

The Marine Corps, in coordination with U.S. Fish and Wildlife Service and Arizona Game and Fish Department, will continue to conduct long-term studies to assess the effects of low-level aviation on the Sonoran pronghorn. These studies will measure and analyze the effects of Marine Corps low-level overflights on the Sonoran pronghorn, including the Weapons Tactics Instructor course. If the preliminary or final conclusions of a study indicate that Marine Corps activities are resulting in adverse effects on the Sonoran pronghorn, or any other threatened or endangered species, the Marine Corps will reinitiate Section 7 consultation with the U.S. Fish and Wildlife Service. The Marine Corps will actively engage in the Sonoran pronghorn recovery effort by developing and implementing appropriate priorities established by the Sonoran Pronghorn Core Working Group, including but not limited to ground plot watering, fence modification, and coordination with cross-border Mexican conservation efforts.

The Marine Corps will implement those appropriate portions of the Flat-Tailed Horned Lizard Range Wide Management Strategy. The Marine Corps will also cooperate with the Department of Interior in the development of a management plan for the Yuma Desert and Sand Dunes Habitat Management Area, and the Gran Desierto Dunes Area of Critical Environmental Concern. Finally, the Marine Corps will implement all terms and conditions of the Biological Opinion for the Chocolate Mountain Range issued by the U.S. Fish and Wildlife Service on April 18, 1996, and will support surveys of bat and bighorn sheep populations.

Ground disturbing activities will be minimized within Areas of Critical Environmental Concern as much as practicable. Roads closed to military vehicle traffic will be posted.

Military vehicle access to existing ground support areas along the El Camino del Diablo backcountry byway in the Goldwater Range will be via a limited number of designated roads. Off-road use within the existing support areas will be excluded within the first 100 meters of this backcountry byway; all other entrance roads will be obscured within 100 meters of the byway. New support areas will be located at least 400 meters (about .25 miles) from the byway; military vehicle access will be limited.

A noise study will be completed to determine the specific noise impacts that would be anticipated prior to implementing reauthorized aerial

bombing after 10 p.m. in the Chocolate Mountain Range.

Cultural resources will continue to be considered during implementation of the actions in accordance with the programmatic agreements with the Arizona and California State Historic Preservation Officers. Surveys to inventory and evaluate cultural resources within sites to be developed will occur prior to ground disturbance. In consultation with the State Historic Preservation Officers, Advisory Council on Historic Preservation, and other concerned agencies and concerned tribes, specific measures will be developed and implemented to accommodate cultural resources discovered.

With adoption of these measures, the Marine Corps has adopted all practicable means to avoid or minimize environmental harm from the alternatives selected.

Information Available Subsequent to Completion of the EIS

Subsequent to the completion of the EIS, the U.S. Fish and Wildlife Service adopted the Flat-Tailed Horned Lizard Range-Wide Management Strategy. The Marine Corps is a signatory party to this plan. Information from this plan was used to support the decisions identified in this Record Of Decision. This species is currently not listed as endangered or threatened. However, in the event this species is listed the Marine Corps will seek to reinitiate Section 7 Consultation with the U.S. Fish and Wildlife Service for its activities which may affect this species.

The cactus ferruginous pygmy owl was listed as an endangered species by the U.S. Fish and Wildlife Service after the EIS was published. In compliance with the terms and conditions of the U.S. Fish and Wildlife Conference Opinion that addresses the actions associated on the Goldwater Range, the Marine Corps conducted surveys for this species in all likely habitat east and north of the Cabeza Prieta Mountains. No owls were found. The U.S. Fish and Wildlife Service revised the Conference Opinion based on this information and concluded that the actions associated with the Goldwater Range would not likely affect this species.

The U.S. Air Force drafted a Biological Assessment, and its addendums, for military activities associated with the eastern portion of the Goldwater Range. The U.S. Fish and Wildlife Service issued an interim Biological Opinion based on this assessment and addendums. Information from the interim Biological Opinion was used to support the

decisions identified in this Record Of Decision.

Conclusion

The Department of the Navy believes that there are no outstanding issues to be resolved with respect to this action. This Record of Decision is being executed with the concurrence of the Secretary of the Air Force who is responsible for administering military activities on the Goldwater Range in accordance with Public Law 99-606.

Dated: September 24, 1998.

Duncan Holaday,

*Deputy Assistant Secretary of the Navy
(Installations and Facilities).*

[FR Doc. 98-26352 Filed 10-1-98; 8:45 am]

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DEPARTMENT OF ENERGY

Agency Information Collection Extensions Submitted to the Office of Management and Budget (OMB) for Approval

AGENCY: Department of Energy.

ACTION: Notice. Comment request.

SUMMARY: The Department of Energy (DOE) has submitted the five information collections which comprise the Legal Information Collection Package to OMB for renewal under the Paperwork Reduction Act of 1995.

These collections cover the intellectual property (patents) area. The information is used by management to exercise oversight of statutory and contractual requirements and obligations covering patents.

DATES AND ADDRESSES: Comments regarding the information collection packages should be submitted to the OMB Desk Officer at the following address no later than November 2, 1998. DOE Desk Officer, Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the OMB Desk Officer of your intention to do so as soon as possible. The Desk Officer may be reached by telephone at (202) 395-3084. (Also, please notify the DOE contact listed in this notice.)

FOR FURTHER INFORMATION AND COPIES OF RELEVANT MATERIALS CONTACT: Mary Ann Wallace, Records Management Team (HR-41), Department of Energy, Washington, DC 20585, at telephone number (301) 903-4353.

SUPPLEMENTARY INFORMATION: The package listing contains the following information: (1) Title of the information collection package; (2) current OMB control number; (3) type of respondents; (4) estimated number of responses annually; (5) estimated total burden hours, annually, including recordkeeping hours required to provide the information; (6) purpose; and (7) number of collections.

Package Title: Legal.

Current OMB No.: 1910-0800.

Type of Respondents: DOE management and operating contractors, and offsite contractors.

Estimated Number of Responses: 2,719.

Estimated Total Burden Hours: 21,052.

Purpose: This information is required by the Department to ensure that legal resources and requirements are managed efficiently and effectively and for exercise of management oversight of DOE contractors.

James Renjilian,

Office of the General Counsel.

[FR Doc. 98-26465 Filed 10-1-98; 8:45 am]

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DEPARTMENT OF ENERGY

Environmental Impact Statement (EIS) for the Transfer of the Heat Source/ Radioisotope Thermoelectric Generator Assembly and Test Operations From the Mound Site

AGENCY: Department of Energy (DOE).

ACTION: Notice of intent.

SUMMARY: Pursuant to the National Environmental Policy Act (NEPA), DOE announces its intent to prepare an EIS for the proposed transfer of the Heat Source/Radioisotope Thermoelectric Generator (HS/RTG) operations at the Mound Site near Miamisburg, Ohio, to an alternative DOE site. Alternative sites for the proposed transfer of operations to be evaluated in the EIS include: Oak Ridge National Laboratory (ORNL) in Oak Ridge, Tennessee; the Pantex Plant, seventeen miles east of Amarillo, Texas; the Hanford Site, north of Richland, Washington; the Nevada Test Site (NTS), sixty miles northwest of Las Vegas, Nevada; and Idaho National Engineering and Environmental Laboratory (INEEL), fifty miles west of Idaho Falls, Idaho. In addition, the "No Action" alternative (operations remaining at Mound) will be evaluated as required by NEPA. DOE invites individuals, organizations, and agencies to present oral and/or written comments concerning the scope of the EIS,

including the environmental issues and alternatives the EIS should analyze.

DATES: The public scoping begins with publication of this Notice in the **Federal Register** and continues until December 1, 1998. Comments must be postmarked or submitted by fax or electronic mail by that date to ensure consideration. The public may also call 1-800-931-9006 and leave a detailed message with their comments. Comments received after that date will be considered to the extent practicable. DOE will conduct public scoping meetings to assist it in defining the appropriate scope of the EIS including the significant environmental issues to be addressed. DOE plans to hold scoping meetings in the vicinity of the Mound Site, ORNL, Pantex, Hanford, NTS, and INEEL. The date, time, and location will be announced through the local media as soon as determined but at least 15 days before the date of the meetings.

ADDRESSES: Please direct comments on the scope of the EIS, requests to speak at the public scoping meetings, requests for special arrangements to enable participation at scoping meetings (e.g., interpreter for the hearing-impaired), and questions concerning the project to: Timothy A. Frazier, U.S. Department of Energy, P. O. Box 66, Miamisburg, OH 45343-0066, Telephone: (937) 865-3748 or leave a message on (800) 931-9006, Facsimile (937) 865-4219, Electronic mail: Tim.Frazier@EM.DOE.GOV **FOR FURTHER INFORMATION CONTACT:** For general and technical information associated with the HS/RTG assembly and acceptance testing activities, please contact Mr. Frazier at the address above. For general information on the DOE NEPA process, please contact:

Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance, EH-42, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0119, Telephone: (202) 586-4600 or leave a message on (800) 472-2756.

SUPPLEMENTARY INFORMATION:

Background

DOE and its predecessor agencies have been developing HS/RTGs and supplying them to user agencies for more than 35 years. The radioisotope used in these systems is plutonium-238, a non-fissile (i.e., non-weapons-usable) form of plutonium. A HS/RTG converts thermal energy that is generated by the spontaneous radioactive decay of Pu-238 to electrical energy. These systems have repeatedly demonstrated their value as key technologies in various harsh, remote, and inaccessible environments, such as space, where it is

impractical to provide the fuel and maintenance that more conventional electrical power sources would need. The Mound Site has been performing the DOE's HS/RTG assembly and testing operations for over 15 years.

The Mound Site, located in Miamisburg, Ohio, was established in 1946 as the first permanent installation associated with the Atomic Energy Commission. Until the early 1990s, the Mound Site manufactured critical nuclear weapons components. The site is currently being environmentally restored under a Comprehensive Environmental Response, Compensation and Liabilities Act (CERCLA) § 120 Agreement. DOE and its site restoration contractor plan to complete the environmental restoration and exit the site by February 2003. It is anticipated that the future use of the site will involve an industrial park.

The HS/RTG assembly and test operations are contained in two major buildings at the Mound Site. HS/RTG assembly is performed in Mound's Building 38. The HSs are assembled in glove boxes using parts manufactured or procured by the Mound Site and encapsulated plutonium-238 provided by the Los Alamos National Laboratory (LANL). RTGs are also assembled, as well as tested, in Mound's Building 50. The RTGs are assembled in a large inert atmosphere chamber and then acceptance tested. The acceptance testing involves: mass properties (mass and center of gravity), determination of magnetic signature, vibration, and performance testing (to simulate in-flight performance).

Purpose and Need for Agency Action

It is DOE's responsibility and a primary mission to maintain the availability of HS/RTGs for the U.S. Government. DOE currently has projected requirements to provide such power systems through FY 2009. Based on that commitment and the planned exit of DOE from the Mound Site, DOE needs to relocate the HS/RTG assembly and test operations from the Mound Site to a technically capable site with a continuing long-term Departmental presence. DOE is proposing to transfer the HS/RTG assembly and test operations from the Mound Site immediately prior to the completion of the environmental restoration activities at this site. DOE would then cease operations and exit the site in February 2003. Should DOE maintain the HS/RTG operations at the Mound Site, DOE would be unable to exit the site as planned in February 2003.

The assessment that led to the proposed transfer addressed a number