

identified as an Upland Mogollon village and masonry roomblock occupied between 600-1100 A.D.

Between 1979-1986, human remains representing one individual were recovered from the WS Ranch site during legally authorized excavations and collections conducted by Dr. James A. Neely of the University of Texas at Austin. These human remains are currently curated at the University of Texas at Austin. No known individual was identified. The five associated funerary objects include lithics, sherds, and ceramic jars. The ceramic jars are curated at Western New Mexico University.

Based on material culture, architecture, and site organization, the WS Ranch site has been identified as an Upland Mogollon masonry pueblo occupied between 1150-1300 A.D.

In 1933, human remains representing three individuals from Mogollon Village during legally authorized excavations and collections conducted by Dr. Emil Haury of the Gila Pueblo Foundation. These human remains are currently curated at the Peabody Museum, Harvard University and the Arizona State Museum, University of Arizona. No known individuals were identified. The seven associated funerary objects include beads and a projectile point fragment.

Based on material culture, architecture, and site organization, Mogollon Village has been identified as an Upland Mogollon pithouse village occupied between 600-1050 A.D.

Between 1947-1949, human remains representing nine individuals were recovered from the Jewett Gap site during legally authorized excavations and collections by the Gila Pueblo Foundation. These human remains are currently curated by the Arizona State Museum, University of Arizona. No known individuals were identified. The 26 associated funerary objects include ceramic vessels.

Based on material culture, architecture, and site organization, the Jewett Gap site has been identified as an Upland Mogollon pueblo occupied between 1000-1150 A.D.

In 1986, human remains representing one individual from the Eva Faust site were recovered during legally authorized excavations and collections conducted by Dr. James Neely, University of Texas-Austin. These human remains are currently curated at the Western New Mexico State University Museum. No known individual was identified. No associated funerary objects were present.

Based on material culture and site organization, the Eva Faust site has been

identified as a Mogollon pithouse village with surface rooms occupied between 600-1100 A.D.

In 1955, human remains representing three individuals were recovered from sites LA 2947 and LA 2948 during legally authorized excavations and collections conducted by Edwin N. Ferdon of the Museum of New Mexico. These human remains are currently curated at the Museum of New Mexico. No known individuals were identified. The two associated funerary objects include ceramic vessels.

Based on material culture and site organization, LA 2947 and LA 2948 have been identified as two Upland Mogollon pithouses occupied between 200-1000 A.D.

In 1971 and 1972, human remains representing a minimum of 49 individuals were recovered from sites LA 4987, LA 4988, LA 6082, and LA 6083 during legally authorized excavations and collections conducted by David W. Kayser of the Museum of New Mexico. These human remains are currently curated at the Museum of New Mexico. No known individuals were identified. The 60 associated funerary objects include ceramic vessels, a stone bowl, and stone tools.

Based on material culture, architecture, and site organization, LA 4987, LA 4988, LA 6082, and LA 6083 have been identified as Upland Mogollon pueblos and a pithouse occupied between 1150-1300 A.D.

In 1973, human remains representing a minimum of four individuals were removed without a permit from an unnamed site northwest of Apache Creek by Mr. Brad Triplehorn. Mr. Triplehorn then donated these human remains to the Ohio Historical Society, where they are currently curated. No known individuals were identified. The 12 associated funerary objects include ceramic sherds and animal bone.

Based on material culture, this site has been identified as an Upland Mogollon site occupied between 600-1300 A.D.

Continuities of ethnographic materials, technology, and architecture indicate affiliation of the Upland Mogollon sites listed above with historic and present-day Puebloan cultures. Oral traditions presented by representatives of the Hopi Tribe, the Pueblo of Acoma, and the Pueblo of Zuni support cultural affiliation with these Upland Mogollon sites in this portion of southwestern New Mexico.

Based on the above mentioned information, officials of the USDA Forest Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent

the physical remains of a minimum of 162 individuals of Native American ancestry. Officials of the USDA Forest Service have also determined that, pursuant to 43 CFR 10.2 (d)(2), the 319 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the USDA Forest Service have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Hopi Tribe, the Pueblo of Acoma, and the Pueblo of Zuni.

This notice has been sent to officials of the Hopi Tribe, the Pueblo of Acoma, and the Pueblo of Zuni. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, USDA Forest Service, 517 Gold Ave., SW, Albuquerque, NM 87102; telephone: (505) 842-3238, fax (505) 842-3800, before August 21, 1998. Repatriation of the human remains and associated funerary objects to the Hopi Tribe, the Pueblo of Acoma, and the Pueblo of Zuni may begin after that date if no additional claimants come forward.

Dated: June 16, 1998.

**Veletta Canouts,**

*Acting Departmental Consulting Archeologist,*

*Deputy Manager, Archeology and Ethnography Program.*

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## DEPARTMENT OF THE INTERIOR

### National Park Service

#### **Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the South Dakota State Archaeological Research Center, Rapid City, SD**

**AGENCY:** National Park Service

**ACTION:** Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the South Dakota

State Archaeological Research Center, Rapid City, SD.

A detailed assessment of the human remains was made by South Dakota State Archaeological Research Center and Office of the State Archeologist of Iowa professional staff in consultation with representatives of the Three Affiliated Tribes of the Fort Berthold Reservation.

In 1934, human remains representing one individual likely to have been recovered from the Evert's Village site (39WW204), Walworth County, SD during Works Project Administration road construction. No known individual was identified. The two associated funerary objects consist of a white glass pony bead and a rifle bullet, identified as possibly a .44-60 calibre Peabody, Remington, or Sharps.

In 1990, these human remains were found in the collections of the Conger House Museum in Washington, IA and transferred to the Office of the State Archeologist of Iowa. Museum documentation suggests these remains were recovered from the Evert's Village site on Fred Brazel's land near Evert, SD and given to his brother-in-law, Thomas Royster of Muscatine, IA. Mr. Royster may have donated these remains to the Conger House Museum, as Washington, IA is near Muscatine. In 1952, an interview with Mrs. Fred Brazel revealed that these human remains were possibly interred as a primary flexed or secondary bundle burial, placed face up on top of a layer of cut willow twigs.

Based on skeletal morphology and associated funerary objects, these individuals have been determined to be Native American. Based on the associated funerary objects, manner of interment, and geographical location, the Evert's Village site has been identified as a post-1770 Arikara or Mandan village. Consultation with representatives of the Three Affiliated Tribes indicates there were Arikara and Mandan villages in this area of South Dakota during the post contact period.

Based on the above mentioned information, officials of the South Dakota State Archaeological Research Center have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of the South Dakota State Archaeological Research Center have also determined that, pursuant to 43 CFR 10.2 (d)(2), the two objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the South Dakota State Archaeological

Research Center have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these Native American human remains and associated funerary objects and the Three Affiliated Tribes of the Fort Berthold Reservation.

This notice has been sent to officials of the Three Affiliated Tribes of the Fort Berthold Reservation. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains and associated funerary objects should contact Renee Boen, Curator, South Dakota State Archaeological Research Center, P.O. Box 1257, Rapid City, SD 57709-1257; telephone: (605) 394-1936, before August 22, 1999. Repatriation of the human remains and associated funerary objects to the Three Affiliated Tribes of the Fort Berthold Reservation may begin after that date if no additional claimants come forward.

Dated: July 6, 1998.

**Francis P. McManamon,**

*Departmental Consulting Archeologist,  
Manager, Archeology and Ethnography  
Program.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-280 and 50-281]

### In the Matter of Virginia Electric and Power Company; Surry Power Station, Units 1 and 2; Exemption

#### I

The Virginia Electric and Power Company (VEPCO, the licensee) is the holder of Facility Operating License No. DPR-32 and Facility Operating License No. DPR-37, which authorize operation of the Surry Power Station, Units 1 and 2. The licenses provide that the licensee is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect.

The facility consists of two pressurized-water reactors at the licensee's site located in Surry County, Virginia.

#### II

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 70.24, "Criticality Accident Requirements," requires that each licensee authorized to possess special nuclear material shall maintain a criticality accident monitoring system in each area in which such material is handled, used,

or stored. Sections 70.24 (a)(1) and (a)(2) specify detection and sensitivity requirements that these monitors must meet. Section 70.24(a)(1) also specifies that all areas subject to criticality accident monitoring must be covered by two detectors. Section 70.24(a)(3) requires licensees to maintain emergency procedures for each area in which this licensed special nuclear material is handled, used, or stored, and provides (1) that the procedures ensure that all personnel withdraw to an area of safety upon the sounding of a criticality accident monitor alarm, (2) that the procedures must include drills to familiarize personnel with the evacuation plan, and (3) that the procedures designate responsible individuals for determining the cause of the alarm and placement of radiation survey instruments in accessible locations for use in such an emergency. Section 70.24(b)(1) requires licensees to have a means by which to quickly identify personnel who have received a dose of 10 rads or more. Section 70.24(b)(2) requires licensees to maintain personnel decontamination facilities, to maintain arrangements for a physician and other medical personnel qualified to handle radiation emergencies, and to maintain arrangements for the transportation of contaminated individuals to treatment facilities outside the site boundary. Section 70.24(c) exempts Part 50 licensees from the requirements of 10 CFR 70.24(c) for special nuclear material used or to be used in the reactor. Subsection 70.24(d) states that any licensee who believes that there is good cause why he should be granted an exemption from all or part of 10 CFR 70.24 may apply to the Commission for such an exemption and shall specify the reasons for the relief requested.

#### III

On August 21, 1997, the NRC granted an exemption from the requirements of 10 CFR 70.24 reflecting the licensee's use of fuel enriched to 4.1 weight percent U235. By letter dated January 14, 1998, VEPCO requested a revised exemption from 10 CFR 70.24(a) based on the use of fuel enriched to 4.3 weight percent U235. The Commission has reviewed the licensee's submittal and has determined that inadvertent criticality is not likely to occur in special nuclear materials handling or storage areas at Surry Power Station, Units 1 and 2. The quantity of special nuclear material other than fuel that is stored on site is small enough to preclude achieving a critical mass.

The purpose of the criticality monitors required by 10 CFR 70.24 is to