

Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* 10 CFR Part 72, Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste.

3. *How often the collection is required:* Required reports are collected and evaluated on a continuing basis as events occur. Applications for new licenses and amendments may be submitted at any time. Applications for renewal of licenses would be required every 20 years for an Independent Spent Fuel Storage Installation (ISFSI) and every 40 years for a Monitored Retrievable Storage (MRS) facility.

4. *Who will be required or asked to report:* Vendors of casks for the storage of spent fuel, licensees and applicants for a license to possess power reactor spent fuel and other radioactive materials associated with spent fuel storage in an ISFSI, and the Department of Energy for licenses to receive, transfer, package and possess power reactor spent fuel, high-level waste, and other radioactive materials associated with spent fuel and high-level waste storage in an MRS.

5. *The number of annual respondents:* 8.

6. *The number of hours needed annually to complete the requirement or request:* 21,529 (an average of approximately 167 hours per response for applications and reports, plus approximately 765 hours annually per recordkeeper).

7. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:* Not applicable.

8. *Abstract:* 10 CFR Part 72 establishes requirements, procedures, and criteria for the issuance of licenses to receive, transfer, and possess power reactor spent fuel and other radioactive materials associated with spent fuel storage in an ISFSI, and requirements for the issuance of licenses to the Department of Energy to receive, transfer, package, and possess power reactor spent fuel and high-level radioactive waste, and other associated radioactive materials, in an MRS. The information in the applications, reports and records is used by NRC to make licensing and other regulatory determinations. The revised estimate of burden reflects an increase primarily

because of the addition of requirements for decommissioning funding requirements, financial assurance provisions, documentation additions for decommissioning and license termination, and notification of incidents.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by April 16, 1999. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin, Office of Information and Regulatory Affairs (3150-0135), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 11th day of March 1999.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

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

[FR Doc. 99-6452 Filed 3-16-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-2259]

### Pathfinder Mines Corporation

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Final finding of no significant impact notice of opportunity for hearing.

**SUMMARY:** Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA-672, approving Pathfinder Mines Corporation's (PMC's "no action" proposal on cleanup of Reid Draw located downgradient of the Lucky Mc tailings system at Gas Hills, Wyoming. This license currently authorizes PMC to possess byproduct material in the

form of uranium waste tailings generated by the licensee's milling operations at the site. In accordance with the requirements of 10 CFR Part 51, an Environmental Assessment (EA) was performed by the NRC staff in support of its review of PMC's Environmental Report (ER) on the status of Reid Draw. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) of "no action" proposal on cleanup of Reid Draw.

### SUPPLEMENTARY INFORMATION:

#### Background

By its letter dated August 28, 1998, PMC submitted an ER on the status of radiological contamination of Reid Draw. The draw is downgradient of the Lucky Mc tailings system at Gas Hills, Wyoming. PMC presented three action alternatives in the ER, and requested the NRC concurrence on its proposed "no action" alternative.

Reid Draw developed as a result of surface water erosion in the general area of the current Lucky Mc uranium mill site and portions of the uranium mine site that lie further to the south. Upon developing the mill, the mill tailings management structures were built at the head of Reid Draw. In the early days of mill operation, there was only one embankment, the No. 1 solid tailings dam. It served as the sole tailings storage facility from the inception of milling in 1958 until 1960 when the No. 2 dam was constructed. A review of early company records indicates that excess tailings solution was routinely discharged down Reid Draw from the No. 1 dam until June 1, 1960, when the No. 2 dam was commissioned. Apparently, this discharge was considered acceptable and normal practice in those days since the site was subject to Atomic Energy Commission inspections during the timeframe of interest. The furthest down-gradient embankment in the tailings system, the No. 4 dam was constructed in 1961.

Reid Draw is subject to only intermittent flows. However, a period of unusually rainy weather in June 1963 culminated with a protracted storm on June 15. The No. 4 solution pond capacity had been taxed due to the earlier precipitation, and the three inches of rain on June 15 proved too much for the system. Out of concern for the integrity of the No. 4 dam in the imminent event of an uncontrolled overtopping, the decision was made to cut a relief overflow, allowing some of the impounded water to escape. The licensee documentation at the time indicates that an estimated 23 million gallons of water were released. It should

be noted that this released water was significantly diluted due to the precipitation runoff.

The early releases and the single No. 4 dam breach event account at least in part for the levels of radionuclides found in Reid Draw at the present time. It is also likely that there is a natural contribution to the radionuclide levels in Reid Draw due to the fact that Reid Draw heads at the outcrop of a naturally mineralized area. It is reasonable to hypothesize that the erosion forces that created Reid Draw over time carried some of this mineralization down the draw. Since the controlled release during June 1963, there have been no other releases of tailings solutions to Reid Draw.

The No. 4 dam underwent a major reconstruction during 1980–1981 that entailed excavation down to competent Cody Shale in order to key the dam into impermeable material, and the overall size of the dam was expanded greatly. There is no evidence of ground-water impacts from seepage through the reconstructed dam, based upon the monitoring data from the piezometers, and the monitoring of water quality in the immediately down-gradient point of compliance well R-2 located in Reid Draw.

The Reid Draw gamma surveys conducted down-gradient from tailings dam No. 4 and beyond Reid Reservoir, located on the draw owned by Philp Sheep Company, indicate that the measurable contamination terminates just above Reid Reservoir. Reid Reservoir is some 3,000 meters (1.9 miles) down the draw from the toe of No. 4 dam. The reservoir existed prior to any up-gradient milling activity.

Additionally, radionuclide analysis of surface water and a sample of water taken from Reid Reservoir indicate that the concentrations are well within the NRC effluent water concentration limits for radionuclides, as specified in 10 CFR Part 20, Appendix B, Table 2. Cleanup criteria for off-pile areas of uranium mill sites are specified in 10 CFR Part 40, Appendix A, Technical Criteria.

#### **Summary of the Environmental Assessment**

In accordance with 10 CFR Part 51, Licensing and Regulatory Policy Procedures for Environmental Protection, the NRC staff performed an appraisal of the environmental impacts associated with the “no action” proposal on cleanup of Reid Draw. In conducting its appraisal, the NRC staff considered the following information: (1) PMC’s ER on remediation of Reid Draw, and its subsequent submittal providing additional information and

revised pages to the ER; (2) results of NRC staff site visits and inspections of the facility; and (3) consultation with the Wyoming Department of Environmental Quality, Bureau of Land Management, and Philp Sheep Company. The technical aspects of the proposal will be discussed separately in a Technical Evaluation Report (TER) that will accompany the final agency licensing action.

The results of the staff’s appraisal are documented in an EA placed in the docket file. Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the “no action” proposal.

#### **Conclusions**

The NRC staff has examined actual and potential impacts associated with PMC’s “no action” proposal on cleanup of Reid Draw, and has determined that authorizing implementation of the “no action” proposal will not have long-term detrimental impacts on the environment. The following statements summarize the conclusions resulting from the staff’s environmental assessment, and support the FONSI:

- (1) Present and potential risks were assessed. The NRC staff determined that the risk factors for health and environmental hazards are insignificant in the licensee proposed “no action” alternative; and
- (2) Remediation would cause irreversible damage to the current, very stable, environment of Reid Draw.

Because the staff has determined that there will be no significant impacts associated with approval of the “no action” proposal, there can be no disproportionately high and adverse effects or impacts on minority and low-income populations. Consequently, further evaluation of Environmental Justice concerns, as outlined in Executive Order 12898 and NRC’s Office of Nuclear Material Safety and Safeguards Policy and Procedures Letter 1–50, Revision 1, is not warranted.

#### **Alternatives to the Proposed Action**

The proposed action is to amend NRC Source Material License SUA–672 authorizing PMC to implement “no action” proposal on cleanup of Reid Draw, as requested by PMC. Therefore, the principal alternatives available to NRC are to:

- (1) Approve the licensee’s “no action” alternative, as proposed; or (2) Amend the license with such additional conditions as are considered necessary or appropriate to protect public health and safety and the environment; or (3) Deny the licensee’s request.

Based on its review, the NRC staff has concluded that the environmental impacts associated with the “no action” proposal on cleanup of Reid Draw do not warrant either the limiting of PMC’s future operations or the denial of the licensee’s request. Additionally, in the TER for this action, the staff will document its evaluation of the licensee’s proposal with respect to the criteria for cleanup of off-pile areas of uranium mill sites as specified in 10 CFR Part 40, Appendix A. Therefore, the staff considers that Alternative 1 is the appropriate alternative for selection.

#### **Finding of No Significant Impact**

The NRC staff has prepared an EA for the “no action” proposal on cleanup of Reid Draw. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the “no action” proposal would not be significant and, therefore, preparation of an Environmental Impact Statement is not warranted.

The EA and other related documents are available for public inspection and copying at the NRC Public Document Room, in the Gelman Building, 2120 L Street NW, Washington, DC 20555.

#### **Notice of Opportunity for Hearing**

The NRC hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of Subpart L, “Informal Hearing Procedures for Adjudications in Materials and Operators Licensing Proceedings,” of the Commission’s Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders in 10 CFR Part 2 (54 FR 8269). 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 a hearing must be filed within thirty (30) days from the date of publication of this **Federal Register** notice. The request for a hearing must be filed with the Office of the Secretary either:

- (1) By delivery to the Rulemakings and Adjudications Staff 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: Rulemakings and Adjudications Staff.

Each request for a hearing must also be served by delivering it personally or by mail to:

(1) The applicant, Pathfinder Mines Corporation, 935 Pendell Boulevard, P.O. Box 730, Mills, Wyoming 82644, Attention: Tom Hardgrove; and

(2) The NRC staff, by delivery to the Executive Director of 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 Commission'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.

**FOR FURTHER INFORMATION CONTACT:** Mohammad Haque, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7-J8, Washington, D.C. 20555. Telephone 301/415-6640.

Dated at Rockville, Maryland, this 11th day of March 1999.

For the Nuclear Regulatory Commission.  
**N. King Stablein,**

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

[FR Doc. 99-6454 Filed 3-16-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting

**DATE:** Weeks of March 15, 22, 29, and April 5, 1999.

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

**STATUS:** Public and Closed.

### MATTERS TO BE CONSIDERED:

#### Week of March 15

*Tuesday, March 16*

1:00 p.m.

Briefing on Status of DOE High Level Waste Viability Assessment (Public Meeting)

(Contact: Mike Bell, 301-415-7252)

*Wednesday, March 17*

9:00 a.m.

Meeting with Advisory Committee on Nuclear Waste and Nuclear Waste Technical Review Board (Public Meeting)

Contact: John Larkins, 301-415-7360

11:30 a.m.

Affirmation Session (Public Meeting)

\*(Please Note: This item will be affirmed immediately following the conclusion of the preceding meeting.)

a: Radiological Criteria for License Termination of Uranium Recovery Facilities.

1:30 p.m.

Briefing on Part 50 Decommissioning Issues (Public Meeting)

(Contact: Seymour Weiss, 301-415-2170)

*Thursday, March 18*

9:30 a.m.

Briefing on Design Basis Threat (Closed—ex. 1)

2:00 p.m.

Briefing by Executive Branch (Closed—ex. 1)

*Friday, March 19*

9:00 a.m.

Briefing on Status of External Regulation of DOE Facilities (Public Meeting)

(Contact: Charlie Haughney, 301-415-7198)

#### Week of March 22—Tentative

*Thursday, March 25*

1:00 p.m.

Briefing on Part 35 Rulemaking (Public Meeting)

(Contact: Patricia Holahan, 301-415-8125)

*Friday, March 26*

9:00 a.m.

Briefing on Proposed Reactor Oversight Process Improvements & Enforcement (Public Meeting)

(Contact: William Dean, 301-415-2240)

12:00 p.m.

Affirmation Session (Public Meeting) (If needed)

#### Week of March 29—Tentative

There are no meetings scheduled for the Week of March 29.

#### Week of April 5—Tentative

There are no meetings scheduled for the Week of April 5.

\*The Schedule for Commission meeting 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.

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#### Additional Information

By a vote of 5-0 on March 5, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of North Atlantic Energy Service Corp., et

al. (Seabrook Station Unit 1) Docket No. 50-443, Draft Commission Memorandum and Order Addressing Intervention Petitions and Hearing Requests of New England Power Company (NEPCO) and United Illuminating Co." (Public Meeting) be held on March 5, 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: March 12, 1999.

**William M. Hill, Jr.,**

*SECY Tracking Officer, Office of the Secretary.*

[FR Doc. 99-6571 Filed 3-15-99; 11:36 am]

BILLING CODE 7590-01-M

## RAILROAD RETIREMENT BOARD

### Proposed Collection: Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections; the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

### Comments are Invited On

(a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.