

(29 U.S.C. 655, 656), the Federal Advisory Committee Act (5 U.S.C. App. 2), and 29 CFR part 1912.

Charles N. Jeffress,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 99-14586 Filed 6-8-99; 8:45 am]

BILLING CODE 4510-26-M

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Meeting Notice

June 4, 1999.

TIME AND DATE: 10:00 a.m., Friday, June 11, 1999.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider the location and terms of oral argument in *Morgan v. Arch of Illinois*, Docket No. LAKE 98-17-D.

TIME AND DATE: 10:00 a.m., Thursday, June 17, 1999.

PLACE: Room 6005, 6th Floor, 1730 K Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:

1. *Secretary of Labor on behalf of Baier v. Durango Gravel*, Docket No. WEST 97-96-DM (Issues include whether substantial evidence supports the judge's determination that Durango Gravel's termination of the complainant violated section 105(c) of the Mine Act.)

Any person attending an open meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR § 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON FOR MORE INFORMATION: Jean Ellen: (202) 653-5629/ (202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Jean H. Ellen,

Chief Docket Clerk.

[FR Doc. 99-14747 Filed 6-7-99; 12:05 pm]

BILLING CODE 6735-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 040-8767]

Consideration of Amendment Request for Decommissioning the 600-Yard Bullet Catcher and the Southeast Wing of Building 3A of the Lake City Army Ammunition Plant in Independence, Missouri, and an Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing a license amendment to Materials License No. SUC-1380, issued to the Department of the Army (the Army or the licensee), to authorize decommissioning of the 600-yard bullet catcher and the southeast wing of Building 3A of its Lake City Army Ammunition Plant (LCAAP) in Independence, Missouri.

The Army built the plant and still operates it for the purpose of manufacturing and testing small caliber conventional munitions for the U.S. Army. LCAAP was founded in 1941 as a Government-owned/contractor-operated facility. From its inception in 1941 until 1985, the plant operating contractor was Remington Arms.

During the 1960s and 1970s, there was a small depleted uranium (DU) operation at LCAAP. Part of their operation, the production of DU ordnance, occurred in the southeast wing of Building 3A. Developmental planning of the XM-101 DU spotting projectile started in 1959, and by 1961 LCAAP was producing the round. The Army designed these XM-101 rounds as "spotters" for small scale, shoulder fired weapons.

The maximum production capability was approximately 8,000 rounds per month although various supply problems resulted in a considerably lower production rate. The XM-101 (later M-101) round consisted of a fused, 20 millimeter (mm) projectile with a body constructed from DU. LCAAP also produced an XM-106 round that was identical to the XM-101, but without the explosive components. The installation designed, tested, manufactured and in later years, demilitarized some 75,000 20 mm DU spotter rounds. These spotter rounds were approximately six inches in length, 20 mm in diameter and weighed approximately one pound (lb) each. A machined DU body made up 0.45 lbs of the round's weight. The round contained a fused-white phosphorus charge that would detonate on impact with the ground.

By 1968, the program was terminated and LCAAP was left with an estimated

44,000 spotter rounds. In 1971, Remington Arms Company, Inc., the operator of LCAAP at the time, proposed a method for the disposal of approximately 44,000 remaining rounds of XM-101 ammunition. Because the rounds were fused, the safest demilitarization methodology involved shooting the rounds into a sand-filled catch box, identified as the "600-yard Bullet Catcher." The catch box was filled with sand as an impact material. The impact material was periodically replaced in the catch box. Remington would remove the "old" impact material (i.e., DU contaminated sand) from the 600-yard bullet catcher box and place it in an area of the site known as "Area 10." Remediation of "Area 10" is being addressed in a separate decommissioning plan approved on August 25, 1998.

NRC is requiring the licensee to remediate the 600-yard bullet catcher and the south east wing of Building 3A of LCAAP 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 decommissioning plan, NRC will make the necessary 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 and an Environmental Assessment. Approval of the LCAAP the 600-yard bullet catcher and Building 3A decommissioning plan will be documented in an amendment to SUC-1380.

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 practice 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 Rulemakings and Adjudications Staff of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

2. By mail, telegram, or facsimile to the Secretary, U. S. Nuclear Regulatory Commission, Washington, DC 20555-

0001, Attention: Rulemakings and Adjudications Staff.

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, Department of the Army, Headquarters U.S. Army Industrial Operations Command, Rock Island, Illinois 61299-6000, Attention: Ms. Rosalene E. Graham; and

2. The NRC staff, by delivery to the Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, between 7:45 am and 4:15 pm Federal workdays; or by mail, addressed to the Executive Director for Operations, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In addition to meeting other applicable requirements of 10 CFR part 2 of the NRC 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 proceedings.

2. How that interest may be affected by the results of the proceedings, 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 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(d).

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

Dated at Rockville, Maryland, this 3rd day of June 1999.

For The Nuclear Regulatory Commission.

John W.N. Hickey,

Chief, Decommissioning Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99-14581 Filed 6-8-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-334 and 50-412]

Duquesne Light Company; Ohio Edison Company; Pennsylvania Power Company; the Cleveland Electric Company; the Toledo Edison Company; Partial Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has

granted the request of Duquesne Light Company (the licensee) to withdraw a portion of its July 9, 1998, application for proposed amendment to Facility Operating License Nos. DPR-66 and NPF-73 for the Beaver Valley Power Station, Unit Nos. 1 and 2, located in Shippingport, PA.

The withdrawn portion of the proposed amendment would have removed the values of the orifice diameter of each main steam safety valve (MSSV) from TS Table 3.7-3 (Unit 1) and Table 3.7-2 (Unit 2). This information will remain in the TSs.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on August 12, 1998 (63 FR 43203). However, by letter dated March 31, 1999, the licensee withdrew this portion of the proposed change as discussed above.

For further details with respect to this action, see the application for amendment dated July 9, 1998, and the licensee's letter dated March 31, 1999, which partially withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the B.F. Jones Memorial Library, 663 Franklin Avenue, Aliquippa, PA 15001.

Dated at Rockville, Maryland, this 3rd day of June 1999.

For the Nuclear Regulatory Commission.

Daniel S. Collins,

Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 99-14579 Filed 6-8-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos.: 040-08794 and 040-08778]

Receipt of An Amendment Request for the Temporary Storage of Decommissioning Waste From the Molycorp York, Pennsylvania Facility (License No. SMB-1408) at the Molycorp Washington, Pennsylvania Facility (License No. SMB-1393) and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an amendment to Source Materials License No. SMB-1393, to Molycorp, Incorporated (the licensee), for the temporary (5-10 years) storage of

waste from the former Molycorp rare earth processing facility (License No. SMB-1408) in York, Pennsylvania.

The licensee submitted the amendment in a letter dated February 8, 1996, requesting that License No. SMB-1393 be amended to allow temporary storage of waste from its York decommissioning operations at the Molycorp Washington, PA facility.

The waste from Molycorp's York facility consists of soils from decommissioning waste containing thorium-232 and uranium-238, with a volume of approximately 3,000-5,000 cubic yards, and resulted from operations to recover rare earth metals from bastnaesite ore containing uranium and thorium which are natural components of this ore. These operations were conducted from April 1962 to September 24, 1993. The NRC will require the licensee to demonstrate that the temporary storage facility provides: (1) adequate containment for the waste; (2) sufficient monitoring of effluents during the transfer and storage activities and; (3) an adequate radiation protection plan to help maintain doses as low as reasonably achievable.

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

The NRC provides notice that this is a proceeding on an application for a license amendment 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 § 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 Rulemakings and Adjudications Staff of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

2. By mail, telegram, or facsimile to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff.

In accordance with 10 CFR § 2.1205(f), each request for a hearing