

Internet electronic mail at  
BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 13th day  
of June, 2000.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief  
Information Officer.*

[FR Doc. 00-15637 Filed 6-20-00; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Dockets No. 50-295; 50-304, Licenses No.  
DPR-39; DPR-48, EA 98-518]

### In the Matter of Commonwealth Edison Company, Zion Nuclear Station, Units 1 and 2; Order Imposing Civil Monetary Penalty

#### I

The Commonwealth Edison Company (Licensee) is the holder of Operating Licenses No. DPR-39 and No. DPR-48, issued by the Nuclear Regulatory Commission (NRC or Commission) on October 19, 1973, and November 14, 1973, respectively. The licenses authorized the Licensee to operate the Zion Nuclear Station, Zion, Illinois, in accordance with the conditions specified therein. On February 13, 1998, the Licensee ceased nuclear operations at the Zion Nuclear Station.

#### II

The NRC Office of Investigations (OI) conducted an investigation of the Licensee's activities at the Zion Station from March 10 to October 15, 1998. The results of this investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated November 3, 1999. The Notice states the nature of the violation, the provision of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violation.

The Licensee responded to the Notice in a letter dated February 3, 2000. In its response, the Licensee denied the violation and protested the civil penalty.

#### III

After considering the Licensee's response and the statements of fact, explanation, and argument for withdrawing the proposed civil penalty contained therein, the NRC staff has determined that the violation occurred as stated and that the penalty proposed

for the violation designated in the Notice should be imposed.

#### IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, *it is hereby ordered that:*

The Licensee pay a civil penalty in the amount of \$110,000 within 30 days of the date of this Order, in accordance with NUREG/BR-0254. In addition, at the time of making the payment, the licensee shall submit a statement indicating when and by what method payment was made to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

#### V

The Licensee may request a hearing within 30 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. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and 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 Materials Litigation and Enforcement at the same address, and to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, IL 60532-4351.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order (or if written approval of an extension of time in which to request a hearing has not been granted), the provisions of this Order shall be effective without further proceedings. If payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the Licensee requests a hearing as provided above, the issues to be considered at the hearing shall be:

(a) Whether the Licensee was in violation of the Commission's requirements as set forth in the Notice referenced in Section II above, and

(b) Whether, on the basis of that violation, this Order should be sustained.

For the Nuclear Regulatory Commission.

Dated this 12th day of June 2000.

**Frank J. Miraglia, Jr.,**

*Deputy Executive Director for Reactor  
Programs.*

[FR Doc. 00-15636 Filed 6-20-00; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting

**DATES:** Weeks of June 19, 26, July 3, 10, 17, and 24, 2000.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### MATTERS TO BE CONSIDERED:

##### Week of June 19

Monday, June 19, 2000

12:30 p.m. Discussion of  
Intragovernmental Issues (Closed—  
Ex. 4 and 9b)

Tuesday, June 20, 2000

9:25 a.m. Affirmation Session  
(Public Meeting)

a: CAROLINA POWER & LIGHT  
COMPANY (Shearon Harris Nuclear  
Power Plant), Docket No. 50-400—  
LA, LBP-00-12 (Memorandum and  
Order Ruling on Designation of  
Issues for an Evidentiary Hearing)  
(May 5, 2000)

9:30 a.m. Briefing on Final Rule—  
Part 70—Regulating Fuel Cycle  
Facilities (Public Meeting) (Contact:  
Theodore Sherr, 301-415-7218)

1:30 p.m. Briefing on Risk-Informed  
Part 50, Option 3 (Public Meeting)  
(Contact: Mary Drouin, 301-415-  
6675)

Wednesday, June 21, 2000

10:30 a.m. All Employees Meeting  
(Public Meeting) ("The Green"  
Plaza Area)

1:30 p.m. All Employees Meeting  
(Public Meeting) ("The Green"  
Plaza Area)

##### Week of June 26—Tentative

There are no meetings scheduled for  
the Week of June 26.

##### Week of July 3—Tentative

There are no meetings scheduled for  
the Week of July 3.

##### Week of July 10—Tentative

Monday, July 10

1:30 p.m. Briefing on Proposed  
Export of High Enriched Uranium

to Canada (Public Meeting)  
 Tuesday, July 11  
 9:25 a.m. Affirmation Session  
 (Public Meeting) (If necessary)

*Week of July 17—Tentative*

There are no meetings scheduled for the Week of July 17.

*Week of July 24—Tentative*

Tuesday, July 25  
 1:25 p.m. Affirmation Session  
 (Public Meeting) (If necessary)

\*THE SCHEDULE FOR COMMISSION MEETINGS IS SUBJECT TO CHANGE ON SHORT NOTICE. TO VERIFY THE STATUS OF MEETINGS CALL (RECORDING)—(301) 415-1292. CONTACT PERSON FOR MORE INFORMATION: Bill Hill (301) 415-1661.

\* \* \* \* \*

ADDITIONAL INFORMATION: By a vote of 5-0 on May 30, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Discussion of Intragovernmental Issues" (Closed-Ex. 9b) be held on May 30, and on less than one week's notice to the public.

By a vote of 5-0 on June 13, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of a: NIAGARA MOHAWK POWER CORPORATION (NINE MILE POINT, UNITS 1 & 2); DOCKET NOS. 50-220 & 50-410; and, b: GRAYSTAR, INC. REQUEST FOR HEARING ON LICENSE DENIAL" (PUBLIC MEETING) be held on June 13, and on less than one week's notice to the public.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [wmh@nrc.gov](mailto:wmh@nrc.gov) or [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: June 16, 2000.

**William M. Hill, Jr.,**  
*SECY Tracking Officer, Office of the Secretary.*

[FR Doc. 00-15775 Filed 6-19-00; 11:19 am]

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## NUCLEAR REGULATORY COMMISSION

### State of Oklahoma: NRC Staff Assessment of a Proposed Agreement Between the Nuclear Regulatory Commission and the State of Oklahoma

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of a proposed Agreement with the State of Oklahoma.

**SUMMARY:** This notice is announcing that the Nuclear Regulatory Commission (NRC) has received a request from Governor Frank Keating of Oklahoma that the NRC consider entering into an Agreement with the State as authorized by section 274 of the Atomic Energy Act of 1954, as amended (Act). Section 274 of the Act contains provisions for the Commission to enter into agreements with the Governor of any State providing for the discontinuance of the regulatory authority of the Commission. Under the proposed Agreement, submitted December 28, 1999, the Commission would discontinue and Oklahoma would take over portions of the Commission's regulatory authority over radioactive material covered under the Act within the State of Oklahoma. In accordance with 10 CFR 150.10, persons, who possess or use certain radioactive materials in Oklahoma, would be released (exempted) from portions of the Commission's regulatory authority under the proposed Agreement. The Act requires that NRC publish those exemptions. Notice is hereby given that the pertinent exemptions have been previously published in the **Federal Register** and are codified in the Commission's regulations as 10 CFR part 150. NRC is publishing the proposed Agreement for public comment, as required by the Act. NRC is also publishing the summary of an assessment conducted by the NRC staff of the proposed Oklahoma byproduct material regulatory program. Comments are invited on (a) the proposed Agreement, especially its effect on public health and safety, and (b) the NRC staff assessment.

**DATES:** The comment period expires July 7, 2000. Comments received after this date will be considered if it is practical to do so, but the Commission cannot assure consideration of comments received after the expiration date.

**ADDRESSES:** Written comments may be submitted to Mr. David L. Meyer, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Washington, DC 20555-0001. Copies of comments received by

NRC may be examined at the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC. Copies of the proposed Agreement, copies of the request for an Agreement by the Governor of Oklahoma including all information and documentation submitted in support of the request, and copies of the full text of the NRC staff assessment are also available for public inspection in the NRC's Public Document Room.

**FOR FURTHER INFORMATION CONTACT:**

Patricia M. Larkins, Office of State and Tribal Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone (301) 415-2309 or e-mail [pml@nrc.gov](mailto:pml@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Since section 274 of the Act was added in 1959, the Commission has entered into Agreements with 31 States. The Agreement States currently regulate approximately 16,000 agreement material licenses, while NRC regulates approximately 5800 licenses. Under the proposed Agreement, approximately 220 NRC licenses will transfer to Oklahoma. NRC periodically reviews the performance of the Agreement States to assure compliance with the provisions of Section 274. Section 274e requires that the terms of the proposed Agreement be published in the **Federal Register** for public comment once each week for four consecutive weeks. This notice is being published in fulfillment of the requirement.

### I. Background

(a) Section 274d of the Act provides the mechanism for a State to assume regulatory authority, from the NRC, over certain radioactive materials<sup>1</sup> and activities that involve use of the materials. In a letter dated December 28, 1999, Governor Keating certified that the State of Oklahoma has a program for the control of radiation hazards that is adequate to protect public health and safety within Oklahoma for the materials and activities specified in the proposed Agreement, and that the State desires to assume regulatory responsibility for these materials and activities. Included with the letter was the text of the proposed Agreement, which is included as Appendix A to this notice.

The radioactive material and activities (which together are usually referred to

<sup>1</sup> The radioactive materials, sometimes referred to as agreement materials, are: (a) Byproduct materials as defined in Section 11e.(1) of the Act; (b) byproduct materials as defined in Section 11e.(2) of the Act; (c) source materials as defined in Section 11z. of the Act; and (d) special nuclear materials as defined in Section 11a. of the Act, restricted to quantities not sufficient to form a critical mass.