

[FR Doc. 99-23687 Filed 9-10-99; 8:45 am]  
BILLING CODE 4510-30-P

## LEGAL SERVICES CORPORATION

### Sunshine Act Meeting of the Board of Directors; Notice

**TIME AND DATE:** The Board of Directors of the Legal Services Corporation will meet on September 18, 1999. The meeting will begin at 10:00 a.m. and continue until conclusion of the Board's agenda.

**LOCATION:** The W Seattle Hotel, 1112 Fourth Avenue, Seattle Washington 98101.

**STATUS OF MEETING:** Open, except that a portion of the meeting may be closed pursuant to a vote of the Board of Directors to hold an executive session. At the closed session, the Corporation's General Counsel will report to the Board on litigation to which the Corporation is or may become a party, and the Board may act on the matters reported. The closing is authorized by the relevant provisions of the Government in the Sunshine Act [5 U.S.C. 552b(c) (10)] and the corresponding provisions of the Legal Services Corporation's implementing regulation [45 CFR § 1622.5(h)]. A copy of the General Counsel's Certification that the closing is authorized by law will be available upon request.

#### MATTERS TO BE CONSIDERED:

##### Open Session

1. Approval of agenda.
2. Approval of minutes of the Board's meeting of June 12, 1999.
3. Approval of minutes of the executive session of the Board's meeting of June 12, 1999.
4. Public Speakers.
5. Chairman's Report.
6. Members' Report.
7. President's Report
8. Inspector General's Report.
9. Consider and act on the report of the Board's Finance Committee.
10. Consider and act on the report of the Board's Committee on Provision for the Delivery of Legal Services.
11. Establish the Board's 1999 Annual Performance Reviews Committee to conduct the 1999 annual performance appraisals of the Corporation's President and its Inspector General.
12. Report on the status of the special panel established to study and report to the board on issues relating to LSC grantees' representation of legal alien workers and the requirement that they be "present in the United States."
13. Report by the President and Inspector General on the status of and

progress made with the Corporation's case service reporting system.

##### Closed Session

14. Briefing by the Inspector General on the activities of the OIG.
15. Briefing<sup>1</sup> by the President on internal personnel and operational matters.
16. Consider and act on the General Counsel's report on potential and pending litigation involving the Corporation.

##### Open Session

17. Consider and act on the proposed establishment of the office of Vice President for Government Relations and Public Affairs, and the appointment of Mauricio Vivero to that office.
18. Consider and act on the proposed establishment of the office of Vice President for Legal Affairs, and the appointment of Victor M. Fortuno to that office.
19. Consider and act on other business.
20. Public Comment.

#### CONTACT PERSON FOR INFORMATION:

Victor M. Fortuno, General Counsel and Secretary of the Corporation, at (202) 336-8810.

**SPECIAL NEEDS:** Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Shannon Nicko Adaway, at (202) 336-8810.

Dated: September 7, 1999.

**Victor M. Fortuno,**  
General Counsel.

[FR Doc. 99-23892 Filed 9-9-99; 1:07 pm]

BILLING CODE 7050-01-P

## INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

**United States Section; Correction of Notice of Intent To Prepare an Environmental Impact Statement for The El Paso-Las Cruces Regional Sustainable Water Project Sierra and Doña Ana Counties, New Mexico and El Paso County, Texas**

**AGENCY:** United States Section, International Boundary and Water Commission, United States and Mexico.

<sup>1</sup> Any portion of the closed session consisting solely of staff briefings does not fall within the Sunshine Act's definition of the term "meeting" and, therefore, the requirements of the Sunshine Act do not apply to any such portion of the closed session. 5 U.S.C. 552(b) (a)(2) and (b). See also 45 CFR § 1622.2 & 1622.3

**ACTION:** Correcting text.

**SUMMARY:** This document corrects text appearing in the subject Notice of Intent that was published in the **Federal Register** (63 FR 47042-47043) on Thursday, September 3, 1998. The purpose of this correction is to add the United States Bureau of Land Management as a cooperating agency to the project.

**EFFECTIVE DATE:** August 3, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. Douglas Echlin, Environmental Protection Specialist, Environmental Management Division, USBWC, 4171 North Mesa Street, C-310, El Paso, Texas 79902 or call 915/832-4741. E-mail: dougechlin@ibwc.state.gov.

**SUPPLEMENTARY INFORMATION:** On page 47043 of the Thursday, September 3, 1998 **Federal Register**, the incorrect text under section 3. Scoping Process is in the second column, "The United States Bureau of Reclamation and United States Fish and Wildlife Service have indicated that they will participate as cooperating agencies pursuant to 40 CFR 1501.6, to the extent possible." The correct text should read, "The United States Bureau of Reclamation, United States Fish and Wildlife Service, and United States Bureau of Land Management have indicated that they will participate as cooperating agencies pursuant to 40 CFR 1501.6, to the extent possible."

Dated: August 10, 1999.

**William A. Wilcox, Jr.,**  
Legal Advisor.

[FR Doc. 99-23678 Filed 9-10-99; 8:45 am]

BILLING CODE 4710-03-P

## FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

### Sunshine Act Meeting

September 8, 1999.

**TIME AND DATE:** 11:00 a.m., Tuesday, September 7, 1999.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, NW, Washington, DC.

**STATUS:** Closed [Pursuant to 5 U.S.C. 552b(c)(10)].

**MATTERS TO BE CONSIDERED:** It was determined by a unanimous vote of the Commission that the Commission consider and act upon the following in closed session:

1. *Secretary of Labor on behalf of Bernardyn v. Reading Anthracite Co.*, Docket Nos. PENN 99-158-D and PENN 99-129-D (Issues include request to vacate or stay judge's order dissolving

previously issued temporary reinstatement order).

No earlier announcement of the meeting was possible.

**CONTACT PERSON FOR MORE INFORMATION:**

Jean Ellen (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**Jean H. Ellen,**

*Chief Docket Clerk.*

[FR Doc. 99-23961 Filed 9-9-99; 3:49 pm]

BILLING CODE 6735-01-M

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-361 and 50-362]

### Southern California Edison Co., (San Onofre Nuclear Generating Station, Units 2 and 3); Exemption

#### I

Southern California Edison Company (SCE, or the licensee) is the holder of Facility Operating License Nos. NPF-10 and NPF-15, which authorize operation of the San Onofre Nuclear Generating Station (SONGS), Units 2 and 3. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

These facilities consist of two pressurized-water reactors located at the licensee's site in San Diego County, California.

#### II

Regulatory requirements for the hydrogen control system are specified in 10 CFR 50.44 and 10 CFR Part 50, Appendix A, (General Design Criteria 41, 42, and 43). Different requirements apply to facilities according to the date of publication of the Notice of Hearing for the Construction Permit. With regard to hydrogen recombiner and purge-repressurization system requirements, SONGS Units 2 and 3 are subject to the requirements of 10 CFR 50.44(e) which states:

For facilities whose notice of hearing on the application for a construction permit was published on or after November 5, 1970, purging and/or repressurization shall not be the primary means for controlling combustible gases following a LOCA [loss-of-coolant accident]. However, the capability for controlled purging shall be provided. For these facilities, the primary means for controlling combustible gases following a LOCA shall consist of a combustible gas control system, such as recombiners, that does not result in a significant release from containment.

SONGS Units 2 and 3 are also subject to 10 CFR 50.44(d) which states:

For facilities that are in compliance with [section] 50.46(b), the amount of hydrogen contributed by core metal-water reaction (percentage of fuel cladding that reacts with water), as a result of degradation, but not total failure, of emergency core cooling functioning shall be assumed either to be five times the total amount of hydrogen calculated in demonstrating compliance with [section] 50.46(b)(3), or to be the amount that would result from reaction of all the metal in the outside surfaces of the cladding cylinders surrounding the fuel (excluding the cladding surrounding the plenum volume) to a depth of 0.00023 inch (0.0058 mm), whichever amount is greater.

#### III

The licensee proposed to remove hydrogen control requirements from the SONGS Units 2 and 3 design basis. The licensee stated that the hydrogen control requirements in the SONGS design basis are not required to provide assurance that the containment would not fail due to combustible gas accumulation and ignition during accidents where fission products would be present in the containment atmosphere. The licensee also proposed to modify emergency operating instructions to remove operator action requirements for monitoring and controlling hydrogen concentration in containment.

The licensee's proposed removal of the hydrogen control requirements from the SONGS Units 2 and 3 design basis requires an exemption from certain requirements of 10 CFR 50.44(d) and (e). By its letter dated September 10, 1998, as supplemented July 19, 1999, the licensee submitted its exemption request.

#### IV

Section 50.12(a) of Title 10 of the Code of Federal Regulations part 50 states that the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which are (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security, and (2) the Commission will not consider granting an exemption unless special circumstances are present.

Section 50.12(a)(2)(ii) of 10 CFR part 50 states that special circumstances are present when application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.

#### V

The staff has evaluated the licensee's analysis and documented its evaluation

in the enclosed safety evaluation. The staff's evaluation is summarized below.

The underlying purpose of 10 CFR 50.44 is to ensure that following a LOCA, an uncontrolled hydrogen-oxygen recombination would not take place, or that the plant could withstand the consequences of uncontrolled hydrogen-oxygen recombination without loss of safety function. The licensee demonstrated that the plant could withstand the consequences of uncontrolled hydrogen-oxygen recombination without loss of safety function without credit for the hydrogen recombiners or the hydrogen purge system for both the design-basis and the more limiting severe accident with up to 75 percent metal-water reaction that remains in-vessel scenario. Several risk studies, such as NUREG-1150, "Severe Accident Risk: An Assessment for Five U.S. Nuclear Plants," and those performed by the licensee have shown that the relative importance of hydrogen combustion for large, dry containments with respect to containment failure to be quite low. The licensee also demonstrated that hydrogen recombiners are insignificant from a large, dry containment integrity perspective and the radiological consequences remain unchanged with or without recombiners. Therefore, the requirements for hydrogen recombiners and the backup hydrogen purge capability for large, dry containments, such as SONGS Units 2 and 3, are not necessary. Accordingly, the Commission has determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii).

#### VI

The Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and is otherwise in the public interest.

Therefore, the Commission hereby grants Southern California Edison Company an exemption from the requirements of 10 CFR 50.44(d) and (e) to remove hydrogen control requirements from the SONGS Units 2 and 3 design basis. The exemption also allows the licensee to modify its emergency operating instructions to remove operator action requirements for controlling hydrogen concentration in containment.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant effect on the quality of the human environment (64 FR 48211).