

**CHANGES IN THE MEETING:** The status of the Commission meeting to consider and act upon the following item was changed from open to closed:

1. Secretary of Labor v. Lone Mountain Processing, Inc., Docket No. KENT 98-254-D. (Issues include whether the Mine Act's temporary reinstatement remedy applies to an applicant for employment.)

Because agency business so required, it was determined by a majority vote of the Commission on August 28, 1998, to change the status of this meeting from open to closed [Pursuant to 5 U.S.C. § 552b(c)(10)]. Chairman Jordan and Commissioners Marks and Beatty voted to change the meeting status to closed and Commissioners Riley and Verheggen voted to keep the meeting status open. No earlier announcement of the change was possible.

**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. 98-24194 Filed 9-3-98; 4:42 pm]

BILLING CODE 6735-01-M

## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meeting

**TYPE:** Quarterly Meeting and Public Hearing.

**AGENCY:** National Council on Disability.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of the forthcoming quarterly meeting and public hearing of the National Council on Disability. Notice of this meeting is required under Section 552b(2)(1) of the Government in the Sunshine Act (P.L. 94-409).

**QUARTERLY MEETING DATES:** November 18-19, 1998, 8:30 a.m. to 5:00 p.m., November 20, 1998, 8:30 a.m. to 12:00 noon.

**PUBLIC HEARING:** November 20, 1998, 3:30 p.m. to 8:30 p.m.

**LOCATION:** Albany Marriott Hotel, 189 Wolf Road, Albany, New York; 518-458-8444.

**FOR FURTHER INFORMATION, CONTACT:** Mark S. Quigley, Public Affairs Specialist, National Council on Disability, 1331 F Street NW, Suite 1050, Washington, D.C. 20004-1107; 202-272-2004 (Voice), 202-272-2074 (TTY), 202-272-2022 (Fax).

### Agency Mission

The National Council on Disability is an independent federal agency

composed of 15 members appointed by the President of the United States and confirmed by the U.S. Senate. Its overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all people with disabilities, regardless of the nature of severity of the disability; and to empower people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

### Accommodations

Those needing interpreters or other accommodations should notify the National Council on Disability prior to this meeting.

### Environmental Illness

People with environmental illness must reduce their exposure to volatile chemical substances in order to attend this meeting. In order to reduce such exposure, we ask that you not wear perfumes or scents at the meeting. We also ask that you smoke only in designated areas and the privacy of your room. Smoking is prohibited in the meeting room and surrounding area.

### Open Meeting

This quarterly meeting and public hearing of the National Council on Disability will be open to the public.

### Agenda

The proposed agenda includes:

Reports from the Chairperson and the Executive Director

Committee Meetings and Committee Reports

Executive Session

Unfinished Business

New Business

Announcements

Adjournment

Public Hearing on Federal Policy Issues Affecting People with Psychiatric Disabilities

Records will be kept of all National Council on Disabilities proceedings and will be available after the meeting for public inspection at the National Council on Disability.

Signed in Washington, DC, on September 3, 1998.

**Ethel D. Briggs,**

*Executive Director.*

[FR Doc. 98-24251 Filed 9-4-98; 11:06 am]

BILLING CODE 6820-MA-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302]

### In the Matter of Florida Power Corporation, et al.; Crystal River, Unit 3; Revocation of Exemption

#### I

The Florida Power Corporation, et. al. (FPC or the licensee) is the holder of Facility Operating License No. DPR-72, which authorizes operation of Crystal River Unit 3. The license provides that the licensee is subject to all rules, regulations, and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility consists of a pressurized-water reactor at the licensee's site located in Citrus County, Florida.

#### II

With respect to certain generic issues for facilities operating prior to January 1, 1979, except to the extent set forth in 10 CFR 50.48(b), 10 CFR Part 50, Appendix R, sets forth fire protection features required to satisfy general design Criterion 3 of the Commission's regulations. Pursuant to 10 CFR Part 50, Appendix R, Section III. O, "Oil collection system for reactor coolant pump," the reactor coolant pump (RCP) shall be equipped with an oil collection system which "\* \* \* shall be capable of collecting lube oil from all potential pressurized and unpressurized leakage sites in the RCP lube oil system."

When replacing the RCP motors with new motors and re-designed RCP lube oil system, physical interference and other design difficulties prevented four specific sites in the RCP motor lube oil system from accommodating an oil collection system for collecting potential oil leakage. By letter dated June 7, 1993, as supplemented March 28, 1994, the licensee submitted an exemption request to exclude these four specific sites from leakage protection. On October 7, 1994, as appended on September 17, 1996, the NRC granted the requested exemption because it was determined that a collection system at the four specific sites was not necessary to achieve the underlying purpose of the regulation.

By letter dated November 13, 1997, the licensee informed the NRC that modifications had been made to the RCP Oil Collection System such that collection coverage for these four potential leakage sites was assured, and that the Crystal River Unit 3 RCP Oil Collection System now conforms to the requirements of 10 CFR Part 50, Appendix R, Section III. O. In the FPC

letter, it was stated that the exemption issued on October 7, 1994, was no longer needed.

### III

The NRC has reviewed the information submitted by the licensee and concludes that the exemption granted for the four oil collection sites in the RCP motor lube oil system is no longer necessary. Specifically, the licensee has stated that modifications have been completed on the RCP Oil Collection System such that the system now conforms to the requirements of 10 CFR Part 50, Appendix R, Section III. O.

### IV

Accordingly, the Commission hereby revokes the specific exemption from 10 CFR Part 50, Appendix R, Section III. O, granted on October 7, 1994, as appended September 17, 1996, relating to oil collection in the RCPs.

This Revocation of Exemption is effective upon issuance.

Dated at Rockville, Maryland, this 1st day of September 1998.

For the Nuclear Regulatory Commission.

#### Robert A. Capra,

*Acting Director, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-24128 Filed 9-8-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-220 and 50-410]

### Niagara Mohawk Power Corporation; Nine Mile Point Nuclear Station, Unit Nos. 1 and 2

Notice is hereby given that the U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an Order approving, under 10 CFR 50.80, an application regarding an indirect transfer of the operating licenses for Nine Mile Point Nuclear Station, Unit Nos. 1 and 2 (NMP1 and NMP2, or collectively, the facility), to the extent held by Niagara Mohawk Power Corporation (NMPC). The transfer would be to a New York corporation, Niagara Mohawk Holdings, Inc., to be created as a holding company over NMPC in accordance with a Settlement Agreement reached with the New York Public Service Commission (PSC Case Nos. 94-E-0098 and 94-E-0099), dated October 10, 1997, and revised March 19, 1998. NMPC is licensed by the Commission to possess, maintain, and operate both NMP1 and NMP2. NMPC fully owns NMP1 and is

a 41-percent co-owner of NMP2. The facility is located in Scriba, New York.

By application transmitted under cover of a letter dated July 21, 1998, NMPC informed the Commission of a proposed corporate restructuring under which NMPC would become a subsidiary of the newly formed holding company. Each share of NMPC's common stock would be exchanged for one share of common stock of the holding company. NMPC's outstanding preferred stock would not be exchanged. Under this restructuring, NMPC would divest all of its hydro and fossil generation assets by auction, but would retain its nuclear assets, and would continue to be an "electric utility" as defined in 10 CFR 50.2 engaged in the transmission, distribution and, through NMP1 and NMP2, the generation of electricity. NMPC would continue to be the owner of NMP1 and a co-owner of NMP2 and would continue to operate both NMP1 and NMP2. No direct transfer of the operating licenses or ownership interests in the facility would result from the proposed restructuring. The transaction would not involve any change in the responsibility for nuclear operations within NMPC. Officer responsibilities at the holding company level would be primarily administrative and financial in nature and would not involve operational matters related to NMP1 or NMP2. No NMPC nuclear management positions would be changed as a result of the corporate restructuring.

Pursuant to 10 CFR 50.80, the Commission may approve the transfer of control of a license after notice to interested persons. Such approval is contingent upon the Commission's determination that the holder of the license following the transfer is qualified to hold the license and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders of the Commission.

For further details with respect to this proposed action, see NMPC's application transmitted under a cover letter dated July 21, 1998. These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW, Washington, DC, and at the local public document room located at the Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland this 31st day of August, 1998.

For the Nuclear Regulatory Commission.

#### Darl S. Hood,

*Senior Project Manager, Project Directorate I-1, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-24129 Filed 9-8-98; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-498 and 50-499]

### STP Nuclear Operating Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards; Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. NPF-76 and NPF-80, issued to STP Nuclear Operating Company, (STPNOC, the licensee), for operation of the South Texas Project, Units 1 and 2 (STP), located in Matagorda County, Texas.

The proposed amendment would modify Technical Specification (TS) 4.0.5 to state that the inservice testing requirement for exercise testing in the closed direction for specified Unit 1 containment isolation valves shall not be required until the next plant shutdown to Mode 5 of sufficient duration to allow the testing or until the next refueling outage scheduled in March 1999.

The licensee orally requested a Notice of Enforcement Discretion (NOED) on August 27, 1998 (this was followed up by letter dated August 28, 1998). The NRC orally issued the NOED at 5:00 p.m. EDT on August 27, 1998. Pursuant to NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.c, of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, the letter documenting the issuance of the NOED was dated August 31, 1998. The NOED was to be effective until the next refueling outage or cold shutdown period of sufficient duration or until such time as a proposed TS amendment is reviewed and approved by the NRC.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment