

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

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Assistant Secretary of Labor for Occupational Safety and Health.

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

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FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

Sunshine Meeting Notice

June 4, 1999.

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

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

STATUS: Open.

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

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

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

STATUS: Open.

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

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

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

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

Jean H. Ellen,

Chief Docket Clerk.

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

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NUCLEAR REGULATORY COMMISSION

[Docket No. 040-8767]

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

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

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

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

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

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

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

NRC is requiring the licensee to remediate the 600-yard bullet catcher and the south east wing of Building 3A of LCAAP to meet NRC's decommissioning criteria and, during the decommissioning activities, to maintain effluents and doses within NRC requirements and as low as reasonably achievable.

Prior to approving the decommissioning plan, NRC will make the necessary findings required by the Atomic Energy Act of 1954, as amended, and NRC's regulations. These findings will be documented in a Safety Evaluation Report and an Environmental Assessment. Approval of the LCAAP the 600-yard bullet catcher and Building 3A decommissioning plan will be documented in an amendment to SUC-1380.

NRC hereby provides notice that this is a proceeding on an application for amendment of a license falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudication in Materials Licensing Proceedings," of NRC's rules and practice for domestic licensing proceedings in 10 CFR part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within thirty (30) days of the date of publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary either:

1. By delivery to the Rulemakings and Adjudications Staff of the Secretary at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or

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