

will score and rank these three responses using the evaluation criteria that were included in the initial posting on the Internet.

Because only three sources will be offered the opportunity to submit proposals, NRC believes these scores will have a strong incentive to perform "due diligence" to work with NRC's integrated product team, end-users, and others to learn about agency needs, to more effectively and efficiently develop high value solutions that can better fit with those needs, and to offer stronger proposals.

- **Negotiation and Award**

**Current process.** Currently, if discussions are to be conducted, a competitive range is established comprised of all of the most highly rated proposals. Discussions are conducted by the contracting officer with each offeror within the competitive range. The discussions are tailored to each offeror's proposal.

**Test process.** NRC will negotiate with the offeror ranked highest based on an integrated cost/technical assessment. If both parties are unable to reach agreement, NRC may end negotiations with that firm and begin negotiations with the next highest ranked firm. The NRC may re-open negotiations with one or more firms if agreement cannot be reached with one of the next highest ranked firms. If agreement cannot be reached with any of the three firms, the solicitation will be canceled.

NRC recognizes that the recent rewrite of FAR Part 15 will better focus the government's resources on obtaining the best value through a more intensive negotiation process with those that are the most highly rated. However, NRC believes it may also be possible to obtain good deals by focusing its negotiation efforts on one offeror at a time, beginning with the highest technically qualified offeror—trying to reach agreement with that offeror. To maintain competitive pressure, NRC would reserve the right to reopen negotiations with any of the three offerors after having tried to negotiate a contract with each of them. If agreement can be reached with the top ranked offeror without having to undertake further negotiation, as NRC anticipate will often be the case, NRC believes it may save time and administrative expense in the negotiation process without sacrifices to the value received under the contract. The test will offer NRC an opportunity to examine if and when negotiating in this successive (versus simultaneous) manner may hold benefit. For comparative purposes, NRC may also conduct, where appropriate,

simultaneous discussions with the three highest ranked offerors for selected procurements.

#### *IV. Test Objectives and Metrics*

NRC expects to achieve time savings, cost savings, and increased customer satisfaction through use of its focused source selection procedures.

**Time savings.** Time savings will be measured by comparing overall procurement acquisition lead times (i.e., the time that elapses from the point when the procurement request is received in the procurement office to the time of award) experienced prior to the test versus under the test for similarly scoped acquisitions. If practicable, NRC will attempt to identify time savings associated with key phases of the test (e.g., identification of the three top ranked offerors, conduct of negotiations).

**Cost savings.** Value received under contracts awarded under the test will be compared to the value received under similarly scoped contracts awarded prior to commencement of the test. Where a close match does not exist, a comparison of individual categories of work and cost elements will be made where feasible.

**Customer satisfaction.** A customer service survey will be used to measure customers' (i.e., program offices') satisfaction. NRC is currently developing a survey for general use. This survey will be reviewed to determine if it is suitable for the test or needs to be modified. In addition, NRC will survey participating organizations to obtain their feedback.

**Small business participation.** Participation by small businesses in test procurements will be compared with small business participation in similar procurements conducted prior to the test innovation. Participation will be measured by evaluating the value of prime contract awards.

#### *V. A List of Regulations, Including Those Required by Law, for Which a Waiver is Necessary for the Successful Completion of the Test Program*

NRC seeks to waive the following regulatory requirements.

1. For those cases where non-commercial contracts will result, the time standards set forth in Federal Acquisition Regulation (FAR) 5.203, which implements the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(3)) and the Small Business Act (15 U.S.C. 637(e)(3)) in order to waive the 15-day period and structure a process which allows for flexible deadlines for preparation and

submission of materials by interested parties.

2. FAR 5.207(c)(2)(xv), which implements the Office of Federal Procurement Policy Act (41 U.S.C. 416(b)(4)) and the Small Business Act (15 U.S.C. 637(f)(4)) which requires that Commerce Business Daily notices include a statement that, "all responsible sources may submit a bid, proposal, or quotation (as appropriate) which shall be considered by the agency."

3. FAR 6.003, which defines "full and open competition" to mean that all responsible sources are permitted to compete, implementing the Office of Federal Procurement Policy Act (41 U.S.C. 403(6)), and FAR 6.101, implementing the policy of full and open competition set forth in the Federal Property and Administrative Procedures Act (41 U.S.C. 253).

4. FAR 15.306(d), which requires negotiations with all offerors in the competitive range implementing the Federal Property and Administrative Procedures Act (41 U.S.C. 253b(d)(1)(A)).

5. FAR 15.306(c) which effectively requires consideration of cost in making down select decisions.

#### *VI. Anticipated Impact on Small Businesses, Particularly Small Disadvantaged Businesses (Including a Description of Actions To Be Taken To Mitigate Any Anticipated Negative Impacts)*

Small businesses may better be able to compete because they will have an opportunity to comment on the SOW, and they will not have to expend large amounts of resources to determine if they are among the three most highly ranked offerors. The NRC will continue to set aside procurements exclusively for small businesses when conditions permit after consultation with the NRC Office of Small and Disadvantaged Business Utilization.

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## **NUCLEAR REGULATORY COMMISSION**

[Docket No.: 030-05980]

### **Consideration of License Amendment for Decommissioning the Safety Light Corporation Site in Bloomsburg, PA, and Opportunity for a Hearing**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of consideration of license amendment for decommissioning the Safety Light Corporation Site in Bloomsburg, Pennsylvania, and Opportunity for a Hearing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission is considering issuance of a license amendment to Nuclear Materials License No. 37-00030-02, issued to Safety Light Corporation, to authorize decommissioning of facilities, equipment, and land at the Bloomsburg site which were utilized for previous operations involving radioactive material.

**FOR FURTHER INFORMATION CONTACT:** James Kottan, Nuclear Regulatory Commission, Region I, King of Prussia, PA 19406-1415, telephone 610-337-5214.

**SUPPLEMENTARY INFORMATION:** On November 5, 1998, the licensee submitted a site decommissioning plan (SDP) to NRC for review that summarized the decommissioning activities that will be undertaken to remediate the buildings, soil, and underground silos contaminated with radioactive material from past operations. The NRC staff is reviewing the SDP and is considering approval of task-specific amendments to the license which would authorize conduct of limited site decommissioning and decontamination to achieve a systematic reduction of the radioactive source term. Safety Light Corporation has two licenses for the Bloomsburg site. Licensee No. 37-00030-02 authorizes possession and use of byproduct material for site characterization and decommissioning of facilities, equipment, and land from past operations. License No. 37-00030-08 authorizes manufacture of certain devices containing tritium as well as research and development activities. Because the licensee is currently conducting operations at the site under License No. 37-00030-08, SLC is not requesting license termination nor release of the site for unrestricted use.

The NRC will require the licensee to remediate the Bloomsburg facility to meet NRC's decommissioning criteria, and during the decommissioning activities, to maintain effluents and doses within NRC requirements and as low as reasonably achievable.

Prior to approving the license amendments to implement the SDP, NRC will have made findings required by the Atomic Energy Act of 1954 as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report. Approval of the SDP

will be documented in an amendment to License No. 37-00030-02.

The NRC hereby provides notice that this is a proceeding on an application for amendment of a license falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings", of NRC's rules and practices for domestic licensing proceedings in 10 CFR part 2. 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(d). A request for a hearing must be filed within thirty (30) days of 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 Docketing and Service Branch of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738; or
2. By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

1. The interest of the requester in the proceeding;
2. How that interest may be affected by the results of the proceeding, including the reasons why the requester should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);
3. The requester's area 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(d).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally, or by mail to:

1. The applicant, Safety Light Corporation, 4150-A Old Berwick Road, Bloomsburg, PA 17815 Attention: Mr. Larry Harmon; and
2. The NRC staff, by delivery to the Executive Director for 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.

For further details with respect to this action, the SDP is available for inspection at the NRC's Public Document Room, 2120 L Street NW, Washington, DC 20555, or at NRC's

Region I offices located at 475 Allendale Road, King of Prussia, PA. Persons desiring to review documents at the Region I Office should call Ms. Sheryl Villar at (610) 337-5239 several days in advance to assure that the documents will be readily available for review.

Dated at King of Prussia, Pennsylvania, this 10th day of March 1999.

For the Nuclear Regulatory Commission.

**George Pangburn,**

*Director, Division of Nuclear Materials Safety, Region I.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-20]

### U.S. Department of Energy, Idaho Operations Office; Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemption From Certain Regulatory Requirements of 10 CFR Part 72

The U.S. Nuclear Regulatory Commission (NRC or Commission) is considering issuance of exemptions, pursuant to 10 CFR 72.7, from the requirements of 10 CFR 72.82(e) and 72.124(b) to the U.S. Department of Energy, Idaho Operations Office (DOE-ID or applicant). Exemption from 10 CFR 72.82(e) would release DOE-ID from the requirements to submit a preoperational test acceptance criteria and test report prior to the receipt of spent fuel at its proposed Independent Spent Fuel Storage Installation (ISFSI). Exemption from 10 CFR 72.124(b) would provide relief to DOE-ID from the requirement to verify the continued efficacy of neutron absorbing materials. The proposed ISFSI is to be located at the Idaho National Engineering and Environmental Laboratory (INEEL), within the Idaho Nuclear Technology and Engineering Center (INTEC) site in Scoville, Idaho. The proposed ISFSI would store the spent nuclear fuel debris created as a result of the Three Mile Island Unit 2 (TMI-2) accident.

#### Environmental Assessment (EA)

##### Identification of Proposed Action

The applicant is seeking Commission approval to construct and operate an ISFSI at INTEC. INTEC is an existing facility initially constructed to both store and reprocess spent fuel and high-level waste possessed by DOE. Pursuant to 10 CFR part 72, DOE-ID submitted an application, including a Safety Analysis Report (SAR), for the ISFSI by letter