

separate document describing inadvertent overruns and average decree accounting that may be incorporated into the criteria or adopted separately.”

Dated: August 3, 2000.

**Eluid L. Martinez,**

*Commissioner, Bureau of Reclamation.*

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## DEPARTMENT OF JUSTICE

### Lodging of Consent Decrees Under the Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”)

Notice is hereby given that nine proposed consent decrees in *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc. v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, were lodged on August 1, 2000 with the United States District Court for the Northern District of Alabama, Southern Division.

In these actions, the United States has sought recovery of response costs under section 107 of CERCLA, 42 U.S.C. 9607, and Exide Corporation and Johnson Controls, Inc. have sought recovery of response costs under section 113 of CERCLA, 42 U.S.C. 9613, against over forty defendants with respect to the Interstate Lead Company (“ILCO”) Superfund Site, located in Leeds, Jefferson County, Alabama (“the Site”).

The United States has now agreed to settlement of its claims under sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, for existing contamination at the Site with respect to nine defendants: (1) Arch Metals, Inc.; (2) Del’s Metals Co., Inc.; (3) Harry Gordon Scrap Materials, Inc.; (4) Kar-Life Battery Company, Inc.; (5) Lead Products Co., Inc.; (6) Mixon, Inc.; (7) Mountain Metal Company, Inc.; (8) T.A. Pollack Co., Inc.; and (9) Wooster Iron & Metal Company f/k/a Metallics Recycling, Inc. Under the consent decrees, the companies will pay the following amounts to the United States: (1) \$17,000 for Arch Metals, Inc.; (2) \$20,400 for Del’s Metals, Inc.; (3) \$83,640 for Harry Gordon Scrap Materials, Inc.; (4) \$11,560 for Kar-Life Battery Company, Inc.; (5) \$90,870 for Lead Products Co., Inc.; (6) \$17,820 for Mixon, Inc.; (7) \$170,000 for Mountain Metal Company, Inc.; (8) \$14,500 for T.A. Pollack Co., Inc. and (9) \$63,933 for Wooster Iron & Metal Company f/k/a Metallics Recycling, Inc.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decrees. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, P.O. Box 7611, Department of Justice, Washington, D.C. 20044, and should refer to *United States v. Mountain Metal Company, et al.*, Civil Action No. CV-98-C-2562-S, and consolidated action *Exide Corporation and Johnson Controls, Inc., v. Aaron Scrap Metals, et al.*, Civil Action No. CV-98-J-2886-S, and DOJ # 90-11-2-108/2.

Any of the proposed consent decrees may be examined at the Office of the United States Attorney, Northern District of Alabama, 200 Robert S. Vance Federal Building & Courthouse, 1800 5th Ave. N., Room 200, Birmingham, AL 35203-2198, and at U.S. EPA Region 4, Atlanta Federal Center, 61 Forsyth Street, S.W. Atlanta, Georgia 30303. A copy of any of the proposed Consent Decrees also may be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, D.C. 20044. In requesting a copy, please enclose a check in the amount of \$8.00 (25 cents per page reproduction costs) per Consent Decree, payable to the Consent Decree Library.

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08778]

### Finding of No Significant Impact Related to Amendment of Source Materials License SMB-1393 Molycorp, Inc., Washington, PA, Facility

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an amendment to Source Materials License No. SMB-1393 issued to Molycorp, Inc. (Molycorp or licensee), to authorize decommissioning of its facility in Washington, Pennsylvania. In preparation for cleanup of the site, Molycorp submitted its initial decommissioning plan (DP) to the NRC in July 1995. The DP has been supplemented twice: (1) First on June 30, 1999, (DP Part 1) to reflect the licensee’s intent to decommission a portion of the site using cleanup criteria contained in NRC’s “Action Plan to

Ensure Timely Cleanup of Site Decommissioning Management Plan Sites” (SDMP Action Plan) (57 **Federal Register** 13389); and (2) on July 14, 2000, (DP part 2) for that portion of the site intended to meet the requirements of the License Termination Rule (LTR) in 10 CFR part 20, Subpart E, “Radiological Criteria for License Termination,” published in July 1997 (62 **Federal Register** 39057).

### Environmental Assessment Summary

This Environmental Assessment (EA) addresses only the part 1 decommissioning. Part 2 will be the subject of a separate evaluation. Under the Part 1 DP (hereafter, decommissioning plan) Molycorp, Inc., will remediate contaminated soils on the main facility grounds and at a separate location where slag materials have been concentrated by past operations (*i.e.*, slag pile) to unrestricted release levels. The decision to dispose of the materials on site will be addressed in part 2.

This EA reviews the environmental impacts of the decommissioning actions proposed by Molycorp, Inc. in the decommissioning plan (part 1) for its facility located in Washington, Pennsylvania. In connection with the review of plans for the proposed action, NRC staff is preparing a safety evaluation report (SER), that evaluates compliance of the proposed action with NRC regulations. On issuance, the SER will be available in NRC’s Electronic Reading Room, on NRC’s Web site <http://www.nrc.gov/adams/index.html>.

### Proposed Action

The decommissioning activities proposed by Molycorp include:

- Identify the location, depth, and thickness of areas containing greater than 10 picoCuries per gram (0.37 Becquerels per gram) total thorium.
- Mobilize equipment, set up decontamination facilities, and implement erosion control measures in preparation for excavation activities.
- Survey the site area to establish spatial coordinates of contaminated areas identified from site characterization radiological surveys.
- Excavate clean overburden and stockpile onsite.
- Excavate all soil and slag containing average contamination levels in excess of the unrestricted use criteria.
- Stockpile excavated material in preparation for loading onto transports. Stockpiling duration is estimated at two weeks. Excavation and stockpiling of waste will not occur until NRC has approved a disposal location for the waste.