

Wednesday, February 24, 1999—8:30 A.M. until 6:00 P.M.

Thursday, February 25, 1999—8:30 A.M. until 4:00 P.M.

The following topics will be discussed:

A. *Viability Assessment*—The Committee will continue its review of the Department of Energy's (DOE's) Yucca Mountain viability assessment (VA). Discussions with representatives of DOE and the NRC staff are possible. The Committee will discuss its own internal review of the VA.

B. *Waste Related Research*—The Committee will review nuclear waste related research and technical assistance being performed for the NRC. The Committee will present the results of this review in a report to the Commissioners due April 1999. Discussions with representatives of NRC's Office of Nuclear Regulatory Research and Nuclear Material Safety and Safeguards is anticipated.

C. *Preparation of ACNW Reports*—The Committee will discuss planned reports on the following topics: an ACNW self-assessment, DOE's Viability Assessment, NRC supported Waste Related Research, a White Paper on Repository Design Issues at Yucca Mountain, and other topics discussed during this and previous meetings as the need arises.

D. *Repository Design*—The Committee will begin work on a White Paper that addresses Repository Design Issues for Yucca Mountain. The paper will focus on the results of thermal testing and modeling and how moisture contacts and affects the waste package. The Committee may also examine the significance of coupled effects, aspects of waste retrievability, repository ventilation, rock fall, and water dripping into drifts.

E. *Meeting with NEI*—Representatives from the Nuclear Energy Institute will present their perspective on the upcoming year. Topics will focus on the U.S. high-level radioactive waste program and related legislation.

F. *Meeting with NRC's Director, Division of Waste Management, Office of Nuclear Material Safety and Safeguards*—The Committee will meet with the Director to discuss recent developments within the division such as developments at the Yucca Mountain project, rules and guidance under development, available resources, and other items of mutual interest.

G. *Prepare for the Next Meeting with the Commission*—The Committee will begin preparations for its next public meeting with the Commission. Specific topics for discussion will be finalized and reviewed.

H. *Committee Activities/Future Agenda*—The Committee will consider topics proposed for future consideration by the full Committee and Working Groups. The Committee will discuss ACNW-related activities of individual members.

I. *Miscellaneous*—The Committee will discuss miscellaneous matters related to the conduct of Committee activities and organizational activities and complete discussion of matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on September 29, 1998 (63 FR 51967). In accordance with these procedures, oral or written statements may be presented by members of the public, electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify the Chief, Nuclear Waste Branch, Mr. Richard K. Major, as far in advance as practicable so that appropriate arrangements can be made to schedule the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the Chief, Nuclear Waste Branch, prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Mr. Major as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by contacting Mr. Richard K. Major, Chief, Nuclear Waste Branch (telephone 301/415-7366), between 8:00 A.M. and 5:00 P.M. EST.

ACNW meeting notices, meeting transcripts, and letter reports are now available for downloading or reviewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Dated: January 20, 1999.

Andrew L. Bates,

Advisory Committee Management Officer.
[FR Doc. 99-1707 Filed 1-25-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Revised Meeting

The agenda for the 459th meeting of the Advisory Committee on Reactor Safeguards scheduled to be held on February 3-6, 1999, in Conference Room T-2B3, 11545 Rockville Pike, Rockville, Maryland, has been revised to change the time for the ACRS meeting with the NRC Commissioners. The meeting with the NRC Commissioners will be held between 1:00 and 2:30 p.m., on Wednesday, February 3, 1999, instead of 2:00 and 3:30 p.m. Preparation of ACRS reports will begin at 3:00 p.m. instead of 4:00 p.m.

The agenda for February 4-6, 1999 remains the same as published in the **Federal Register** on Thursday, January 14, 1999 (64 FR 2525).

Further information regarding this meeting can be obtained by contacting Mr. Sam Duraiswamy, Chief of the Nuclear Reactors Branch (telephone 301/415-7364), between 7:30 a.m. and 4:15 p.m. EST.

Dated: January 20, 1999.

Andrew L. Bates,

Advisory Committee Management Officer.
[FR Doc. 99-1708 Filed 1-25-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Nuclear Regulatory Commission.

DATES: Weeks of January 25, February 1, 8, and 15, 1999.

PLACE: Commissioner's Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of January 25—Tentative

There are no meetings scheduled for the Week of January 25.

Week of February 1—Tentative

Tuesday, February 2

2:00 p.m.—Briefing by Executive Branch (Closed-Ex. 1)

3:30 p.m.—Affirmation Session (Public Meeting) (if needed)

Wednesday, February 3

1:00 p.m.—Meeting with Advisory Committee on Reactor Safeguards (ACRS) (Public Meeting) (Contact: John Larkins, 301-415-7360)

Week of February 8—Tentative

Monday, February 8

2:00 p.m.—Briefing on HLW Program Viability Assessment (Public Meeting)

Tuesday, February 9

9:30 a.m.—Briefing on Fire Protection Issues (Public Meeting)

11:00 a.m.—Affirmation Session (Public Meeting) (if needed)

Thursday, February 11

2:30 p.m.—Briefing on Y2K Issues (Public Meeting)

Week of February 15—Tentative

There are no meetings scheduled for the Week of February 15.

* The Schedule for Commission meetings 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.

Additional Information: By a vote of 5-0 on January 20, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of Partial Granting of Petition for Rulemaking Submitted by the Nuclear Energy Institute (PRM-50-62)."

The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/SECY/smj/schedule.htm>.

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 wmmh@nrc.gov or dkw@nrc.gov.

Dated: January 22, 1999.

William M. Hill, Jr.,

Secy, Tracking Officer, Office of the Secretary.
[FR Doc. 99-1869 Filed 1-22-99; 2:41 pm]

BILLING CODE 7590-01-M

NUCLEAR REGULATORY COMMISSION

Final Memorandum of Understanding Between the Nuclear Regulatory Commission and the Department of Energy

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice.

SUMMARY: This notice is to advise the public of the issuance of a Final Memorandum of Understanding (MOU) between the Nuclear Regulatory Commission (NRC) and the Department of Energy (DOE). The purpose of the MOU is to continue the unique statutorily founded relationship and to update overall management policy that governs the relationship between NRC and DOE in the conduct of NRC-funded research programs at the DOE laboratories.

EFFECTIVE DATE: November 24, 1998.

ADDRESSES: Copies of all NRC documents are available for public inspection, and copying for a fee, in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC. The NRC Public Document Room is open from 7:45 a.m. to 4:15 p.m., Monday through Friday (except Federal holidays). Telephone service is provided from 8:30 a.m. to 4:15 p.m. at 202-634-3273 or toll-free at 1-800-397-4209.

FOR FURTHER INFORMATION CONTACT: Mary Lynn Scott, Office of Administration, U.S. Nuclear Regulatory Commission, telephone 301-415-6179, e-mail: mls2@nrc.gov.

Dated at Rockville, Maryland, this 19th day of January 1999.

For the Nuclear Regulatory Commission.

Michael L. Springer,
Director, Office of Administration.

Memorandum of Understanding Between the Nuclear Regulatory Commission and the Department of Energy Governing Nuclear Regulatory Commission Funded Work Performed at the Department of Energy Laboratories

I. Introduction

Section 205(c) of the Energy Reorganization Act of 1974 authorizes NRC to utilize the research facilities and services of DOE and other federal agencies to assist NRC in the conduct of its regulatory mission. On February 24, 1978, the Nuclear Regulatory Commission (NRC) and the Department of Energy (DOE) executed a Memorandum of Understanding (MOU) which established overall management policy for an interagency relationship in the conduct of NRC programs. This longstanding and productive relationship has allowed each agency to more effectively meet its mission

and objectives. This document supersedes the February 24, 1978 MOU.

II. Authority

The DOE is acting pursuant to authorities conferred in the Energy Organization Act, 42 U.S.C. § 7101 et seq. (42 U.S.C. § 7151), and the Atomic Energy Act of 1954, 42 U.S.C. § 2011 (42 U.S.C. §§ 2051, 2052, 2053). The NRC is acting pursuant to authority conferred in the Energy Reorganization Act of 1974, 42 U.S.C. § 5801 et seq. (42 U.S.C. § 5845 (b), (c), and (e)).

III. Purpose

The purpose of this MOU is to continue the unique statutorily founded relationship and to update overall management policy which governs the relationship between NRC and DOE in the conduct of NRC-funded research programs at the DOE laboratories. Specifically, this MOU provides for the following:

1. Priority. That NRC/DOE interagency activities will be conducted at DOE facilities based on a priority mutually agreeable to both agencies.

2. Independent Access. The NRC will have access to DOE's facilities as necessary to review and monitor project scope, schedule and funding.

3. Communication. That NRC and DOE will establish distinct lines of communication at various levels, as necessary, to ensure efficient and effective management of resources.

This MOU does not cover those activities and projects described in the January 15, 1997, MOU, entitled, "Memorandum of Understanding between the Department of Energy and the Nuclear Regulatory Commission for Cooperation and Support of Significant Projects and Activities." It is intended that each MOU coexist concurrently with each other. This MOU also does not cover any activities associated with external regulation of DOE facilities by NRC. This MOU shall not be used to obligate or commit funds or as the basis for transfer of funds between the agencies.

IV. Agreements Between Parties

A. Business Practices Associated with NRC Work Performed by DOE Laboratories

All NRC funded work performed at the DOE laboratories shall be administered in accordance with standard NRC and DOE policies and procedures as agreed to and implemented by each agency. The DOE policies governing work for others are set forth in DOE order 481.1, Work for Others (Non-Department of Energy Funded Work). The NRC policies for work placed at DOE laboratories are set forth in NRC Management Directive 11.7, NRC Procedures for Placement and Monitoring of Work with the U.S. Department of Energy (DOE).

When NRC initiates proposed changes in MD 11.7 that may affect NRC work at DOE laboratories, NRC shall promptly furnish DOE copies of the proposed changes and obtain DOE's review and comments prior to issuing such proposed changes in MD 11.7. When DOE initiates proposed changes in DOE Order 481.1 that may affect NRC work at DOE laboratories, DOE shall notify NRC of