. 24917; 812-12378]

**Wells Fargo Funds Trust, et al.; Notice of Application**

March 27, 2001.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 15(f)(1)(A) of the Act.

**SUMMARY OF APPLICATION:** The requested order would permit Wells Fargo Funds Trust ("Funds Trust") not to reconstitute its board of trustees to meet the 75 percent non-interested director requirement of section 15(f)(1)(A) of the Act in order for Wells Fargo Funds Management, LLC ("Funds Management") to rely upon the safe harbor provisions of section 15(f).

**APPLICANTS:** Funds Trust and Funds Management.

**FILING DATES:** The application was filed on December 19, 2000 and amended on March 27, 2001.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on April 23, 2001, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, Commission, 450 Fifth Street, N.W., Washington, D.C. 20549-0609. Applicants, 525 Market Street, San Francisco, California 94105.

**FOR FURTHER INFORMATION CONTACT:** John L. Sullivan, Senior Counsel, at (202) 942-0681, or Janet M. Grossnickle, Branch Chief, at (202) 942-0564 (Division of Investment Management, Office of Investment Company Regulation).