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By the National Credit Union Administration Board on May 5, 1999.

Becky Baker,*Secretary of the Board.*

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NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8912]

Grace Estate**AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of opportunity for hearing concerning termination of source materials license SUA-1480 and release of the three grace sites in New Mexico for unrestricted use.

SUMMARY: Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) has accepted the Final Reclamation Report, submitted by the firm of Comeau, Maldegen, Templeman & Indall, LLP (CMT&I), representing the estate of Michael P. Grace, documenting the reclamation of the three Grace sites in New Mexico. Site 1 is located approximately 20 miles northeast of Gallup, New Mexico. Site 2 is located near Bibo, New Mexico. Site 3 is located approximately 20 miles northwest of Magdalena, New Mexico. An Environmental Assessment (EA) was performed by the NRC staff in support of its review of the Grace Estate's reclamation plan, in accordance with the requirements of Title 10, Code of Federal Regulations (10 CFR) part 51. The conclusion of the EA was a Finding of No Significant Impact (FONSI) for the proposed site reclamation.

The NRC staff has determined that reclamation of the sites was performed in accordance with Amendment No. 1 to Source Materials License SUA-1480, which authorized the licensee, the estate of Michael P. Grace (CMT&I), to perform radiological cleanup and surface reclamation of three non-operating uranium extraction sites in New Mexico. Based on this determination, and in accordance with the licensee's request, Source Materials License SUA-1480 is hereby terminated and the three sites are released for unrestricted use.

FOR FURTHER INFORMATION CONTACT: Ken Hooks, Uranium Recovery and Low-Level Waste Branch, Mail Stop TWFN 7-19, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone 301/415-7777. E-mail: KRH1@NRC.GOV

NOTICE OF OPPORTUNITY FOR HEARING:

The Commission 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. 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, between 7:30 a.m. and 4:15 p.m., Federal workdays; 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, Estate of Michael P. Grace, in care of Jon J. Indall, Comeau, Maldegen, Templeman & Indall, LLP, Coronado Building, 141 E. Palace Avenue, Post Office Box 669, Santa Fe, New Mexico 87504-0669.

(2) The NRC staff, by delivery to the Executive Director of Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, between 7:30 a.m. and 4:15 p.m., Federal workdays; or

(3) 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).

Any hearing request that is granted will be held in accordance with the Commission's "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" in 10 CFR part 2, subpart L.

Dated at Rockville, MD, this 5th day of May, 1999.

For the Nuclear Regulatory Commission.

N. King Stablein,*Acting Chief, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

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NUCLEAR REGULATORY COMMISSION

[EA 95-009]

Thermal Science, Inc.; Order Imposing Civil Monetary Penalty**I**

Thermal Science, Inc. (TSI) is the manufacturer and vendor of fire barrier products known generally as Thermo-Lag. TSI began marketing this product in the early 1980s to licensees of the United States Nuclear Regulatory Commission (NRC) for use in nuclear power plants. TSI represented that Thermo-Lag had undergone independent testing by Industrial Testing Laboratories, Inc. (ITL). Using ITL stationery, TSI issued reports in ITL's name, making it appear that the reports were written by ITL, when in fact they were written by TSI. Many NRC licensees thereafter purchased Thermo-Lag to meet the NRC's fire protection requirements, codified in 10 CFR 50.48 and appendix R to part 50.

II

In 1989 the NRC began receiving licensee reports of problems with installed Thermo-Lag. As part of a subsequent NRC investigation, TSI was questioned in the fall of 1991 about the testing and installation of Thermo-Lag. TSI continued to represent that its product had been independently tested by ITL. However, during an NRC inspection of TSI's facility in December