Dated at Rockville, Maryland, this 18th day of May 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,

NRC Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99–13218 Filed 5–24–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8681–MLA–6; ASLBP No. 99–766–06–MLA]

International Uranium (USA) Corporation; Designation of Presiding Officer

Pursuant to delegation by the Commission dated December 29, 1972, published in the **Federal Register**, 37 FR 28710 (1972), and Sections 2.1201 and 2.1207 of Part 2 of the Commission's Regulations, a single member of the Atomic Safety and Licensing Board Panel is hereby designated to rule on petitions for leave to intervene and/or requests for hearing and, if necessary, to serve as the Presiding Officer to conduct an informal adjudicatory hearing in the following proceeding.

International Uranium (USA) Corporation (IUSA) (Request for Materials License Amendment)

The hearing, if granted, will be conducted pursuant to 10 CFR Part 2, Subpart L, of the Commission's Regulations, ''Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings.'' This proceeding concerns a request for hearing submitted by Envirocare of Utah, Inc., in response to an application from the International Uranium (USA) Corporation to amend its license to allow for the receipt and processing of uranium-bearing materials from a site near St. Louis, Missouri, being managed under the Formerly Utilized Sites Remedial Action Program. Envirocare opposes this amendment on the basis that it allegedly violates NRC regulations and the National Environmental Policy Act.

The Presiding Officer in this proceeding is Administrative Judge Peter B. Bloch. Pursuant to the provisions of 10 CFR §§ 2.722, 2.1209, Administrative Judge Richard F. Cole has been appointed to assist the Presiding Officer in taking evidence and in preparing a suitable record for review.

All correspondence, documents and other materials shall be filed with Judge Bloch and Judge Cole in accordance with 10 CFR § 2.1203. Their addresses are:

Administrative Judge Peter B. Bloch, Presiding Officer, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001

Dr. Richard F. Cole, Special Assistant, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001

Issued at Rockville, Maryland, this 19th day of May 1999.

G. Paul Bollwerk, III,

Acting Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 99–13217 Filed 5–24–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–348 and 50–364]

Southern Nuclear Operating Company; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. NPF–2 and NPF–8 issued to the Southern Nuclear Operating Company (SNC or the licensee) for operation of the Joseph M. Farley Nuclear Plant, Unit 1 and 2, located in Houston County, Alabama.

The proposed amendments, requested by the licensee in a letter dated March 12, 1998, as supplemented by letters dated April 24, August 20, October 20, and November 20, 1998, and two letters dated April 30, 1999, would represent a full conversion from the current Technical Specifications (CTSs) to a set of TSs based on NUREG–1431, Revision 1, ''Standard Technical Specifications—Westinghouse Plants,'' dated April 1995. NUREG–1431 has been developed through working groups composed of both NRC staff members and industry representative and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve TSs. As part of this submittal, the licensee has applied the criteria contained in the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement),'' published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the current Farley TS and developed a proposed set of improved TSs for Farley using NUREG–1431 as a basis. The criteria in the final policy statement were subsequently added to 10 CFR 50.36, ''Technical Specifications,'' in a rule change which was published in the **Federal Register** on July 19, 1995 (60 FR 36953) and became effective on August 18, 1995.

The licensee has categorized the proposed changes to the CTSs into six general groupings. These groupings are characterized as administrative changes, relocated changes, more restrictive changes, removed detailed changes, allowance to use a simulated or actual actuation signal, and less restrictive changes.

Administrative changes are editorial in nature, involve the movement of requirements within the CTS without affecting the technical content, simply reformat a requirement, or clarify the TS (such as deleting a footnote no longer applicable due to a technical change to a requirement). It also includes non-technical changes such as reformatting and rewording the remaining requirements in order to conform with the format and style of the standard technical specification (STS).

Relocated changes are those requirements and surveillances for structures, systems, components or variables that do not meet the screening criteria for inclusion in the TSs. Relocated changes are those current TS requirements which do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may thus be relocated to appropriate licensee-controlled documents. The licensee's application of the screening criteria is described in its March 12, 1998, submittal. The affected structures, systems components or variables are not initiators of analyzed events and are not assumed to mitigate accident or transients. These requirements and surveillances will be relocated from the TS to administratively controlled documents such as the Updated Final Safety Analysis Report (UFSAR), the TS Bases document, or plant procedures. Future changes made by the licensee to these documents will be pursuant to 10 CFR 50.59 or other appropriate control mechanisms.

More restrictive changes are those involving more stringent requirements for operation of the facility or eliminate existing flexibility. These more stringent requirements do not result in operation that will alter assumptions relative to mitigation of an accident or transient event. The more restrictive requirements will not alter the assessment of process variables and operation of structures, systems, and components described in the safety analyses. For each requirement in the current Farley TSs that is more restrictive than the

corresponding requirement in NUREG–1431 which SNC proposes to retain in the improved Technical Specifications (ITSs), SNC has provided an explanation of why it has concluded that retaining the more restrictive requirement is desirable to ensure safe operation of the facilities because of the specific design features of the plant.

Removed detail changes move details from the current TS to a licensee-controlled document. The details being removed from the current TS are not initiators of any analyzed event and are not assumed to mitigate accidents or transients. Therefore, the removed details do not involve a significant increase in the probability or consequences of an accident previously evaluated. Removal of details to a licensee-controlled document will not involve a significant change in design or operation of the plant, and no hardware is being added to the plant as part of the proposed changes to the current TS. The changes will not alter assumptions made in the safety analysis and licensing basis. Therefore, the changes will not create the possibility of a new or different kind of accident from any accident previously evaluated. The changes do not reduce the margin of safety since they have no impact on any safety analysis assumptions. In addition, the details to be moved from the current TS to a licensee-controlled document are the same as the existing TSs.

Allowance to use a simulated or actual actuation signal applies to those changes that provide the allowance to utilize a simulated or actual signal to verify the automatic actuation of specific components in the Surveillance test requirements of the TSs. This type of change is considered less restrictive as it provides an alternate method to satisfy surveillance requirements that verify automatic equipment/system actuation. This change allows satisfactory automatic actuations (required equipment/system operations is verified) that occur due to an actual automatic actuation to fulfill the surveillance requirement. Operability is adequately demonstrated in either case as the affected equipment or system cannot discriminate between an actual or simulated (test) signal.

Less restrictive changes involve revision to existing requirements such that more restoration time is provided, fewer compensatory measures are needed, or fewer or less restrictive surveillance requirements are required. This would also include requirements which are deleted from the TS (not relocated to other documents) and other technical changes that do not fit a generic category. The more significant ''less restrictive'' requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TSs may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the ITSs. Generic relaxations contained in NUREG–1431 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG–1431 and thus provides a basis for these revised TSs or if relaxation of the requirements in the current TSs is warranted based on the justification provided by the licensee.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By June 24, 1999, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to

participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to M. Stanford Blanton, Esq., Balch and Bingham, Post Office Box 306, 1710 Sixth Avenue North, Birmingham, Alabama.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendments dated March 12, 1998, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC. and at the local public document room located at Houston-Love Memorial Library, 212 W. Burdeshaw Street, Post Office Box 1369, Dothan, Alabama.

Dated at Rockville, Maryland, this 18th day of May 1999.

For the Nuclear Regulatory Commission.

Jacob I. Zimmerman,

Project Manager, Section 1, Project Directorate II–1, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99–13219 Filed 5–24–99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40–648]

UMETCO Minerals Corporation; Final Finding of No Significant Impact; Opportunity for Hearing

AGENCY: Nuclear Regulatory Commission.

ACTION: Final Finding of No Significant Impact; Notice of Opportunity for Hearing.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA–648 to authorize the licensee, Umetco Minerals Corporation (Umetco), to reclaim the Above-Grade Impoundment (Impoundment), located in Natrona County, Wyoming, according to the 1997 Enhanced Reclamation Plan, as amended. The Umetco East Gas Hills site is located approximately 50 miles (80 kilometers) southeast of the town of Riverton, Wyoming. The Impoundment was constructed to a previously approved reclamation design, except for the top cover layer, and several changes have been proposed in the enhanced plan. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of Umetco's license amendment request, in accordance with the requirements of 10 CFR Part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

FOR FURTHER INFORMATION CONTACT: Ms. Elaine Brummett, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7–J9, Washington, DC 20555. Telephone 301/415–6606.

SUPPLEMENTARY INFORMATION:

Background

The Umetco Mineral Corporation (Umetco) site is licensed by the NRC, under Materials License SUA–648, to possess byproduct material in the form of uranium waste tailings, as well as other radioactive wastes generated by past milling operations. The mill has been dismantled and current site activities include completion of reclamation of three disposal areas and continuation of the ground water corrective action program.

The mill operated from 1960 to 1979 and tailings slurry was placed in the Impoundment during this period. The earth dams of the Impoundment are of silty clayey sands. Beside the original dam on the north, additional dams were built to expand the capacity (on the east in 1969, north in 1972, and east of the main dam in 1974). The material in the Impoundment had completed 90 percent settlement before the cover soil was placed.

In 1980, Umetco submitted a reclamation plan for the Above-Grade Impoundment (Impoundment), incorporating the adjacent experimental heap leach area. The plan was approved with modifications as documented in License Condition (LC) 54. Umetco completed tailings re-grading and construction of the cover, except for six inches of topsoil and seed, in 1992. As per the approved design, the cover consists of 1-foot of clay, 1-foot of filter soil, and 7.5-feet of overburden soil. Several years after construction, erosion of the cover was noted, and concerns were expressed for erosion along the east toe of the Impoundment, the closure of the north toe drain, and additional contamination found near the north edge of the Impoundment.

The major proposed modifications in the enhanced design to the approved Reclamation Plan for stabilization and containment of the waste material include:

1. Extend the radon barrier/cover on the north and east sides about 200 feet in order to close the drain system and cover contamination found along the downstream toe.
2. Add erosion protection (rip rap) along a portion of East Canyon Creek to protect the toe of the Impoundment.
3. Replace the previously proposed topsoil/vegetative cover with rip rap (rock) erosion protection on both the top and side slopes of the Impoundment.

In addition, Umetco would verify the stability, settlement, radon attenuation, and other aspects of the existing Impoundment.

Summary of the Environmental Assessment

The NRC staff performed an appraisal of the environmental impacts associated with the enhanced reclamation plan for the Impoundment, in accordance with 10 CFR Part 51, Licensing and Regulatory Policy Procedures for Environmental Protection. The license amendment would authorize Umetco to complete reclamation of the Impoundment as proposed. In conducting its appraisal, the NRC staff considered the following information: (1) Umetco's 1997 license amendment request and proposed design, as amended; (2) previous environmental evaluations of the facility; (3) data contained in required semiannual environmental monitoring reports; (4) existing license conditions; (5) results of