

Licensee and its employees to comply with NRC requirements. This deliberate act is significant because Mr. Mallahan, an experienced radiographer, failed to observe the safeguards designed to protect him and others from potentially dangerous radiation exposures. Mr. Mallahan's actions during this incident have raised serious doubt as to whether he can be relied upon to comply with NRC requirements.

Consequently, I lack the requisite reasonable assurance that licensed activities can be conducted in compliance with the Commission's requirements and that the health and safety of the public will be protected if Mr. Mallahan were permitted at this time to be involved in NRC-licensed activities. Therefore, the NRC has determined that the public health, safety and interest require that Mr. Mallahan be prohibited from any involvement in NRC-licensed activities for a period of one year from the effective date of this Order. If Mr. Mallahan is involved in NRC-licensed activities on the effective date of this Order, he must immediately cease such activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. Additionally for a period of one year after the one year period of prohibition has expired, Mr. Mallahan is required to notify the NRC of his first employment in NRC-licensed activities. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of Mr. Mallahan's conduct described above is such that the public health, safety and interest require that this Order be immediately effective.

#### IV

Accordingly, pursuant to sections 81, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, 10 CFR 30.10, and 10 CFR 150.20, *It is hereby ordered, effective immediately, that:*

1. Mr. Mallahan is prohibited from engaging in NRC-licensed activities for one year from the effective date of this Order. NRC-licensed activities are those activities that are conducted pursuant to a specific or general license issued by the NRC, including, but not limited to, those activities of Agreement State licensees conducted pursuant to the authority granted by 10 CFR 150.20.

2. If Mr. Mallahan is involved in NRC-licensed activities on the effective date of this Order, he must immediately cease such activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer.

3. For a period of one year after the one year period of prohibition has expired, Mr. Mallahan shall, within 20 days of his acceptance of each employment offer involving NRC-licensed activities or his becoming involved in NRC-licensed activities as defined in Paragraph IV.1 above, provide notice to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, of the name, address, and telephone number of the employer or the entity where he is, or will be, involved in the NRC-licensed activities. In the first such notification, Mr. Mallahan shall include a statement of his commitment to compliance with regulatory requirements and the basis why the Commission should have confidence that he will now comply with applicable NRC requirements.

The Director, Office of Enforcement, may, in writing, relax or rescind any of the above conditions upon demonstration by Mr. Mallahan of good cause.

#### V

In accordance with 10 CFR 2.202, Mr. Mallahan must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and shall set forth the matters of fact and law on which Mr. Mallahan or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, Illinois 60532, and to Mr. Mallahan if the answer or hearing request is by a person other than Mr.

Mallahan. If a person other than Mr. Mallahan requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by Mr. Mallahan or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), Mr. Mallahan may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be effective and final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. **AN ANSWER OR A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.**

Dated this 22nd day of October 1999, Rockville, Maryland.

For the Nuclear Regulatory Commission,  
**Carl J. Paperiello,**

*Deputy Executive Director for Materials, Research and State Programs.*

[FR Doc. 99-28864 Filed 11-3-99; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

[Docket No. 72-10]

**Northern States Power Company,  
Prairie Island Nuclear Power Plant;  
Notice of Docketing of the Materials  
License SNM-2506 Amendment,  
Application for the Prairie Island  
Independent Spent Fuel Storage  
Installation**

By letter dated August 31, 1999, Northern States Power Company (NSP) submitted an application to the Nuclear Regulatory Commission (NRC or the

Commission) in accordance with 10 CFR Part 72 requesting the amendment of the Prairie Island independent spent fuel storage installation (ISFSI) license (SNM-2506) and the Technical Specifications for the ISFSI located in Goodhue County, Minnesota. NSP is seeking Commission approval to amend the materials license and the ISFSI Technical Specifications to allow storage of burnable poison rod assemblies and thimble plug devices in the TN-40 storage casks at the Prairie Island ISFSI.

This application was docketed under 10 CFR Part 72; the ISFSI Docket No. is 72-10 and will remain the same for this action. The amendment of an ISFSI license is subject to the Commission's approval.

The Commission may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or, if a determination is made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected, take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2) and provide notice of the action taken and an opportunity for interested persons to request a hearing or whether the action should be rescinded or modified.

For further details with respect to this application, see the application dated August 31, 1999, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555 and at the Local Public Document Room located at the Technology and Science Department, Minneapolis Public Library, 300 Nicollet Mall, Minneapolis, Minnesota 55401.

Dated at Rockville, Maryland, this 20th day of October 1999.

For the Nuclear Regulatory Commission,  
**E. William Brach,**  
*Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*  
 [FR Doc. 99-28861 Filed 11-3-99; 8:45 am]  
 BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Public Comment on the Pilot Program for the New Regulatory Oversight Program

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Extension of public comment period.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing

significant revisions to its processes for overseeing the safety performance of commercial nuclear power plants that include integrating the inspection, assessment, and enforcement processes. As part of its proposal, the NRC staff established a new regulatory oversight framework with a set of performance indicators and associated thresholds, developed a new baseline inspection program that supplements and verifies the performance indicators, and created a continuous assessment process that includes a method for consistently determining the appropriate regulatory actions in response to varying levels of safety performance. The changes are the result of continuing work on a concept as described in SECY-99-007, "Recommendations for Reactor Oversight Process Improvements" dated January 8, 1999, and SECY-99-007A, "Recommendations for Reactor Oversight Improvements (Follow-Up to SECY-99-007)" dated March 22, 1999. In June 1999, the NRC began a six-month pilot program with two sites participating from each region. The purpose of the pilot program is to exercise the new oversight process, identify problems, develop lessons learned, and make any necessary changes before full implementation at all sites currently scheduled for April 2000. The NRC is soliciting comments from interested public interest groups, the regulated industry, States, and concerned citizens. The NRC staff will consider comments it receives for further development and refinement of the new oversight process.

Given that inspection related information, while publically available, was not available on the newly established website this public comment period has been extended at the request of some stakeholders to allow for more comprehensive review of the Revised Reactor Oversight Process.

**DATES:** The comment period expires December 31, 1999. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** Comments may be submitted either electronically or via U.S. mail. Submit written comments to: Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop: T-6 D59, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Hand deliver comments to: 11545 Rockville Pike, Rockville, Maryland, between 7:45 a.m. and 4:15 p.m. on Federal workdays. Copies of comments

received may be examined at the NRC's Public Document Room, 2120 L Street, N.W. (Lower Level), Washington, D.C.

Comments may be submitted electronically at the "NRC Initiatives 1999" web page at": <http://www.nrc.gov/NRC/COMMISSION/INITIATIVES/1999/COMMENTS/2acmt.html>

Copies of the Pilot Program Guidelines may be obtained at the following web site: <http://www.nrc.gov/NRC/NRR/OVERSIGHT/INDEX.html>

Additional information on the pilot program may be obtained from the NRC's Public Document Room at 2120 L St., N.W., Washington, D.C. 20003-1527, telephone 202-634-3273.

#### FOR FURTHER INFORMATION CONTACT:

Alan Madison, Mail Stop: O-5 H4, Inspection Program Branch, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, telephone 301-415-1490.

Dated at Rockville, Maryland, this 29th day of October 1999.

For the Nuclear Regulatory Commission,  
**William M. Dean,**  
*Chief, Inspection Program Branch, Division of Inspection Program Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 99-28860 Filed 11-3-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Pilot Program Evaluation Panel; Meeting Notice

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 94-463, Stat. 770-776) the U.S. Nuclear Regulatory Commission (NRC) announced the establishment of the Pilot Program Evaluation Panel (PPEP). The PPEP functions as a management-level oversight group to monitor and evaluate the success of the Commission's Reactor Oversight Process Improvements program. A Charter governing the PPEP functions as a Federal Advisory Committee was filed with Congress on June 30, 1999, after consultation with the Committee Management Secretariat, General Services Administration. The PPEP will hold its forthcoming meetings on November 16 and 17, 1999, at the DoubleTree Hotel, 1750 Rockville Pike, Rockville, Maryland 20852 (Phone 301-468-1100/Fax 301-468-0308). Hotel accommodations may be arranged directly with DoubleTree Hotel. Parking is available at \$5.00 per day.

The PPEP meeting participants are listed below along with their affiliation: