

*consideration (NSHC):* Yes. An individual 14-day Notice of Consideration of Issuance of Amendment to Facility Operating License was published on October 27, 2006 (71 FR 63040) in the **Federal Register**. The notice provided an opportunity to submit comments on the Commission's proposed NSHC determination. No comments have been received. The notice also provided an opportunity to request a hearing by December 26, 2006, but indicated that if the Commission makes a final NSHC determination, any such hearing would take place after issuance of the amendment.

The November 2, 2006, supplemental letter provided additional information that clarified the application, and did not expand the scope of the application as originally noticed.

The Commission's related evaluation of the amendment, finding of exigent circumstances, state consultation, and final NSHC determination are contained in a safety evaluation dated November 15, 2006.

*Attorney for licensee:* Richard F. Locke, Esq., Pacific Gas and Electric Company, P.O. Box 7442, San Francisco, California 94120

*NRC Branch Chief:* David Terao

Dated at Rockville, Maryland, this 22nd day of November 2006.

For the Nuclear Regulatory Commission.  
**Catherine Haney**,  
*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. E6-20329 Filed 12-4-06; 8:45 am]

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## NUCLEAR WASTE TECHNICAL REVIEW BOARD

### No Fear Act Notice

On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws" (Pub. L. 107-174, Summary). In support of this objective, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination," Public Law 107-174, Title I, General Provisions, section 101(1).

The Act requires the U.S. Nuclear Waste Technical Review Board (Board) to provide this notice to Board employees, former Board employees, and applicants for Board employment to

inform them of their rights and protections under Federal antidiscrimination and whistleblower protection laws.

### Antidiscrimination Laws/Bases for Complaints or Grievances

The Board cannot discriminate on the basis of race, color, religion, sex, national origin, age, disability, marital status, or political affiliation against an employee or applicant for employment related to the terms, conditions, or privileges of employment. Discrimination on these bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1); 29 U.S.C. 206(d); 29 U.S.C. 631; 29 U.S.C. 633a; 29 U.S.C. 791; and 42 U.S.C. 2000e-16.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin or disability, you must contact an Equal Employment Opportunity (EEO) counselor at General Services Administration within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before filing a formal complaint of discrimination with the Board (*See, e.g.,* 29 CFR 1614). If you believe that you have been the victim of unlawful discrimination on the basis of age, you must *either* (1) contact an EEO counselor as noted above or (2) give notice of intent to sue to the Equal Employment Opportunity commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination bases on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (*see* contact information below). As an alternative (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through the Board's Administrative Grievance Procedure or 29 CFR part 1614, if such procedures apply and are available.

### Whistleblower Protection Laws

A Board employee with authority to take, direct others to take, recommend or approve any personnel action must not use that authority to take, threaten to take, or fail to take a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule, or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or

safety; unless disclosure of such information is specifically prohibited by law and such information is specifically required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel (OSC) at 1730 M Street, NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site at <http://www.osc.gov>.

### Retaliation for Engaging in Protected Activity

The Board cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protection laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws or, if applicable, the Board's Administrative Grievance Procedure in order to pursue any legal remedy.

### Disciplinary Actions

Under existing laws, the Board retains the right, where appropriate, to discipline an employee for conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection Laws up to and including removal. If, however, OSC has initiated an investigation under 5 U.S.C. 1214, according to 5 U.S.C. 1214(f), the Board must seek approval from the Special Counsel to discipline an employee for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits the Board to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

### Additional Information

For further information regarding the No FEAR Act regulations, refer to 5 CFR part 724. Additional information regarding Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC Web site at <http://www.eeoc.gov> and the OSC Web site at <http://www.osc.gov>.

### Existing Rights Unchanged

Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands, or reduces any rights otherwise available to any employee, former employee, or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

Dated: November 29, 2006.

**William D. Barnard,**

*Executive Director, U.S. Nuclear Waste Technical Review Board.*

[FR Doc. 06-9514 Filed 12-4-06; 8:45 am]

**BILLING CODE 6820-AM-M**

### OFFICE OF PERSONNEL MANAGEMENT

[OMB No. 3206-0040]

#### Submission for OMB Review; Comment Request for Revised Information Collection: OPM Form 1203-FX, and Discontinuation of: OPM Form 1203-EZ

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) submitted to the Office of Management and Budget a request for review of a revised information collection for Occupational Questionnaire (OPM Forms 1203-FX and 1203-EZ). The Occupational Questionnaire is an optical scan form designed to collect applicant information and qualifications in a format suitable for automated processing and to create applicant records for an automated examining system. Each version of this form contains a unique scan form identifier in the upper left-hand corner for the scanning equipment to recognize which version is being used. The 1203 series was commonly referred to as the Qualifications and Availability Form C. OPM has re-titled the series as Occupational Questionnaire, to fit a more generic need. OPM uses these forms to carry out its responsibility for open competitive examining for admission to the competitive service in accordance with section 3304, of title 5, United States Code.

OPM has not revised the Form 1203-FX Occupational Questionnaire commonly referred to as Form C. Upon clearance from the Office of

Management and Budget in 2002, the Occupational Questionnaire was available via OPM's Web site and OPM's USAJOBS Web site. OPM Form 1203-EZ is a three page version that is shorter and was previously approved by OMB in 2002. The approved OPM Form 1203-EZ is being discontinued because over the past two years the form was not used.

The Form 1203 FX version allowed the applicant to transmit information via facsimile, mail, or the Internet using a fillable Adobe Acrobat Reader (PDF) file. The public reporting burden of collecting this information is estimated to vary from 20 minutes to 45 minutes. The average time to complete this form is 30 minutes. Over the past three years an annual average of 54,202 applicants used Form 1203-FX for a public burden of 27,101 hours per year.

A comment request for these forms was published in the **Federal Register** on November 9, 2005 [FR Vol. 70, No. 216]. During the initial 60-day comment request period, OPM received only one comment from the Department of the Treasury: "None [bureaus] are using the three-page version, OPM Form 1203-EZ; therefore, we have no objections to OPM's plans to discontinue this three-page version." Further, "\* \* \* we definitely do see the need for continued use of the regular OPM Form 1203-FX, and are glad to hear that OPM plans to continue its availability."

For copies of this proposal, contact Mary Beth Smith-Toomey on 202-606-8358, fax at 202-418-3251, or e-mail at [mbtoomey@opm.gov](mailto:mbtoomey@opm.gov). Please include a mailing address with your request.

**DATES:** Comments on this proposal should be received within 30 days from the date of this publication.

**ADDRESSES:** Send or deliver comments to—

U.S. Office of Personnel Management,  
Division of Human Resources  
Products and Services, Center for  
Talent Services, ATTN: Charles  
Conyers, 1900 E Street, NW., Room  
1425, Washington, DC 20415-9820, E-  
mail: [charles.conyers@opm.gov](mailto:charles.conyers@opm.gov)  
and

Brenda Aguilar, OPM Desk Officer,  
Office of Management & Budget,  
Office of Information & Regulatory  
Affairs, New Executive Office  
Building, NW., Room 10235,  
Washington, DC 20503.

U.S. Office of Personnel Management.

**Dan G. Blair,**

*Deputy Director.*

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**BILLING CODE 6325-38-P**

### PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY

#### Senior Executive Service Performance Review Board Membership

**AGENCY:** Office of Inspector General for the Department of the Interior.

**ACTION:** Notice.

**SUMMARY:** This notice sets forth the names and titles of the current membership of the President's Council on Integrity and Efficiency (PCIE) Performance Review Board as of October 2, 2006.

**DATES:** *Effective Date:* December 5, 2006.

**FOR FURTHER INFORMATION CONTACT:** Individual Offices of Inspectors General at the telephone numbers listed below.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Inspector General's Act of 1978, as amended, created the Offices of Inspectors General as independent and objective units to conduct and supervise audits and investigations relating to Federal programs and operations. Executive Order 12301 (March 26, 1981) established the President's Council on Integrity and Efficiency (PCIE) to coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs. The PCIE is an interagency committee chaired by the Office of Management and Budget's Deputy Director for Management, and is comprised principally of the 29 Presidential appointed Inspectors General (IGs).

##### II. PCIE Performance Review Board

Under 5 U.S.C. 4314(c)(1)-(5), and in accordance with regulations prescribed by the Office of Personnel Management, each agency is required to establish one or more Senior Executive Service (SES) performance review boards. The purpose of these boards is to review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive. The current members of the President's Council on Integrity and Efficiency Performance Review Board, as of October 2, 2006, are as follows: