



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

2000-0219

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RESPONSE TYPE FINAL PARTIAL

REQUESTER

Ms. Kimberly Boggiatto

DATE

JUN 20 2000

PART I. - INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES A Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES A Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A - FEES

AMOUNT *
\$

- You will be billed by NRC for the amount listed.
- None. Minimum fee threshold not met.
- You will receive a refund for the amount listed.
- Fees waived.

* See comments for details

PART I.B - INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

Copyrighted Record(s):

Please note that document number three identified on Appendix A is a "copyrighted" document and is not enclosed. However, you may obtain access to this document by accessing the newspaper's website @ www.desnews.com, or you may view a paper copy at NRC's Public Document Room located at 2120 L Street, NW, Washington, DC.

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed

APPENDIX A

RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted identify with*)

NUMBER	DATE	DESCRIPTION/PAGES
1.	Undated	Excerpt from September 7, 1999, memorandum to Ellis Merschoff, from Karla Smith, on Cases Pending before the Commission, Licensing Boards, Presiding Officers, and the Courts, Atlas Corporation, (2 pgs.) - <u>NOTE: PORTIONS OF THIS RECORD ARE "OUTSIDE SCOPE" OF REQUEST.</u>
2.	1/3/00	Federal Register/Vol. 65, No. 1, Monday, January 3, 2000, Notices, Subject: Moab Mill Reclamation Trust; Notice of Order and an Opportunity for a Hearing, (4 pgs.).
3.	4/24/00	*Desert News Archives, Tailings Near Moab May be to Idle Mill Close to Lake Powell, Wyoming, Firm states this cleanup solution is Ideal, (2 pgs.). <u>NOTE: THIS RECORD IS COPYRIGHTED AND IS NOT ENCLOSED.</u>

ordered briefing on other financial surety issues (i.e., Was financial assurance information submitted by HRI adequate to meet the requirements for licensing? and If HRI is correct that an approved financial assurance plan is not a prerequisite to the issuance of a license, what is the meaning of the staff's assertion in its response that "the issue is thus not yet ripe for review?"). The petitioners' brief was due August 13, 1999; the staff and HRI's briefs were due September 3, 1999.

With respect to all remaining issues pending before the Presiding Officer in the first phase of the proceeding, in LBP-99-30, on August 20, 1999, the Presiding Officer ruled in favor of HRI relative to groundwater, NEPA, cumulative impacts, and environmental justice issues. Petitions for review were due last Friday.

Atlas Corp. (40-3453-MLA-3) - Subpart L proceeding regarding a materials license amendment before a Presiding Officer (Moore) to approve an onsite reclamation plan. A May 14, 1999 order of the Presiding Officer asked various questions (re: **groundwater remediation, standards, and contamination**); staff filed answers and a response to Petitioners' answers on June 4, 1999. On July 30, 1999, the Presiding Officer issued another order requiring staff answers to follow-up questions by August 13, 1999, with Petitioners' response due August 27, 1999. On August 5, 1999, NRC staff filed a request for an extension of time (until September 17, 1999) to file its responses. This extension was granted on August 9.

Petitioner: Grand Canyon Trust

Other activity on this docket - on June 9, the Grand Canyon Trust filed a request for a stay of the license amendment issued to Atlas on May 28, 1999. After staff's response, the Presiding Officer denied the stay request on July 13, 1999. The Trust filed a reconsideration request for this order, which the Presiding Officer denied on August 17, 1999.

Atlas Corp. (40-3453-MLA-4) - This case concerns a materials license amendment to extend the completion date for groundwater corrective actions from 12/31/98 to 7/31/06. The Presiding Officer (Bechhoefer) issued an order on May 14, 1999, directing the staff and Petitioners to answer a series of questions by May 28, 1999, with written responses to the answers due June 4, 1999. Staff filed responses to the order on June 14, 1999.

Intervenor: Sarah M. Fields

International Uranium Corp. - Three related Subpart L proceedings.

- 40-8681-MLA-4 - Involves a license amendment to authorize receipt, possession and disposal of uranium-bearing material at White Mesa, from a site in Tonawanda, NY (Ashland 2). Ashland 2 is a "FUSRAP" (Formerly Utilized Sites Remedial Action Program) site. Issues:
 - Composition of Ashland 2 material dissimilar to material at White Mesa;
 - Material authorized by amendment may leak from the tailings impoundment;
 - Amendment contrary to hazardous waste laws and NRC guidance on alternate feed materials (i.e., licensee's primary intent for processing alternate feed material-- extraction of uranium vs. disposal).

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Envirocare v. NRC (D.C. Cir.) - This lawsuit challenges the NRC's rejection of a 2.206 petition claiming that the agency had violated NEPA in issuing license amendments to **International Uranium (USA)** to handle FUSRAP materials at its White Mesa site. The case is at its early stages; NRC has filed no pleadings to date.

Eastern Navajo Diné Against Uranium Mining v. NRC (D.C. Circuit) - These are four lawsuits challenging four separate decisions of the presiding officer (in a 10 CFR Part 2, Subpart L proceeding) on waste disposal, historic preservation, performance-based licensing, and financial assurance issues related to a license issued to **Hydro Resources, Inc.** to conduct *in situ* leach uranium mining and milling at a site in New Mexico (Church Rock, Section 8). The lawsuits were filed while petitions for review of these decisions were pending before the Commission (the Commission acted on these petitions for review on July 23, 1999, as discussed supra). NRC is seeking the suits' dismissal as premature.

Grand Canyon Trust v. NRC (U.S. Dist. Ct. Utah) - This suit invokes the Endangered Species Act and attacks proposed NRC action to approve a reclamation plan allowing capping of uranium mill tailings at the Atlas site in Moab, Utah, near the Colorado River. A companion suit challenges a "biological opinion" issued by the Fish and Wildlife Service. NRC has moved to dismiss the suit for lack of jurisdiction, because the case was filed in the U.S. District Court rather than the U.S. Court of Appeals.

WA990009 (Mar. 12, 1999)

Volume VII:

None

General Wage Determination
Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts." This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 22nd day of December 1999.

Carl J. Poleskey,
Chief, Branch of Construction Wage
Determinations.

[FR Doc. 99-33595 Filed 12-30-99; 8:45 am]
BILLING CODE 4510-27-41

NUCLEAR REGULATORY
COMMISSION

[Docket No. 40-3453]

Moab Mill Reclamation Trust; Notice of
Order and an Opportunity for a HearingAGENCY: Nuclear Regulatory
Commission.

ACTION: Notice of Order transferring
License No. SUA-917 for the Moab,
Utah facility and site from Atlas
Corporation to the Moab Mill
Reclamation Trust; notice of
opportunity for a hearing.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has signed an Order (copy attached) dated December 27, 1999, transferring Source Material License SUA-917 for the Moab, Utah, facility and site from Atlas Corporation (Atlas) to the Moab Mill Reclamation Trust (Trust). On September 22, 1998, Atlas filed a petition for relief under Chapter 11 of the U.S. Bankruptcy Code. After filing for relief, Atlas entered into settlement discussions with NRC, the State of Utah, and other parties to the bankruptcy proceeding regarding the reclamation and disposition of the Moab Mill Site. Those discussions resulted in the development of the Moab Uranium Millsite Transfer Agreement (Settlement Agreement) which provides for transfer of the Moab Mill Site and the NRC license to a trust, the trustee of which would carry out remediation of the site pursuant to the terms and conditions of NRC License SUA-917, as amended on June 24, 1999. The terms and conditions of NRC License SUA-917 include the reasonable and prudent alternatives (RPAs) and reasonable and prudent measures (RPMs) in the U.S. Fish and Wildlife Service's final biological opinion (FBO) dated July 29, 1998 (included in the NRC's "Final Environmental Impact Statement Related to Reclamation of the Uranium Mill Tailings at the Atlas Site, Moab, Utah," (FEIS) NUREG-1531, published in March 1999), as well as mitigative measures developed by the NRC staff. The Settlement Agreement was submitted to the United States Bankruptcy Court for the District of Colorado for approval on April 29, 1999. On December 1, 1999, the Court issued an Order confirming the second amended plan of reorganization of the Atlas Corporation, which includes the Settlement Agreement.

FOR FURTHER INFORMATION CONTACT:
Myron Fliiegel, Office of Nuclear
Material Safety and Safeguards,
Washington, DC 20555-0001, telephone
(301) 415-6629, e-mail mhfl@nrc.gov.

Dated at Rockville, Maryland, this 27th day
of December 1999.

For the Nuclear Regulatory Commission,
Michael C. Layton,
Acting Chief, Uranium Recovery and Low-
Level Waste Branch, Division of Waste
Management, Office of Nuclear Material
Safety and Safeguards.

Order Transferring License No. SUA-
917 for The Moab Mill Site

I.

Atlas Corporation (Atlas) is the holder
of License No. SUA-917, which
authorized the milling of uranium ore at

Atlas' Moab Mill Site located in Moab,
Utah. In accordance with Amendment
No. 31 of the license, the license will
not expire until the NRC terminates it.

II.

Atlas acquired the Moab Mill Site in
1962 from the Uranium Reduction
Company (URC) which built milling
facilities and began operations at the
site in October 1956. The site is located
in Grand County, Utah, on the
northwest shore of the Colorado River,
5 km (3 miles) from the center of Moab,
and can be accessed from U.S. Highway
191 north of Moab. The site
encompasses 162 hectares (400 acres) on
the outside bend of the Colorado River,
at the southern terminus of the Moab
Canyon. The site is surrounded on the
north and west sides by high sandstone
cliffs; to the north and east is Moab
Wash; to the east and south is the flood
plain of the Colorado River; and, across
the river, is Moab Marsh. The site
generally slopes toward the Colorado
River and Moab Wash. The uranium
tailings from the Moab milling
operations occupy about 53 hectares
(130 acres) of land about 230 m (750 ft)
from the Colorado River. Mill operations
ceased in 1984. Decommissioning of the
mill began in 1988. Construction of an
interim cover for placement over the
tailing disposal area began in 1989 and
was completed in 1995.

III.

On September 22, 1998, Atlas filed a
petition for relief under Chapter 11 of
the U.S. Bankruptcy Code and since that
date has been operating as a Debtor in
Possession. After filing for relief, Atlas
entered into settlement discussions with
the U.S. Nuclear Regulatory
Commission (NRC), the State of Utah,
and other parties to the bankruptcy
proceeding regarding the reclamation
and disposition of the Moab Mill Site.
Those discussions resulted in the
development of the Moab Uranium
Millsite Transfer Agreement (Settlement
Agreement) which provides for transfer
of the Moab Mill Site and the NRC
license to a trust, the trustee of which
would carry out remediation of the site
pursuant to the terms and conditions of
NRC License SUA-917, as amended on
June 24, 1999. The terms and conditions
of NRC License SUA-917 include the
reasonable and prudent alternatives
(RPAs) and reasonable and prudent
measures (RPMs) in the U.S. Fish and
Wildlife Service's final biological
opinion (FBO) dated July 29, 1998
(included in the NRC's "Final
Environmental Impact Statement
Related to Reclamation of the Uranium
Mill Tailings at the Atlas Site, Moab,

A/2

Utah." (FEIS) NUREG-1531, published in March 1999), as well as mitigative measures developed by the NRC staff.

The NRC, which had filed claims in bankruptcy against Atlas totaling about \$44 million, entered into the Settlement Agreement described in the preceding paragraph rather than involve the NRC in a protracted legal dispute over the limited funds that would be available for site remediation from the liquidation of the Atlas Corporation. The NRC believes that measures taken pursuant to the Settlement Agreement will permit remediation of the Moab Mill Site to proceed in a more timely manner and will maximize the amount of private funding available for remediation of the Moab Mill Site. The Settlement Agreement was submitted to the United States Bankruptcy Court for the District of Colorado for approval on April 29, 1999. On December 1, 1999, the Court issued an Order confirming the second amended plan of reorganization of the Atlas Corporation, which includes the Settlement Agreement.

Consistent with the terms of the Settlement Agreement, the NRC and the State of Utah undertook to identify a Trustee to administer the Moab Mill Reclamation Trust (Trust). PricewaterhouseCoopers LLP (Trustee) has agreed to undertake remediation of the Moab Mill Site, pursuant to 10 CFR Part 40 under License SUA-917 and in accordance with the Trust established for such purposes. The NRC has agreed to accept the Settlement Agreement in satisfaction of Atlas' regulatory responsibilities under 10 CFR Part 40 for remediation of the Moab Mill Site, to transfer License SUA-917 to the Trust, and to limit the Trustee's liability for remediation and maintenance of the site to the amount of funding available to the Trust from Atlas' assets, receivables and future receivables transferred to the Trust under the Settlement Agreement, and any other assets which may become available to the Trust. The NRC is aware that because of the time involved in concluding the bankruptcy proceeding, some dates in the license conditions have already passed while others are imminent and therefore, might be impractical for the Trustee to meet. These dates will be considered in future actions.

Current assets and receivables include the following:

(1) \$5.25 million in cash from Atlas/ACSTAR (the entity which holds the reclamation bond issued for the benefit of the NRC to be used for reclamation of the Moab Mill Site.

This entity has agreed to transfer the sum to the Trust in full and complete

satisfaction of its obligations under Bond #5652);

(2) The assignment of funds from the Department of Energy pursuant to the Energy Policy Act of 1992 (Pub. L. 102-486, Title X, Section 1001, Oct. 24, 1992, 106 Stat. 2946, codified at 42 U.S.C. 2296(a)), [hereinafter "Title X funds"] for past claims. This amount is estimated to be approximately \$1,082,000;

(3) Fifty (50) percent of any net recovery from collection of the disputed Title X claim for dismantling performed by American Reclamation and Dismantling Inc. (ARD claim);

(4) Any and all of Atlas' rights as a licensee to future Title X funds;

(5) Atlas' water rights located at the Moab Land, listed as 6.3 cubic feet per second (cfs) from the Colorado River, Grand County, Utah, Water Right Number 01-40, Application 30032, Certificate No. 60111;

(6) Atlas' possible Water Rights in the following:

A. Water Right Number 01-1121 for 31 acre-feet, a segregation application from Water Right Number 01-40;

B. Water Right Number 09-199 for 3.33 cfs in the San Juan River;

C. Water Right Number 05-982 for .015 cfs for a well in the Monticello Mining District;

D. Water Right Number 99-32 for .004 cfs from Seep Springs (approximately 4 miles from Fry Canyon);

(7) Atlas' interest in the certain real property owned by Atlas and consisting of approximately 430 acres, located in Grand County, Utah, together with all buildings, structures, improvements, appurtenances, fixtures, and easements; and

(8) Two and a half (2.5) percent of the stock in a reorganized Atlas Corporation which would be issued to the Reclamation Trust.

The land and water rights, herein described, have stand-alone value and may be sold by the Trustee independent of, and prior to or during, any reclamation work being performed at the site by the Trustee. As to items 5, 6, and 7 above, Atlas will transfer all said assets to the Trust by way of quit claim deed or similar document, without representations, warranties, or indemnification rights of any kind.

IV.

Remediation of the Moab Mill Site is to be conducted in accordance with the terms and conditions of License SUA-917. These include the RPAs and RPMs in the U.S. Fish and Wildlife Service's FBO, dated July 29, 1998. The Trustee has agreed to these terms and conditions. The NRC, as the lead

Federal Agency regarding the consultation required under Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), has included these RPAs and RPMs in the NRC's NUREG-1531 published in March 1999.

The Trustee's maintenance of the site and administration of the remediation of the site in accordance with the terms of license SUA-917 and the terms of this Order, will provide adequate protection of the public health and safety and reasonable assurance of compliance with the Commission's regulations.

Pursuant to the terms of the Settlement Agreement described in the preceding sections of this Order, the NRC, with concurrence from the State of Utah, selected PricewaterhouseCoopers LLP as Trustee. PricewaterhouseCoopers LLP is qualified to perform the duties enumerated in this Order.

In view of the foregoing, I have authorized the transfer of License SUA-917 which will be amended to reflect the change in the named licensee. The Trustee accedes to this Order voluntarily, and has agreed to take the necessary steps to undertake remediation of the site to the extent permitted by the funds available to the Trust, according to the requirements in Part V of this Order.

V.

Accordingly, pursuant to Sections 62, 63, 81, 84, 161b, 161i, 161o and 184 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 *et seq.*), and the Commission's regulations in 10 CFR Part 40, it is hereby ordered That, effective December 30, 1999, License SUA-917 is transferred to the Trust and the Trustee is authorized to possess byproduct material in the form of uranium waste tailings and other uranium waste generated by Atlas' milling operations at the Moab Mill Site pursuant to the terms and conditions of License SUA-917. It is further ordered that:

A. The Trustee shall:

1. Perform remediation of the site pursuant to the terms and conditions of NRC License SUA-917.

2. Notify and request relief from the Chief, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, NRC, Washington, DC 20555-0001, if the Trustee believes it should be relieved of any requirements in the license because the Trustee believes that these requirements are impracticable given the parameters of the Trust Agreement or that they have either been satisfactorily completed or are unnecessary. The Trustee will continue

to comply with all requirements in this license pending NRC action on the Trustee's request for relief from specified requirements under this subsection.

3. Cooperate with the NRC (or its contractor) in NRC's site inspections.

4. Cooperate with the U.S.

Department of Energy (DOE) in matters relating to the transfer of the site to DOE, including preparation by DOE of the site Long-Term Surveillance Plan required by 10 C.F.R. 40.28.

5. Use reasonable efforts to secure all Title X funds from the Department of Energy pursuant to section 1001 of the Energy Policy Act of 1992 (42 U.S.C. 13201 et seq.) to which it is legally entitled, including requests for additional Title X funds from DOE based on remediation work at the site performed by or on behalf of the Trust.

6. Notify the Director, Office of Nuclear Material Safety and Safeguards, NRC, Washington, DC 20555-0001, and the Regional Administrator, NRC Region IV, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011-8064, by certified registered mail, no later than 180 days prior to the anticipated date, that all contractual and other projected obligations will have reasonably exhausted the Trust Fund.

7. Upon notification required by paragraph 6 of this Part, cease remediation work as set forth in this Order, and commence passive maintenance and monitoring only of the site in order to provide for the protection of the public health and safety using the remaining assets in the Reclamation Trust to fund monitoring and maintenance until further order of the NRC.

B. Upon completion of the NRC inspection to determine that the site has been remediated in conformance with the requirements in 10 C.F.R. Part 40 and the conditions set forth in the license to the extent practicable given the funding available to the Trustee, title to the real property and the remaining byproduct material at the Moab Mill Site will be transferred in accordance with section 83 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations, and this license shall be modified or terminated accordingly.

C. Notwithstanding any of the foregoing requirements, the NRC shall not require the Trustee to perform or pay for any reclamation, remediation, monitoring, or surveillance, the cost of which would exceed the amount of money available to the Trustee from the Trust assets and receivables. The Trustee's responsibilities, liabilities and authority under this license shall

terminate upon further order of the NRC.

D. The requirements identified in this Order may only be modified in writing by the Director, Office of Nuclear Material Safety and Safeguards.

VI.

Any person adversely affected by this Order, other than Atlas or the Trustee, may request a hearing within 20 days of its issuance. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Copies of any hearing requests also shall be sent to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001; to the Assistant General Counsel for Materials Litigation and Enforcement, at the same address; to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, TX 76011-8064 and to the Trustee, PricewaterhouseCoopers LLP, Attention: Mr. Keith E. Eastin, Director, 1201 Louisiana, Suite 2900, Houston, TX 77002-5678. If a hearing is requested, the requester shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 C.F.R. 2.1306 and 2.1308.

If a hearing is requested by a person whose interest is adversely affected by this Order, the Commission will consider the hearing request pursuant to 10 C.F.R. Part 2, Subpart M, and will issue an Order designating the time and place of any hearing. If a hearing is held, the procedures of Subpart M will be applied as provided by the Order designating the time and place of the hearing. The issue to be considered at such hearing shall be whether this Order transferring the license should be sustained. Any request for a hearing shall not stay the effectiveness of this Order.

Dated at Rockville, Maryland, this 27th day of December 1999.

For the Nuclear Regulatory Commission,
William F. Kane,
Director, Office of Nuclear Material Safety
and Safeguards.

[FR Doc. 99-34053 Filed 12-30-99; 8:45 am]
BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

Risk-Informed Revisions to Technical
Requirements; Workshop and Website

AGENCY: Nuclear Regulatory
Commission.

ACTION: Notice of public workshop and NRC Part 50 (Option 3) website.

SUMMARY: The Nuclear Regulatory Commission has instructed its staff to explore changes to specific technical requirements of 10 CFR Part 50, to incorporate risk-informed attributes. The staff is studying the ensemble of technical requirements contained in 10 CFR Part 50 (and its associated implementing documents, such as regulatory guides and standard review plan sections) to (1) identify individual or sets of requirements potentially meriting change; (2) prioritize which of these requirements (or sets of requirements) should be changed; and (3) develop the technical bases to an extent that is sufficient to demonstrate the feasibility of changing the requirements. This work will result in recommendations to the Commission on any specific regulatory changes that should be pursued. Public participation in the development of these recommendations will be obtained via workshops and information on a website.

SUPPLEMENTARY INFORMATION: This notice serves as initial notification of a public workshop, and website, to provide for the exchange of information with all stakeholders regarding the staff's efforts to risk-inform the technical requirements of 10 CFR Part 50. The subject of the workshop will be to discuss the preliminary work being performed by the NRC staff on risk-informing the technical requirements of 10 CFR Part 50. The meeting will focus on the overall framework of the risk-informing process, the criteria used to identify and prioritize candidate regulations and design basis accidents (DBAs), the results of the staff's initial efforts in risk-informing the two trial implementation issues (i.e., 10 CFR 50.44 and special treatment rules), a list of some additional candidate requirements and DBAs to be examined, and discussion of preliminary issues associated with the development and implementation of the entire process.

This notice provides only the date, the location and a brief summary of the workshop; the workshop agenda and other details will be provided in a forthcoming notice. The address for the Part 50 (Option 3) website is as follows: <http://nrc-part50.sandia.gov>.

The Part 50 (Option 3) website can also be accessed from the NRC website (<http://www.nrc.gov>), by selecting "Nuclear Reactors," and then "Risk-Informed Part 50 (Option 3)."

Workshop Meeting Information

The staff intends to conduct a workshop to provide for an exchange of information related to the risk-informed revisions to the technical requirements of 10 CFR Part 50. Persons other than NRC staff and NRC contractors interested in making a presentation at the workshop should notify Mary Drouin, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington D.C. 20555-0001, (301) 415-6675, email: mxd@nrc.gov.

Date: February 24, 2000 (with possible extension to February 25, 2000).

Agenda: To be provided.

Location: NRC Auditorium, 11545 Rockville Pike, Rockville, Maryland 20852.

Registration: No registration fee for workshop; however, notification of attendance is requested so that adequate space, materials, etc., for the workshop can be arranged. Notification of attendance should be directed to Alan Kuritzky, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, (301) 415-6255, email: ask1@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Alan Kuritzky, Office of Nuclear Regulatory Research, MS: T10-E50, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, (301) 415-6255, email: ask1@nrc.gov.

Dated this 23d day of December 1999.

For the Nuclear Regulatory Commission,
Mark A. Cunningham,

Probabilistic Risk Analysis Branch, Division of Risk Analysis and Applications, Office of Nuclear Regulatory Research.

[FR Doc. 99-34052 Filed 12-30-99; 8:45 am]

BILLING CODE 7590-01-P

POSTAL SERVICE**Quality Control Reviews for Discounted Letters (Presorted/Automation Rate Mail)**

AGENCY: Postal Service.

ACTION: Notice and request for comments.

SUMMARY: The Postal Service is implementing more efficient quality control procedures to check letter mail preparation for rates claimed on postage statements. An automated, in-depth review of selected letter size mailings will be conducted using the Mail Quality Analysis (MQA) program, in addition to verification procedures now in use for all mailings. MQA will use

existing automated equipment and reports to compare actual presort to mailer documentation for sampled mail. MQA also will provide feedback on the readability of mailer-applied barcodes. The Postal Service seeks comments on the Mail Quality Analysis (MQA) program.

EFFECTIVE DATE: Phase one of the Mail Quality Analysis Program will begin on January 3, 2000. All written comments must be received on or before February 2, 2000.

ADDRESSES: Written comments should be mailed or delivered to Rates and Classification Service Center, U.S. Postal Service, 5904 Richmond Highway, Suite 500, Alexandria VA 22303-2736.

FOR FURTHER INFORMATION CONTACT: Mark Richards, (703) 329-3684.

SUPPLEMENTARY INFORMATION: Improperly prepared mail results in additional USPS handling and related costs that eventually are passed on to all customers in the form of rate increases. Since 1982, the Postal Service has applied quality controls in the form of standardized mail acceptance and mail verification procedures to support the goal of keeping postage rates stable. Along with the National Bulk Mail Verification Program (NBMVP) in 1982, the Postal Service has taken many steps to control operating costs, assess postage fairly for each mailer, and charge postage commensurate with the preparation of the mail. Classification reform in 1996 and the last rate case (R97-1) gave rate incentives for properly preparing mail that is compatible with automated processing and presorted to avoid certain processing operations.

As further background, revisions to the National Bulk Mail Verification Program through two Postal Bulletin articles in 1989 reduced the acceptable tolerance level for presort errors from 10 percent to 5 percent before a postage adjustment was calculated. Mailers were later advised in a Postal Bulletin article in 1989 that tolerance levels for errors would be reduced to 2 percent at a future date. Further, in 1996, classification reform formalized the requirement that only mail meeting automation requirements is eligible for automation rates. MQA does not involve a change in the current 5 percent presort error tolerance level.

Today, both mailer production and Postal Service processing are highly automated processes. Large mailings are more easily created and produced with each advance in mail production hardware and software. It has become increasingly important for mailers to introduce quality assurance features

into mail production operations in the design and set-up stages. Once production of a mailing begins, problems not identified through internal quality controls may not be easily corrected. Problems discovered by the Postal Service related to presorting and automation specifications generally surface during mail processing, which is often far from the acceptance point for the mailing. It is therefore critical for mailers to use the tools noted below and effective quality assurance procedures to produce mail that follows Domestic Mail Manual requirements for the postage rates claimed.

Using mailer's input, the Postal Service has provided a variety of tools to improve mail quality in the design and set-up stages. Included are a variety of address management programs, Presort Accuracy Validation and Evaluation (PAVE), the Mailpiece Quality Control Program (MQC), the Mail Preparation Total Quality Management Program (MPTQM), various handbooks and brochures, the Domestic Mail Manual, and Customer Support Rulings. Information on many of these tools is available on the Postal Service Internet sites. Postal business centers, business mail entry managers, mailpiece design analysts, and the National Customer Service Center are available to assist customers in design of mail. The net effect of these efforts is the expectation that today's business mailings should be of exceptionally high quality.

Current Postal Service quality controls focus on manual verification of a small number of mail pieces and were designed when mail production and mail processing environments were not highly automated. Under MQA, larger portions of selected mailings will be reviewed as they are run on Postal Service barcode sorters. MQA will use reports already available from this equipment (which has been performing this function with documented accuracy for years) to compare the mailing, or a portion of the mailing, to the postage statement and supporting mailer documentation for that specific mailing. MQA will assist the Postal Service in providing improved diagnostic feedback to mailers on the quality of sampled mail. These procedures will lead to improved mail quality, reduction in costs, and correct payment of postage.

Mail will be isolated at postal facilities and detached mail units. The business mail entry unit, revenue assurance, and mail processing will work together using automated equipment already in place to perform the analysis of MQA samples. Initial runs will focus on large volume

