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- U. S. Nuclear Regulatory Commission, "Residual Radioactive Contamination from Decommissioning—Parameter Analysis," (DRAFT FOR REVIEW), NUREG/CR-5512, Vol. 3, April 1996b.
- U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, "Draft Standard Review Plan for In Situ Leach Uranium Extraction License Applications," NUREG-1569, October 1997.
- U.S. Nuclear Regulatory Commission, "Decision Methods for Dose Assessment to Comply With Radiological Criteria for License Termination," Draft NUREG-1549, July 1998a.
- U.S. Nuclear Regulatory Commission, Draft Regulatory Guide-4006, "Demonstrating Compliance With the Radiological Criteria for License Termination," August 1998b.
- U.S. Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, "Draft Standard Review Plan for the Review of a Reclamation Plan for Mill Tailings Sites Under Title II of the Uranium Mill Tailings Radiation Control Act," NUREG-1620, January 1999.

#### Notice of Opportunity To Provide Comments

The Commission hereby provides notice of opportunity for public

comment on the draft guidance addressing the radium benchmark approach for decommissioning UR facilities. Written comments should be sent, within sixty (60) days from the date of publication of this **Federal Register** Notice (FRN), to the Chief, Rule and Directives Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Comments may also be provided electronically on the NRC Uranium Recovery Branch website and the final rule FRN may also be viewed (<http://www.nrc.gov/NRC/NMSS/URANIUM/guidance.htm>).

**FOR FURTHER INFORMATION CONTACT:** Ms. Elaine S. Brummett, Uranium Recovery and Low-Level Waste Branch, Mail Stop T7-J9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Telephone 301/415-6606.

Dated at Rockville, Maryland, this 1st day of April 1999.

For the Nuclear Regulatory Commission.

#### N. King Stablein,

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

[FR Doc. 99-9036 Filed 4-9-99; 8:45 am]

BILLING CODE 7590-01-P

### NUCLEAR REGULATORY COMMISSION

[Docket No. 40-7580]

#### Notice of Consideration of Amendment Request for Decommissioning the Fansteel Facility in Muskogee, OK, and Opportunity for Hearing

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of Consideration of Amendment Request for Decommissioning the Fansteel Facility in Muskogee, Oklahoma and Opportunity for Hearing.

The U.S. Nuclear Regulatory Commission (the NRC) is considering issuance of an amendment to Source Material License No. SMB-911, issued to Fansteel, Inc. (the licensee), for the decommissioning of its facility in Muskogee, Oklahoma. The licensee requested the amendment in a letter dated July 6, 1998, and supplemented by a letter dated December 4, 1998.

The Fansteel site contains large amounts of soil contaminated with uranium and thorium. The licensee has indicated in its proposed Decommissioning Plan that, pursuant to 10 CFR 20.1401(b)(3), portions of the

site will be remediated in accordance with Option 1 of the NRC's Branch Technical Position (BTP), "Disposal or Onsite Storage of Thorium or Uranium Wastes from Past Operations." The Decommissioning Plan also references an in-situ disposal area that would be built on a separate portion of the site. The NRC is not considering this proposal as part of the proposal for remediation of portions of the site under Option 1 of the BTP. The in-situ disposal area is considered as a separate plan and is not accepted at this time for lack of information in accordance with Subpart E of the license termination rule (10 CFR Part 20, Subpart E).

Radioactive contamination at Fansteel site is the result of previous operations. Previous operations at the Fansteel facility involved acid digestion of feed materials and have resulted in large volumes of soil and residues contaminated with natural uranium and thorium. Fansteel is currently authorized to reprocess these residues, as well as residues from site wastewater treatment operations, to further extract tantalum, niobium, and scandium to produce industrial products. Reprocessing will enable Fansteel to reduce the volume of radioactive waste requiring off-site disposal. The licensee's plan is to decommission the entire site after approximately 10 to 12 years of residue reprocessing.

Prior to the issuance of the proposed amendment, the NRC will have made findings required by the Atomic Energy Act of 1954, as amended, and the NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment. Approval of the decommissioning plan will be documented in an amendment to SMB-911.

The NRC hereby provides 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 practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to Section 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with Section 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of the **Federal Register** notice.

The request for a hearing must be filed with the Office of 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: Docket 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 the 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 Section 2.1205(h).

3. The requester'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 Section 2.1205(d).

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

1. The applicant, Fansteel, Inc., Number Ten Tantalum Place, Muskogee, OK, 74403-9296; Attention: Mr. John J. Hunter; and

2. The NRC staff, by delivering 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.

Questions with respect to this action should be referred to NRC's project manager for Fansteel, Inc., Michael Adjodha, at (301) 415-8147 or by electronic mail at meal@nrc.gov.

For further details with respect to this action, the application for amendment request is available for inspection at the Commission's Public Document Room, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, MD, this 6th day of April 1999.

For the Nuclear Regulatory Commission.  
**Theodore S. Sherr,**

*Chief, Licensing and International Safeguards Branch, Division of Fuel Cycle Safety and Safeguards, NMSS.*

[FR Doc. 99-9039 Filed 4-9-99; 8:45 am]

BILLING CODE 7590-01-P

## PENSION BENEFIT GUARANTY CORPORATION

### Use of Alternative Dispute Resolution

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Statement of policy.

**SUMMARY:** The Pension Benefit Guaranty Corporation is announcing its policy to use alternative dispute resolution for resolving appropriate disputes in a timely and cost-efficient manner in accordance with the Administrative Dispute Resolution Act of 1996 and the Presidential Memorandum of May 1, 1998, implementing that act.

**EFFECTIVE DATE:** April 12, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Israel Goldowitz, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW, Washington, DC 20005-4026; 202-326-4020. (For TTY/TDD users, call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020.)

#### SUPPLEMENTARY INFORMATION:

On October 8, 1991 (56 FR 50740), the Pension Benefit Guaranty Corporation requested comments to help it develop a policy on use of alternative dispute resolution in accordance with statutory requirements. The PBGC did not receive any comments.

The PBGC recognizes that, in appropriate circumstances, there may be more effective methods to resolve issues that would otherwise be resolved through adversarial administrative or judicial processes. Although there is never an entitlement to alternative dispute resolution, the voluntary use of alternative dispute resolution, such as mediation, fact-finding, neutral evaluation, and arbitration, often can provide faster, less expensive, and more effective resolution of disputes that arise with employees, contractors, the regulated community and others with whom the agency does business. In recognition of this, it is the PBGC's policy to ensure that its staff: (1) Will be knowledgeable about alternative means of dispute resolution, (2) will examine the suitability of using alternative means of dispute resolution to resolve issues that would otherwise be resolved through adversarial administrative or judicial processes, and (3) in appropriate disputes, will use alternative means of dispute resolution in a good faith effort to achieve consensual resolution of issues in controversy involving the agency.

Issued in Washington, DC, this 6th day of April, 1999.

**David M. Strauss,**

*Executive Director, Pension Benefit Guaranty Corporation.*

[FR Doc. 99-8955 Filed 4-9-99; 8:45 am]

BILLING CODE 7708-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (Bestfoods, Common Stock, Par Value \$.25) File No. 1-4199

April 5, 1999.

Bestfoods ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the above specified security ("Security") from listing and registration on the Pacific Exchange, Inc. ("PCX" or "Exchange").

The reasons cited in the application for withdrawing the Security from listing and registration include the following:

The Security is currently listed for trading on the PCX, the Chicago Stock Exchange, and the New York Stock Exchange ("NYSE"). The Company has considered all the direct and indirect costs arising from maintaining these multiple listings and has determined to withdraw the Security from listing on the PCX and maintain its listing on the NYSE.

The Company has complied with the rules of the PCX by filing with the Exchange a certified copy of resolutions adopted by the Company's Board of Directors authorizing withdrawal of its Security from listing on the PCX as well as correspondence setting forth in detail to the Exchange the reasons for such proposed withdrawal, and the facts in support thereof.

The Exchange has informed the Company that it has no objection to the withdrawal of the Company's Security from listing on the Exchange.

This application relates solely to the withdrawal of the Security by the Company from listing on the PCX and shall have no effect upon the continued listing of such Security on the NYSE. By reason of section 12(b) of the Act and the rules and regulations of the Commission thereunder, the Company shall continue to be obligated to file reports under section 13 of the Act with the Commission and with the NYSE.

Any interested person may, on or before April 26, 1999, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on