

separate document describing inadvertent overruns and average decree accounting that may be incorporated into the criteria or adopted separately.”

Dated: August 3, 2000.

**Eluid L. Martinez,**

*Commissioner, Bureau of Reclamation.*

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## DEPARTMENT OF JUSTICE

### Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”)

Notice is hereby given that nine proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc. v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on August 1, 2000 with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States has sought recovery of response costs under section 107 of CERCLA, 42 U.S.C. 9607, and Exide Corporation and Johnson Controls, Inc. have sought recovery of response costs under section 113 of CERCLA, 42 U.S.C. 9613, against over forty defendants with respect to the Interstate Lead Company (“ILCO”) Superfund Site, located in Leeds, Jefferson County, Alabama (“the Site”).

The United States has now agreed to settlement of its claims under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to nine defendants: (1) Arch Metals, Inc.; (2) Del’s Metals Co., Inc.; (3) Harry Gordon Scrap Materials, Inc.; (4) Kar-Life Battery Company, Inc.; (5) Lead Products Co., Inc.; (6) Mixon, Inc.; (7) Mountain Metal Company, Inc.; (8) T.A. Pollack Co., Inc.; and (9) Wooster Iron & Metal Company f/k/a Metallica Recycling, Inc. Under the consent decrees, the companies will pay the following amounts to the United States: (1) \$17,000 for Arch Metals, Inc.; (2) \$20,400 for Del’s Metals, Inc.; (3) \$83,640 for Harry Gordon Scrap Materials, Inc.; (4) \$11,560 for Kar-Life Battery Company, Inc.; (5) \$90,870 for Lead Products Co., Inc.; (6) \$17,820 for Mixon, Inc.; (7) \$170,000 for Mountain Metal Company, Inc.; (8) \$14,500 for T.A. Pollack Co., Inc. and (9) \$63,933 for Wooster Iron & Metal Company f/k/a Metallica Recycling, Inc.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, D.C. 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, and DOJ # 90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of any of the proposed Consent Decrees also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per Consent Decree, payable to the Consent Decree Library.

**Bruce S. Gelber,**

*Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

[FR Doc. 00-19950 Filed 8-7-00; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08778]

### Finding of No Significant Impact Related to Amendment of Source Materials License SMB-1393 Molycorp, Inc., Washington, PA, Facility

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an amendment to Source Materials License No. SMB-1393 issued to Molycorp, Inc. (Molycorp or licensee), to authorize decommissioning of its facility in Washington, Pennsylvania. In preparation for cleanup of the site, Molycorp submitted its initial decommissioning plan (DP) to the NRC in July 1995. The DP has been supplemented twice: (1) First on June 30, 1999, (DP Part 1) to reflect the licensee’s intent to decommission a portion of the site using cleanup criteria contained in NRC’s “Action Plan to

Ensure Timely Cleanup of Site Decommissioning Management Plan Sites” (SDMP Action Plan) (57 **Federal Register** 13389); and (2) on July 14, 2000, (DP part 2) for that portion of the site intended to meet the requirements of the License Termination Rule (LTR) in 10 CFR part 20, Subpart E, “Radiological Criteria for License Termination,” published in July 1997 (62 **Federal Register** 39057).

### Environmental Assessment Summary

This Environmental Assessment (EA) addresses only the part 1 decommissioning. Part 2 will be the subject of a separate evaluation. Under the Part 1 DP (hereafter, decommissioning plan) Molycorp, Inc., will remediate contaminated soils on the main facility grounds and at a separate location where slag materials have been concentrated by past operations (*i.e.*, slag pile) to unrestricted release levels. The decision to dispose of the materials on site will be addressed in part 2.

This EA reviews the environmental impacts of the decommissioning actions proposed by Molycorp, Inc. in the decommissioning plan (part 1) for its facility located in Washington, Pennsylvania. In connection with the review of plans for the proposed action, NRC staff is preparing a safety evaluation report (SER), that evaluates compliance of the proposed action with NRC regulations. On issuance, the SER will be available in NRC’s Electronic Reading Room, on NRC’s Web site <http://www.nrc.gov/adams/index.html>.

### Proposed Action

The decommissioning activities proposed by Molycorp include:

- Identify the location, depth, and thickness of areas containing greater than 10 picoCuries per gram (0.37 Becquerels per gram) total thorium.
- Mobilize equipment, set up decontamination facilities, and implement erosion control measures in preparation for excavation activities.
- Survey the site area to establish spatial coordinates of contaminated areas identified from site characterization radiological surveys.
- Excavate clean overburden and stockpile onsite.
- Excavate all soil and slag containing average contamination levels in excess of the unrestricted use criteria.
- Stockpile excavated material in preparation for loading onto transports. Stockpiling duration is estimated at two weeks. Excavation and stockpiling of waste will not occur until NRC has approved a disposal location for the waste.

- Sample excavated material to be transported consistent with requirements of the NRC-approved disposal location.
- Transporting the material containing average contamination levels in excess of the unrestricted use criteria to a NRC-approved location.
- Conduct final surveys on excavated areas to demonstrate compliance with the unrestricted use limits.
- Survey the stockpiled clean overburden.
- Backfill excavated areas that meet the unrestricted use criteria with the clean overburden.

#### *Need for Proposed Action*

The proposed action is necessary to allow MolyCorp to remove radioactive material attributable to licensed operations, to levels that permit unrestricted-use of that portion of the site.

#### *Environmental Impacts of the Proposed Action*

NRC staff reviewed the levels of contamination, the proposed remediation and decommissioning methods, and the radiological release criteria that will be used during the remediation. The radiological criteria are specified so that decommissioning activities will meet the 10 CFR Part 20 radiation protection requirements. Worker and public doses will be limited so that exposures will not exceed Part 20 requirements and are as low as is reasonably achievable.

MolyCorp will perform remediation to achieve the unrestricted release criteria approved by the Commission in the SDMP Action Plan and will transport radioactive waste to a NRC-approved disposal facility.

The EA include: a description of the facility and its operating history; a description of the radiological status of the facility; an evaluation of the proposed methods for decontamination and dismantlement of structures, buildings, and equipment; an evaluation of the proposed methods for decontamination of outdoor areas; a review of the licensee's radiation protection program; and a summary of the radiological release criteria.

The EA assesses radiological impacts to: workers from planned decommissioning activities; members of the public from planned decommissioning activities; and workers and members of the public from transportation of low-level radioactive waste. The EA also includes a radiological accident analysis.

Non-radiological impacts addressed in the EA include: non-radiological

releases; economic impact; transportation; air quality; noise; environmental justice; and endangered species.

#### *Alternatives to the Proposed Action*

The following alternatives, and the associated impacts and conclusions, are discussed in the EA:

- No action
- Proposed action
- On-site disposal at the Washington, Pennsylvania site
- On-site storage of the excavated soil at the Washington, Pennsylvania, site

#### *Conclusions*

Based on the NRC staff evaluation of the Part 1 DP for the Washington, Pennsylvania, facility, as documented in the EA, the staff has determined that the proposed decommissioning can be accomplished in compliance with NRC's public and occupational dose limits, effluent release limits, and residual radioactive material limits. In addition, the approval of the decommissioning plan will not result in a significant adverse impact on the public health and safety or the environment.

#### *Agencies and Individuals Contacted*

NRC staff consulted with the Pennsylvania Department of Environmental Protection (PADEP) in the preparation of this EA. PADEP provided comments on the draft EA in a letter dated July 14, 2000. NRC responded to these comments on July 27, 2000. The final EA reflects the staff's resolution as documented in its July 27, 2000, response. In addition, the Pennsylvania Bureau of Wildlife Management of the Pennsylvania Game Commission was consulted and noted that no endangered species have been documented as occurring on or near the site. Similarly, the National Register of Historic Places was consulted and indicated that no historic properties are listed for the MolyCorp, Inc., Washington site. Also, the Pennsylvania Historical and Museum Commission indicated there are no archeological sites of significance in the facility area.

#### *Finding of No Significant Impact*

Based upon the analysis documented in the EA, the Commission concludes that the proposed action will not have a significant impact on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

#### **Additional Information**

The EA is available for review at NRC's Electronic Reading Room, on the NRC's Web site at <http://www.nrc.gov/adams/index.html>. The accession [file] number for this document is ML003735909. The NRC Project Manager for this action is Mr. LeRoy Person. Mr. Person can be reached at (301) 415-6701.

Dated at Rockville, Maryland, this 2nd day of August 2000.

For the Nuclear Regulatory Commission.

**Larry W. Camper,**

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

[FR Doc. 00-20013 Filed 8-7-00; 8:45 am]

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## **PENSION BENEFIT GUARANTY CORPORATION**

### **Proposed Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of intention to request extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation ("PBGC") intends to request that the Office of Management and Budget ("OMB") extend approval, under the Paperwork Reduction Act, of the collection of information under its regulation on Payment of Premiums (29 CFR part 4007), including Form 1-ES, Form 1, and Schedule A to Form 1, and related instructions (OMB control number 1212-0009; expires December 31, 2000). The collection of information also includes a certification (on Schedule A) of compliance with requirements to provide certain notices to participants under the PBGC's regulation on Disclosure to Participants (29 CFR part 4011). This notice informs the public of the PBGC's intent and solicits public comment on the collection of information.

**DATES:** Comments should be submitted by October 10, 2000.

**ADDRESSES:** Comments may be mailed to the Office of the General Counsel, suite 340, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, or delivered to that address between 9 a.m. and 4 p.m. on business days. Written comments will be available for public inspection at the PBGC's Communications and Public Affairs Department, suite 240 at the same