

investigation, pursuant to Commission rule 210.21, 19 C.F.R. § 210.21, based upon withdrawal of the complaint. Respondents opposed the motion, while the Commission investigative attorney (IA) filed a response in support of complainant's motion.

On February 29, 1996, respondents filed a motion for sanctions against complainant. Respondents alleged that complainant should be sanctioned for filing an unfounded complaint and for making factual representations without reasonable prior inquiry. Complainant and the IA opposed the motion.

On March 5, 1996, the ALJ issued an initial determination (ID) (Order No. 13) granting complainant's motion to terminate the investigation. Concurrently, the ALJ issued an order (Order No. 12) denying respondents' motion for sanctions. On March 15, 1996, respondents filed a petition for review of the ID and Order No. 12. The IA and complainant filed responses in opposition to the petition. By notice issued April 9, 1996, the Commission gave notice of its determination not to review the ID. See 61 FR 16,807 (Apr. 17, 1996).

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and Commission rule 210.25, 19 C.F.R. § 210.25.

Copies of the ALJ's Order No. 12 and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: August 15, 1996.

By order of the Commission.

Donna R. Koehnke,  
Secretary.

[FR Doc. 96-21339 Filed 8-20-96; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Federal Bureau of Prisons

#### Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS) for Development of a United States Penitentiary Near the Big Sandy Regional Airport in Martin County, Kentucky

**AGENCY:** Federal Bureau of Prisons, Department of Justice.

**ACTION:** Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

#### SUMMARY:

##### Proposed Action

The United States Department of Justice, Federal Bureau of Prisons has determined that a United States Penitentiary (USP) is needed in its system.

The Federal Bureau of Prisons has preliminarily evaluated several sites in Eastern Kentucky and determined that the DEIS will focus upon a 500 acre tract on new State Route #3 across from the Big Sandy Regional Airport in Martin County, Kentucky.

The Bureau of Prisons proposes to build and operate a high-security United States Penitentiary, with an adjacent minimum-security satellite camp, in Martin County, Kentucky. The main high-security facility would provide habitation for approximately 1000 inmates, and up to 300 inmates at the minimum-security camp. The Bureau of Prisons proposes to build the facility near Debord, Kentucky, on a portion of a 500 acre tract located on new State Route #3 across from the Big Sandy Regional Airport in Martin County, Kentucky. The site appears to be of sufficient size to provide space for housing, programs, administrative services and other support areas such as staff training.

##### The Process

In the process of evaluating the site, several aspects will receive detailed examination including: utilities, traffic patterns, noise levels, visual intrusion, threatened and endangered species, cultural resources and socio-economic impacts.

##### Alternatives

In developing the DEIS, the options of "no action" and "alternative sites" for the proposed facility will be fully and thoroughly examined.

##### Scoping Process

During the preparation of the DEIS, there will be opportunities for public

involvement in order to determine the issues to be examined. A Scoping Meeting will be held at 6:00 p.m. on Tuesday, August 27, 1996, at the Big Sandy Regional Airport in Martin County, Kentucky. The meeting will be well publicized and will be held at a time which will make it possible for the public and interested agencies or organizations to attend. In addition, numerous public information meetings have been held by representatives of the Bureau of Prisons with interested citizens, officials and community leaders.

##### DEIS Preparation

Public notice will be given concerning the availability of the DEIS for public review and comment.

**ADDRESSES:** Questions concerning the proposed action and the DEIS may be directed to: David J. Dorworth, Chief, Site Selection and Environmental Review Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, D.C. 20534, telephone (202) 514-6470, telefacsimile (202) 616-6024.

Dated: August 15, 1996.

David J. Dorworth,

Chief, Site Selection and Environmental Review Branch.

[FR Doc. 96-21233 Filed 8-20-96; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8857]

#### Notice of Receipt of an Application for a New In Situ Uranium Mine and Announcement of an Opportunity to Request a Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Receipt of an Application For a New In Situ Uranium Mine and Announcement of an Opportunity to Request a Hearing.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has received an application from Power Resources, Inc. (PRI) for a new in situ uranium mine in the Gas Hills of Wyoming. Persons potentially affected by an NRC decision to license the facility, have the opportunity to request a hearing on this action.

**FOR FURTHER INFORMATION CONTACT:** Robert Carlson, Uranium Recovery Branch, Mail Stop T-7-J-9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission,

Washington, DC 20555. Telephone (301) 415-6606.

**SUPPLEMENTARY INFORMATION:** On June 7, 1996, Power Resources, Inc. (PRI) submitted an application for a license to construct and operate a new in situ uranium mine. The proposed facility will be located at PRI's Gas Hills properties in Fremont and Natrona Counties, Wyoming, about 85 miles west of Casper, and will include an ion exchange facility and associated wellfields.

At the proposed Gas Hills facility, PRI intends to leach uranium directly underground from ore bearing sands by injecting mining solutions into the ore rich formations and processing them to remove the uranium. The uranium will be loaded onto ion exchange resins, which will be transported to PRI's Highland in situ leach mine and processing plant approximately 60 miles east of Casper, for processing into yellowcake. Because the proposed Gas Hills facility is to be operated as a satellite to PRI's Highland facility, PRI has requested that the Gas Hills facility be authorized to operate by amending the existing Highland license.

Citing the recent upturn in the uranium market and the increased demand for yellowcake, PRI indicated it desires to have the proposed Gas Hills satellite facility in production during calendar year 1998. NRC staff expects to begin work on the application in the September/October 1996 time frame, and depending on the completeness of the application, anticipates having the review complete and the license issued in late 1997.

The NRC hereby provides notice of an opportunity for a hearing on the license amendment under the provisions of 10 CFR Part 2, Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings." Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing. In accordance with § 2.1205(c), a request for hearing must be filed within 30 days of the publication of this notice in the Federal Register. The request for a hearing must be filed with the Office of the Secretary, either:

(1) By delivery to the Docketing and Service Branch of the Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

(2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

In accordance with 10 CFR 2.1205(e), each request for a hearing must also be served, by delivering it personally or by mail, to:

(1) The applicant, Power Resources, Inc., Suite 230, 800 Werner Court, Casper, Wyoming, 82601; and

(2) The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852 or by mail addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

(1) The interest of the requestor in the proceeding;

(2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(g);

(3) The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and

(4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(c).

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

Dated at Rockville, Maryland, this 14th day of August 1996.

Charlotte Abrams,

*Acting Chief, Uranium Recovery Branch,  
Division of Waste Management, Office of  
Nuclear Material Safety and Safeguards.*

[FR Doc. 96-21286 Filed 8-20-96; 8:45 am]

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**[Docket No. 150-00032-EA; General License EA 95-101; ASLBP No. 96-719-04-EA]**

#### **Atomic Safety and Licensing Board; Testco, Inc.; Order Imposing Civil Monetary Penalty; Notice of Hearing**

August 15, 1996.

Notice is hereby given that, by Prehearing Conference Order dated August 15, 1996, the Atomic Safety and Licensing Board for this proceeding has granted the July 20, 1996 request of TESTCO, Inc., submitted by its president Mr. James L. Shelton, for a hearing in the above-entitled proceeding. The Licensing Board also consolidated this proceeding with the James L. Shelton proceeding, Docket No. IA 95-055.

The TESTCO proceeding concerns the Order Imposing Civil Monetary Penalty

of \$5000, issued by the NRC Staff on March 14, 1996 (61 Fed. Reg. 14583, April 2, 1996). The parties to the proceeding are TESTCO, Inc. and the NRC Staff. The issues to be considered at the hearing are (a) whether the Licensee was in violation of the Commission's requirements as set forth in the Notice of Violation dated October 31, 1995; and (b) whether, on the basis of such violation, the Order Imposing Civil Monetary Penalty should be sustained.

For further information, see the Order Imposing Civil Monetary Penalty, cited above. Other materials concerning this proceeding (as well as the consolidated James L. Shelton proceeding) are on file at the Commission's Public Document Room, 2120 L St. NW., Washington DC 20555, and at the Commission's Region II office, 101 Marietta Street, NW., Suite 2900, Atlanta, Georgia 30323-0199.

During the course of this proceeding, the Licensing Board will conduct one or more prehearing conferences and, as necessary, evidentiary hearing sessions (all consolidated with those in the James L. Shelton proceeding). The time and place of these sessions will be announced in later Licensing Board Orders. Except to the extent that prehearing conferences may be held through telephone conference calls, members of the public will be invited to attend these sessions.

Dated: Rockville, Maryland August 15, 1996.

For the Atomic Safety and Licensing Board.

Charles Bechhoefer,

*Chairman, Administrative Judge.*

[FR Doc. 96-21279 Filed 8-20-96; 8:45 am]

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**[Docket No. 50-390]**

#### **Tennessee Valley Authority, Watts Bar Nuclear Plant Unit 1; Issuance of Director's Decision Under 10 CFR 2.206**

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has taken action with regard to a Petition for action under 10 CFR 2.206 received from Ms. Jane A. Fleming (Petitioner), dated January 25, 1996, with regard to the Watts Bar Nuclear Plant Unit 1 (Watts Bar).

The Petitioner requested the Chairman of the U.S. Nuclear Regulatory Commission (NRC) implement a full and impartial review