



Department of Energy
Washington, DC 20585

December 12, 2017

Mr. Dominick Orlando, Senior Project Manager
Division of Decommissioning and Waste Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop T8 F5
Washington, DC 20555-0001

40-2259

Subject: U.S. Department of Energy Proposal to Not Perform Groundwater Monitoring at the Gas Hill North, Wyoming, UMTRCA Title II Disposal Site under Long-Term Management

Dear Mr. Orlando:

As a follow-up to past discussions, between U.S. Department of Energy Office of Legacy Management (DOE-LM) and U.S. Nuclear Regulatory Commission (NRC), DOE-LM is formally requesting NRC to evaluate and respond to DOE-LM's proposal that groundwater monitoring at the Gas Hills North, Wyoming, UMTRCA Title II Disposal Site (a.k.a. Lucky Mc Disposal Site) is not necessary for long-term management of the site. Groundwater monitoring would provide no additional benefit in ensuring protection of human health and the environment. DOE-LM takes this position for the following reasons:

- 1) Beginning in 1958 discharges of groundwater from adjacent uranium mine pit dewatering operations occurred down Fraser Draw, which is located directly east of and flows downgradient from the disposal site. From 1974 through 1981 these discharges were conducted under a National Pollutant Discharge Elimination System (NPDES) permit issued by the State of Wyoming. The NPDES permit authorized discharges of water with concentrations of uranium not to exceed a daily average of 2 milligrams per liter (mg/L) and a daily maximum of 4 mg/L (see enclosed NPDES permit). Permitted discharges from this period indicated an average uranium concentration of 0.91 mg/L (see enclosed mine dewatering discharge sampling data received from the licensee). Therefore, discharges from these mine dewatering operations may have impacted groundwater quality in Fraser Draw downgradient of the site.
- 2) During early uranium milling and disposal operations (1958-1960) routine discharges of tailings impoundment fluid occurred down Reid Draw, the drainage in which the tailings impoundments were constructed. Therefore, these discharges may have impacted groundwater quality in Reid Draw downgradient of the impoundments.
- 3) In 1963, out of concern for the integrity of the tailings impoundment dam during a period of heavy precipitation, there was an intentional release of an estimated 23 million gallons of tailings impoundment fluid down Reid Draw. Following an evaluation of the radiological contamination identified in Reid Draw, the licensee proposed the "no action" alternative. NRC's environmental assessment concluded with a Finding of No Significant Impact (FONSI) regarding the "no action" proposal on the cleanup of Reid Draw. NRC's decision to not remediate Reid Draw was posted in the *Federal Register* on March 17, 1999 (see enclosed *Federal Register* notice).



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- 4) There is little to no risk of exposure to the contamination downgradient of the site in Reid Draw, as supported by NRC's FONSI. The water quality in a livestock surface water impoundment in Reid Draw located approximately 2 miles downgradient of the tailings impoundment were "well within NRC's effluent water concentration limits for radionuclides, as specified in 10 CFR Part 20, Appendix B, Table 2." No other current water use in Reid Draw occurs within 5 miles of the tailings impoundment.
- 5) Subsequent to the intentional release in Reid Draw the downgradient-most tailings impoundment dam was expanded and keyed into the Cody Shale, which NRC's *Federal Register* notice indicates is competent and impermeable bedrock. According to the *Federal Register* notice, there was "no evidence of ground-water impacts from seepage through the reconstructed dam, based upon monitoring data from piezometers, and the monitoring of water quality in the immediately down-gradient point of compliance well R-2 located in Reid Draw." Therefore, tailings fluid seepage is not expected to occur in Reid Draw downgradient of the reconstructed tailings impoundment dam, which is supported by NRC's approval to decommission point of compliance well R-2 and discontinue groundwater monitoring in Reid Draw downgradient of the site.
- 6) In addition to the above, groundwater in the uppermost aquifer downgradient of the site has naturally poor water quality because of localized mineralization from the adjacent upgradient uranium ore body.

Please call me at (970) 248-6073 if you have any questions. Please address any correspondence to:

U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

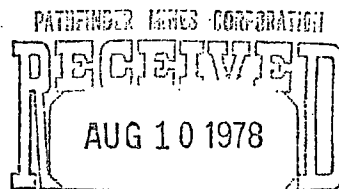
Sincerely,



Richard P. Bush, Site Manager
Office of Legacy Management

Enclosures

cc w/enclosures:
M. Meyer, NRC
A. Gil, DOE-LM (e)
S. Hall, Navarro (e)
File: GHN 0400.02 (records)



REC/ BWF ELN 25
RWP 8/10/78

Permit No.: Wy-0003131

LUCKY Mc MINE

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq; the "Act"), and the Wyoming Environmental Quality Act (35-502 et. seq., Wyoming Statutes 1957, Cumulative Supplement 1973),

Pathfinder Mines Corporation

is authorized to discharge from a facility located at

the Lucky Mc Mine, the Gas Hills,
Fremont County, Wyoming

to receiving waters named

Fraser Draw and Coyote Creek via an unnamed drainage

in accordance with effluent limitations, monitoring requirements and other conditions set forth in Parts I, II, and III hereof.

This permit shall become effective on the date of issuance.

This permit and the authorization to discharge shall expire at midnight,
June 30, 1983.

William L. Garland
Administrator - Water Quality Division

31 July 78
Date

Robert E. Sundin
Director - Department of Environmental Quality

31 July 78
Date

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning immediately and lasting through June 30, 1983, the permittee is authorized to discharge from outfall(s) serial number(s) 004, 005 and 006.

Such discharges shall be limited and monitored by the permittee as specified below:

Effluent Characteristic	Discharge Limitations*				Monitoring Requirements	
	kg/day (lbs/day)		Concentration		Measurement Frequency	Sample Type
	Daily Avg	Daily Max	mg/l Daily Avg	mg/l Daily Max		
Flow - MGD	N/A	N/A	N/A	N/A	Continuous	Daily Total
Total Suspended Solids	N/A	N/A	20	30	Monthly	Composite
Total Zinc	N/A	N/A	.5	1.0	Quarterly	Grab
Dissolved Radium 226**	N/A	N/A	3(pc/l)	10(pc/l)	Monthly	Composite
Total Radium 226	N/A	N/A	10(pc/l)	30(pc/l)	(Monitoring of this parameter not required)	
Dissolved Alpha Emitting Radium Isotopes**	N/A	N/A	5(pc/l)	15(pc/l)	Monthly	Composite
Total Uranium(as U)***	N/A	N/A	2.0	4.0	Monthly	Composite
COD	N/A	N/A	100	200	(Monitoring of this parameter not required)	

The oil and grease concentration shall not exceed 10 mg/l in any single grab sample and shall be monitored visually.

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored quarterly with a grab sample.

There shall be no discharge of floating solids or visible foam in other than trace amounts.

Samples taken in compliance with the monitoring requirements specified above shall be taken at the following location(s): At the outfall from the final treatment unit and prior to admixture with diluent water or the receiving stream.

In addition to the above daily maximum concentration limitation, the analysis of any single properly preserved grab sample, shall not exceed 150 percent of the daily maximum concentration(1.5 times the limitation) for the parameter(s) Total Suspended Solids, Dissolved Radium 226, Total Radium 226, Total Alpha Emitting Radium Isotopes and Total Uranium(as U).

*Any untreated overflow from facilities designed, constructed and operated to treat the mine drainage and the runoff at the treatment facility resulting from the 10 year - 24 hour precipitation event(2.0 inches) shall not be subject to these limitations.

**The permittee must monitor at least one of these parameters. He need not monitor both.

B. RUNOFF FROM DISTURBED AREAS

Effective immediately and lasting through June 30, 1983, the permittee shall control all runoff from disturbed areas to insure there is no violation of Wyoming's surface water quality standards.

Disturbed areas are defined as the areas from which overburden has been removed or on which it has been deposited, ore stockpile areas, tailings areas and all other nonpublic areas or facilities caused to be disturbed by the permittee's operations. This does not apply to reclaimed and revegetated areas.

If runoff from disturbed areas is controlled through the use of settling pond(s) the following provisions apply:

1. If a settling pond is not sized to handle the runoff resulting from precipitation, an equivalent snow melt or combination of precipitation and resulting snow melt equal to the 10 year - 24 hour precipitation event (2.0 inches), the outfall from such settling pond(s) must be identified as a point of discharge and be regulated by the provisions of Part IA of this permit.
2. If a settling pond is sized to handle the runoff from the 10 year - 24 hour precipitation event as described above, the outfall from such settling pond need not be identified as a point of discharge, however, such pond must be designed and operated as described below:
 - a. To give a minimum of five(5) days retention prior to drawing down to the permanent pool.
 - b. To provide for full recovery down to the permanent pool storage elevation within fifteen(15) days after the runoff condition by decanting, pumping, irrigation or other measures.

In addition, the permittee shall operate and maintain all sediment control facilities such that:

1. Sluicing of collected sediments does not occur;
2. Scouring or erosion of the bottom of outlet channels does not occur;
3. Where sedimentation basins or checks are used, cleaning and disposal of accumulated sediments shall be accomplished to restore the total design sediment storage when active storage levels reach sixty(60) percent of the design sediment storage capacity; and,
4. The permanent pool storage elevation, which shall be a minimum of two(2) feet above the active sediment storage elevation, is attained following a runoff event within the design period specified.

The official weather station identified with this permit shall be the Gas Hills 4E station operated by the official observer designated by the U.S. Department of Commerce. The permittee has the option of maintaining additional precipitation gages at his facility.

C. MONITORING AND REPORTING

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge.

2. Reporting

Monitoring results obtained during the previous 3 months shall be summarized for each month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed reporting period. The first report is due on July 28, 1978. Duplicate signed copies of these, and all other reports required herein, shall be submitted to the Regional Administrator and the State at the following addresses:

U.S. Environmental Protection Agency
1860 Lincoln Street, Suite 900
Denver, Colorado 80203
Attention: Enforcement - Permits
Telephone: (303) 837-4901

Wyoming Department of Environmental
Quality
Water Quality Division
Hathaway Building
Cheyenne, Wyoming 82002
Telephone: (307) 777-7781

If no discharge occurs during the reporting period, "no discharge" shall be reported.

3. Definitions

- a. The "daily average" discharge means the total discharge by weight determined by the arithmetic mean (geometric mean in the case of the fecal coliform parameter) of a minimum of three(3) samples taken on three(3) separate days during a calendar month.
- b. The "daily maximum" shall be determined by the analysis of a properly preserved composite sample composed of a minimum of four(4) grab samples collected at equally spaced two(2) hour intervals and proportioned according to flow at the time of sampling.
- c. The "daily average" concentration means the average concentration determined by the arithmetic mean (geometric mean in the case of the fecal coliform parameter) of a minimum of three(3) samples taken on three(3) separate days during a calendar month.
- d. The "daily maximum" concentration shall be determined by the analysis of a properly preserved composite sample composed of a minimum of four(4) grab samples collected at equally spaced two(2) hour intervals and proportioned according to flow at the time of sampling.
- e. "Net" value, noted under Effluent Characteristics is calculated on the basis of the net increase of the individual parameter over the quantity of that same parameter present in the intake water measured prior to any contamination or use in the process of this facility. Any contaminants contained in any intake water obtained from underground wells shall not be adjusted for as described above and therefore shall be considered as process input to the final effluent.

Limitations in which "net" is not noted are calculated on the basis of gross measurements, of each parameter in the discharge irrespective of the quantity or quality of those parameters in the intake waters.

- f. A "composite" sample, for monitoring requirements, is defined as a minimum of four(4) grab samples collected at equally spaced two(2) hour intervals and proportioned according to flow.

4. *Test Procedures*

Test procedures for the analysis of pollutants shall conform to regulations published pursuant to Section 304(g) of the Act, under which such procedures may be required.

5. *Recording of Results*

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- a. The exact place, date, and time of sampling;
- b. The dates the analyses were performed;
- c. The person(s) who performed the analyses;
- d. The analytical techniques or methods used; and
- e. The results of all required analyses.

6. *Additional Monitoring by Permittee*

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified above, the results of such monitoring shall be included in the calculation and reporting of the values required in the Discharge Monitoring Report Form(EPA No. 3320-1). Such increased frequency shall also be indicated.

7. *Records Retention*

All records and information resulting from the monitoring activities required by this permit including all records of analyses performed and calibration and maintenance of instrumentation and recordings from continuous monitoring instrumentation shall be retained for a minimum of three(3) years, or longer if requested by the Regional Administrator or the State water pollution control agency.

8. *Location of Discharge Points*

- 004 - The outfall from the final settling pond which treats the mine water from the original mining area - located in the NE $\frac{1}{4}$, Section 22, T33N, R90W

005 - The outfall from the final settling pond which treats the mine water from Project 7 - located in the SW $\frac{1}{4}$, Section 25, T33N, R90W

006 - The outfall from the final settling pond which treats the mine water from the Green River and Four Corners areas, located in the NE $\frac{1}{4}$, Section 18, T32N, R90W

9. *Analytical Technique for Uranium*

The analytical technique for Total Uranium(as U) shall be the flourometric method as referenced in Methods for Determination of Radioactive Substances in Water and Fluvial Sediments, Techniques of Water - Resource Investigations of the U.S. Geological Survey, Book 5, Chapter A-5, pp. 83 - 92.

Summary of Lucky Mc Mine NPDES discharge monitoring data for Fraser Draw, 1974 - 1981.
Pathfinder Mines Corporation (& predecessors)

Year	Qtr.	Flow (avg. MGD)	PARAMETER			
			Ra226 (pCi/l)		U (mg/l)	
			avg.	max.	avg.	max.
1974	3	ND*	3.94	8.74	0.76	0.9
	4	ND*	2.32	3.82	0.76	0.85
1975	1	ND*	2.72	2.72	1.17	1.17
	2	ND*	3.92	4.78	1.35	2.45
	3	ND*	6.68	9.38	1.03	1.73
	4	ND*	2.43	3.06	0.32	0.46
1976	1	ND*	2.54	3.5	0.38	0.72
	2	ND*	2.01	2.4	0.94	1.04
	3	ND*	2.07	3.29	0.52	0.87
	4	0.9	1.8	3.29	0.86	0.96
1977	1	1.96	0.6	1	0.43	0.58
	2	1.17	0.15	0.28	0.52	0.67
	3	1.49	1.38	2.65	0.58	0.72
	4	1.77	0.6	1.2	0.81	0.97
1978	1	1.02	0.32	0.75	0.82	1.1
	2	2.58	0.41	0.55	1.06	1.31
	3	0.95	0.39	0.45	1.01	1.24
	4	0.47	1.11	1.7	0.92	1.16
1979	1	1.35	0.75	0.8	0.79	1.2
	2	0.6	1.04	1.27	0.85	1.1
	3	2.64	0.47	1.4	0.91	1.1
	4	0.46	2.63	5.6	0.64	0.96
1980	1	0.11	1.81	2.3	1.11	1.2
	2	0.39	0.5	0.9	1.12	1.9
	3	0.4	0.35	0.6	1.3	1.7
	4	0.006	0.4	0.4	1	1
1981	1	0.26	0.9	0.9	1	1.1
	2	0.3	1.16	1.56	1.49	1.65
	3	0.11	0.5	0.7	1.95	2
	4	0.18	0.68	0.68	0.955	0.955
1982 forward	1	0	---	---	---	---

*No data was averaged. There are hand written forms indicating daily discharges that ranged from 0.25 - 0.33 MGD all the way up to 3.2 MGD. Discharge occurred in only one month during the first quarter, 1975.

MGD = million gallons/day.

By 1982 discharge had ceased, and it has never been re-activated.

Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* 10 CFR Part 72, Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Radioactive Waste.

3. *How often the collection is required:* Required reports are collected and evaluated on a continuing basis as events occur. Applications for new licenses and amendments may be submitted at any time. Applications for renewal of licenses would be required every 20 years for an Independent Spent Fuel Storage Installation (ISFSI) and every 40 years for a Monitored Retrievable Storage (MRS) facility.

4. *Who will be required or asked to report:* Vendors of casks for the storage of spent fuel, licensees and applicants for a license to possess power reactor spent fuel and other radioactive materials associated with spent fuel storage in an ISFSI, and the Department of Energy for licenses to receive, transfer, package and possess power reactor spent fuel, high-level waste, and other radioactive materials associated with spent fuel and high-level waste storage in an MRS.

5. *The number of annual respondents:* 8.

6. *The number of hours needed annually to complete the requirement or request:* 21,529 (an average of approximately 167 hours per response for applications and reports, plus approximately 765 hours annually per recordkeeper).

7. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:* Not applicable.

8. *Abstract:* 10 CFR Part 72 establishes requirements, procedures, and criteria for the issuance of licenses to receive, transfer, and possess power reactor spent fuel and other radioactive materials associated with spent fuel storage in an ISFSI, and requirements for the issuance of licenses to the Department of Energy to receive, transfer, package, and possess power reactor spent fuel and high-level radioactive waste, and other associated radioactive materials, in an MRS. The information in the applications, reports and records is used by NRC to make licensing and other regulatory determinations. The revised estimate of burden reflects an increase primarily

because of the addition of requirements for decommissioning funding requirements, financial assurance provisions, documentation additions for decommissioning and license termination, and notification of incidents.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. OMB clearance requests are available at the NRC worldwide web site (<http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>). The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by April 16, 1999. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Erik Godwin, Office of Information and Regulatory Affairs (3150-0135), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3084.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 11th day of March 1999.

For the Nuclear Regulatory Commission.

Brenda Jo. Shelton,
NRC Clearance Officer, Office of the Chief
Information Officer.

[FR Doc. 99-6452 Filed 3-16-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-2259]

Pathfinder Mines Corporation

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Final finding of no significant impact notice of opportunity for hearing.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA-672, approving Pathfinder Mines Corporation's (PMC's "no action" proposal on cleanup of Reid Draw located downgradient of the Lucky Mc tailings system at Gas Hills, Wyoming. This license currently authorizes PMC to possess byproduct material in the

form of uranium waste tailings generated by the licensee's milling operations at the site. In accordance with the requirements of 10 CFR Part 51, an Environmental Assessment (EA) was performed by the NRC staff in support of its review of PMC's Environmental Report (ER) on the status of Reid Draw. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) of "no action" proposal on cleanup of Reid Draw.

SUPPLEMENTARY INFORMATION:

Background

By its letter dated August 28, 1998, PMC submitted an ER on the status of radiological contamination of Reid Draw. The draw is downgradient of the Lucky Mc tailings system at Gas Hills, Wyoming. PMC presented three action alternatives in the ER, and requested the NRC concurrence on its proposed "no action" alternative.

Reid Draw developed as a result of surface water erosion in the general area of the current Lucky Mc uranium mill site and portions of the uranium mine site that lie further to the south. Upon developing the mill, the mill tailings management structures were built at the head of Reid Draw. In the early days of mill operation, there was only one embankment, the No. 1 solid tailings dam. It served as the sole tailings storage facility from the inception of milling in 1958 until 1960 when the No. 2 dam was constructed. A review of early company records indicates that excess tailings solution was routinely discharged down Reid Draw from the No. 1 dam until June 1, 1960, when the No. 2 dam was commissioned. Apparently, this discharge was considered acceptable and normal practice in those days since the site was subject to Atomic Energy Commission inspections during the timeframe of interest. The furthest down-gradient embankment in the tailings system, the No. 4 dam was constructed in 1961.

Reid Draw is subject to only intermittent flows. However, a period of unusually rainy weather in June 1963 culminated with a protracted storm on June 15. The No. 4 solution pond capacity had been taxed due to the earlier precipitation, and the three inches of rain on June 15 proved too much for the system. Out of concern for the integrity of the No. 4 dam in the imminent event of an uncontrolled overtopping, the decision was made to cut a relief overflow, allowing some of the impounded water to escape. The licensee documentation at the time indicates that an estimated 23 million gallons of water were released. It should

be noted that this released water was significantly diluted due to the precipitation runoff.

The early releases and the single No. 4 dam breach event account at least in part for the levels of radionuclides found in Reid Draw at the present time. It is also likely that there is a natural contribution to the radionuclide levels in Reid Draw due to the fact that Reid Draw heads at the outcrop of a naturally mineralized area. It is reasonable to hypothesize that the erosion forces that created Reid Draw over time carried some of this mineralization down the draw. Since the controlled release during June 1963, there have been no other releases of tailings solutions to Reid Draw.

The No. 4 dam underwent a major reconstruction during 1980-1981 that entailed excavation down to competent Cody Shale in order to key the dam into impermeable material, and the overall size of the dam was expanded greatly. There is no evidence of ground-water impacts from seepage through the reconstructed dam, based upon the monitoring data from the piezometers, and the monitoring of water quality in the immediately down-gradient point of compliance well R-2 located in Reid Draw.

The Reid Draw gamma surveys conducted down-gradient from tailings dam No. 4 and beyond Reid Reservoir, located on the draw owned by Philp Sheep Company, indicate that the measurable contamination terminates just above Reid Reservoir. Reid Reservoir is some 3,000 meters (1.9 miles) down the draw from the toe of No. 4 dam. The reservoir existed prior to any up-gradient milling activity.

Additionally, radionuclide analysis of surface water and a sample of water taken from Reid Reservoir indicate that the concentrations are well within the NRC effluent water concentration limits for radionuclides, as specified in 10 CFR Part 20, Appendix B, Table 2. Cleanup criteria for off-pile areas of uranium mill sites are specified in 10 CFR Part 40, Appendix A, Technical Criteria.

Summary of the Environmental Assessment

In accordance with 10 CFR Part 51, Licensing and Regulatory Policy Procedures for Environmental Protection, the NRC staff performed an appraisal of the environmental impacts associated with the "no action" proposal on cleanup of Reid Draw. In conducting its appraisal, the NRC staff considered the following information: (1) PMC's ER on remediation of Reid Draw, and its subsequent submittal providing additional information and

revised pages to the ER; (2) results of NRC staff site visits and inspections of the facility; and (3) consultation with the Wyoming Department of Environmental Quality, Bureau of Land Management, and Philp Sheep Company. The technical aspects of the proposal will be discussed separately in a Technical Evaluation Report (TER) that will accompany the final agency licensing action.

The results of the staff's appraisal are documented in an EA placed in the docket file. Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the "no action" proposal.

Conclusions

The NRC staff has examined actual and potential impacts associated with PMC's "no action" proposal on cleanup of Reid Draw, and has determined that authorizing implementation of the "no action" proposal will not have long-term detrimental impacts on the environment. The following statements summarize the conclusions resulting from the staff's environmental assessment, and support the FONSI:

- (1) Present and potential risks were assessed. The NRC staff determined that the risk factors for health and environmental hazards are insignificant in the licensee proposed "no action" alternative; and
- (2) Remediation would cause irreversible damage to the current, very stable, environment of Reid Draw.

Because the staff has determined that there will be no significant impacts associated with approval of the "no action" proposal, there can be no disproportionately high and adverse effects or impacts on minority and low-income populations. Consequently, further evaluation of Environmental Justice concerns, as outlined in Executive Order 12898 and NRC's Office of Nuclear Material Safety and Safeguards Policy and Procedures Letter 1-50, Revision 1, is not warranted.

Alternatives to the Proposed Action

The proposed action is to amend NRC Source Material License SUA-672 authorizing PMC to implement "no action" proposal on cleanup of Reid Draw, as requested by PMC. Therefore, the principal alternatives available to NRC are to:

- (1) Approve the licensee's "no action" alternative, as proposed; or (2) Amend the license with such additional conditions as are considered necessary or appropriate to protect public health and safety and the environment; or (3) Deny the licensee's request.

Based on its review, the NRC staff has concluded that the environmental impacts associated with the "no action" proposal on cleanup of Reid Draw do not warrant either the limiting of PMC's future operations or the denial of the licensee's request. Additionally, in the TER for this action, the staff will document its evaluation of the licensee's proposal with respect to the criteria for cleanup of off-pile areas of uranium mill sites as specified in 10 CFR Part 40, Appendix A. Therefore, the staff considers that Alternative 1 is the appropriate alternative for selection.

Finding of No Significant Impact

The NRC staff has prepared an EA for the "no action" proposal on cleanup of Reid Draw. On the basis of this assessment, the NRC staff has concluded that the environmental impacts that may result from the "no action" proposal would not be significant and, therefore, preparation of an Environmental Impact Statement is not warranted.

The EA and other related documents are available for public inspection and copying at the NRC Public Document Room, in the Gelman Building, 2120 L Street NW, Washington, DC 20555.

Notice of Opportunity for Hearing

The NRC hereby provides notice that this is a proceeding on an application for a licensing action falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operators Licensing Proceedings," of the Commission's Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders in 10 CFR Part 2 (54 FR 8269). 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(c), a request for a hearing must be filed within thirty (30) days from 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 Office of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or
- (2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Rulemakings and Adjudications Staff.

Each request for a hearing must also be served by delivering it personally or by mail to:

- (1) The applicant, Pathfinder Mines Corporation, 935 Pendell Boulevard, P.O. Box 730, Mills, Wyoming 82644, Attention: Tom Hardgrove; and

(2) The NRC staff, by delivery to the Executive Director of 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.

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

(1) the interest of the requestor in the proceeding;

(2) how that 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 § 2.1205(g);

(3) the requestor'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(c).

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

FOR FURTHER INFORMATION CONTACT: Mohammad Haque, Uranium Recovery Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7-J8, Washington, D.C. 20555. Telephone 301/415-6640.

Dated at Rockville, Maryland, this 11th day of March 1999.

For the Nuclear Regulatory Commission.
N. King Stablein,
*Acting Chief, Uranium Recovery Branch,
Division of Waste Management, Office of
Nuclear Material Safety and Safeguards.*
[FR Doc. 99-6454 Filed 3-16-99; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Sunshine Act Meeting

DATE: Weeks of March 15, 22, 29, and April 5, 1999.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of March 15

Tuesday, March 16

1:00 p.m.

Briefing on Status of DOE High Level Waste Viability Assessment (Public Meeting)

(Contact: Mike Bell, 301-415-7252)

Wednesday, March 17

9:00 a.m.

Meeting with Advisory Committee on Nuclear Waste and Nuclear Waste Technical Review Board (Public Meeting)

Contact: John Larkins, 301-415-7360

11:30 a.m.

Affirmation Session (Public Meeting)

* (Please Note: This item will be affirmed immediately following the conclusion of the preceding meeting.)

a: Radiological Criteria for License Termination of Uranium Recovery Facilities.

1:30 p.m.

Briefing on Part 50 Decommissioning Issues (Public Meeting)

(Contact: Seymour Weiss, 301-415-2170)

Thursday, March 18

9:30 a.m.

Briefing on Design Basis Threat (Closed—ex. 1)

2:00 p.m.

Briefing by Executive Branch (Closed—ex. 1)

Friday, March 19

9:00 a.m.

Briefing on Status of External Regulation of DOE Facilities (Public Meeting)

(Contact: Charlie Haughney, 301-415-7198)

Week of March 22—Tentative

Thursday, March 25

1:00 p.m.

Briefing on Part 35 Rulemaking (Public Meeting)

(Contact: Patricia Holahan, 301-415-8125)

Friday, March 26

9:00 a.m.

Briefing on Proposed Reactor Oversight Process Improvements & Enforcement (Public Meeting)

(Contact: William Dean, 301-415-2240)

12:00 p.m.

Affirmation Session (Public Meeting) (If needed)

Week of March 29—Tentative

There are no meetings scheduled for the Week of March 29.

Week of April 5—Tentative

There are no meetings scheduled for the Week of April 5.

*The Schedule for Commission meeting 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.

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Additional Information

By a vote of 5-0 on March 5, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of North Atlantic Energy Service Corp., et

al. (Seabrook Station Unit 1) Docket No. 50-443, Draft Commission Memorandum and Order Addressing Intervention Petitions and Hearing Requests of New England Power Company (NEPCO) and United Illuminating Co." (Public Meeting) be held on March 5, and on less than one week's notice to the public.

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

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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 wmh@nrc.gov or dkw@nrc.gov.

Dated: March 12, 1999.

William M. Hill, Jr.,

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 99-6571 Filed 3-15-99; 11:36 am]

BILLING CODE 7590-01-M

RAILROAD RETIREMENT BOARD

Proposed Collection: Comment Request

SUMMARY: In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections; the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are Invited On

(a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.