

and word processing that relate to personnel management, including such matters as employee performance and utilization, position classification and job evaluation, employee training, equal employment opportunity, and labor-management relations. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 4, of the NLRB Files Management and Records Disposition Handbook

5. National Labor Relations Board, Agency-wide, (N9-25-01-5, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to such matters as public relations, congressional relations, and implementation of the Freedom of Information and Privacy Acts. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 5, of the NLRB Files Management and Records Disposition Handbook.

6. National Labor Relations Board, Agency-wide, (N9-25-01-6, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to general financial matters, budget, accounting and the disbursement of funds, and payroll. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 6, of the NLRB Files Management and Records Disposition Handbook.

7. National Labor Relations Board, Agency-wide, (N9-25-01-7, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to procurement, contracts, supplies, and interagency agreements for reimbursable services dealing with these matters. This schedule follows Model 2 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 7, of the NLRB Files Management and Records Disposition Handbook.

8. National Labor Relations Board, Agency-wide, (N9-25-01-8, 3 items, 3 temporary items). Electronic copies of records created using electronic mail and word processing that relate to labor relations, including general case matters, unfair labor practices, and representation proceedings. This schedule follows Model 2 as described

in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Appendix 1, Chapter 8, of the NLRB Files Management and Records Disposition Handbook and in Disposition Job Number N1-25-97-1.

Dated: February 23, 2001.

Michael J. Kurtz,

*Assistant Archivist for Record Services—
Washington, DC.*

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BILLING CODE 7515-01-U

NUCLEAR REGULATORY COMMISSION

[Docket No. 030-04983, License No. 22-01376-02, EA-00-169]

In the Matter of Stork/Twin City Testing St. Paul, MN; Order Imposing Civil Monetary Penalty

I

Stork/Twin City Testing (Licensee) is the holder of Materials License No. 22-01376-02 issued by the Nuclear Regulatory Commission (NRC or Commission) on August 2, 1999, and amended in its entirety on June 16, 2000. The license authorizes the Licensee to perform industrial radiography in accordance with the conditions specified therein.

II

An inspection of the Licensee's activities was conducted January 25 through February 24, 2000, and an investigation by the NRC Office of Investigations was initiated on February 7, 2000. The results of the inspection and investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. A written Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was served upon the Licensee by letter dated December 15, 2000. The Notice states the nature of the violation, the provision of the NRC's requirements that the Licensee violated, and the amount of the civil penalty proposed for the violation.

The Licensee responded to the Notice in a letter dated December 21, 2000. In its response, the Licensee did not contest the violation, but requested reconsideration of the amount of the civil penalty based on the safety significance of the violation, the duration of the violation while Stork was involved, and that the violation occurred at only one location of use.

III

After considering the Licensee's response and the statements of fact, explanation, and argument for mitigation contained therein, the NRC staff has determined that the violation occurred as stated in the Notice, that the licensee has not provided a sufficient basis to warrant reduction of the civil monetary penalty, and that therefore the civil monetary penalty in the amount of \$11,000 should be imposed.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205, *It Is Hereby Ordered That:*

The Licensee pay a civil penalty in the amount of \$11,000 within 30 days of the date of this Order, in accordance with NUREG/BR-0254. In addition, at the time of making the payment, the licensee shall submit a statement indicating when and by what method payment was made, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738.

V

The Licensee may request a hearing within 30 days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. A request for a hearing should be clearly marked as a "Request for an Enforcement Hearing" and shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies shall also be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, and to the Regional Administrator, NRC Region III, 801 Warrenville Road, Lisle, IL 60532-4351.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If the Licensee fails to request a hearing within 30 days of the date of this Order (or if written approval of an extension of time in which to request a hearing has not been granted), the provisions of this Order shall be effective without further proceedings. If

payment has not been made by that time, the matter may be referred to the Attorney General for collection.

In the event the Licensee requests a hearing as provided above, the issues to be considered at such hearing shall be whether, on the basis of the findings made by the staff, this Order should be sustained.

Dated this 20th day of February 2001.

For the Nuclear Regulatory Commission.

R.W. Borchardt,

Director, Office of Enforcement.

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BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 40-0299]

Umetco Minerals Corporation

AGENCY: Nuclear Regulatory Commission.

ACTION: Final finding of no significant impact; Notice of opportunity for hearing.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) proposes to amend NRC Source Material License SUA-648 to authorize the licensee, Umetco Minerals Corporation (Umetco), to decommission the contaminated land associated with the operation of the uranium mill facility according to the Revised Soil Decommissioning Plan submitted September 15, 2000, as amended. The Umetco East Gas Hills site, is located in Natrona County, Wyoming, approximately 50 miles (80 kilometers) southeast of the town of Riverton, Wyoming. The mill operated from 1960 to 1979 and was dismantled in 1992. During operation, wind-blown tailings and tailings-solution from the Above-Grade Impoundment contaminated areas north of the Impoundment. A portion of the land contaminated with byproduct material was remediated (excavated) in 1993. Several changes and improvements have been proposed in the revised decommissioning plan.

An Environmental Assessment (EA) was performed by the NRC staff in support of its review of Umetco's license amendment request, in accordance with the requirements of 10 CFR part 51. The conclusion of the Environmental Assessment is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

FOR FURTHER INFORMATION CONTACT: Ms. Elaine Brummett, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear

Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T7-C6, Washington, DC 20555. Telephone 301/415-6606.

SUPPLEMENTARY INFORMATION:

Background

The Umetco Minerals Corporation (Umetco) site is licensed by the U.S. Nuclear Regulatory Commission (NRC) under Source Materials License SUA-648 to possess byproduct material in the form of uranium waste tailings as well as other radioactive wastes generated by past milling operations. The mill has been dismantled and current site activities include completion of reclamation of three disposal areas and continuation of the ground water corrective action program.

The original soil decommissioning plan was approved with additional requirements as documented in License Condition (LC) 30. The major proposed modifications in the revised plan include:

1. An improved method of gamma scanning;
2. A detailed plan for providing documentation that the regulations have been met;
3. A revised radium background value for compliance in the wind-blown area; and
4. Alternate criteria for the residual byproduct material in the channel of East Canyon Creek.

Summary of the Environmental Assessment

The NRC staff performed an appraisal of the environmental impacts associated with the revised soil decommissioning plan, in accordance with 10 CFR part 51, Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions. The license amendment would authorize Umetco to complete soil cleanup in the wind-blown area north of the Above-Grade Impoundment and to leave small amounts of residual byproduct material in the channel of East Canyon Creek as proposed. In conducting its appraisal, the NRC staff considered the following information: (1) Umetco's 1999 and 2000 submittals supporting the license amendment request, including a risk assessment for East Canyon Creek; (2) previous environmental evaluations of the facility; (3) data contained in required environmental monitoring reports; (4) existing license conditions; (5) results of NRC staff site visits and inspections of the Umetco facility; and (6) consultations with the U.S. Fish and Wildlife Service, the U.S. Bureau of Land Management, and the Wyoming State Historic Preservation Officer. The

technical aspects of the revised reclamation plan are discussed separately in a Technical Evaluation Report (TER) that will accompany the final agency licensing action.

The results of the staff's appraisal are documented in an EA placed in the docket file. Based on its review, the NRC staff has concluded that there are no significant environmental impacts associated with the proposed action.

Conclusions

The NRC staff has examined actual and potential impacts associated with the revised decommissioning plan, and has determined that the requested amendment of Source Material License SUA-648, authorizing implementation of the revised soil decommissioning plan, will: (1) Be consistent with requirements of 10 CFR part 40, appendix A; (2) not be inimical to the public health and safety; and (3) not have long-term detrimental impacts on the environment.

The following statements summarize the conclusions resulting from the staff's environmental assessment, and support the FONSI:

1. An acceptable environmental and effluent monitoring program is in place to monitor effluent releases and to detect if applicable regulatory limits are exceeded. Radiological effluents from facility operations have been and are expected to remain below the regulatory limits.

2. Present and potential health risks to the public and risks of environmental damage from the proposed decommissioning were assessed. Given the remote location, limited activities requested, small area of impact, and past activities on the site, the staff determined that the risk factors for health and environmental hazards are insignificant.

3. Potential risks to the public and the environment from the byproduct material proposed to remain in the channel of East Canyon Creek (an ephemeral stream) were evaluated. Data on radionuclides and heavy metals in soil, water, vegetation, and animals were reviewed. Also, staff considered the contributions of these constituents from the near-by uranium mining activities and from natural uranium deposits in the creek bank. The staff determined that the current and long-term hazards from byproduct material in the creek channel are insignificant. The cost of remediation, risks to remediation workers, and the environmental harm (erosion, affect on wildlife including endangered species, etc) that would result from excavation of soil in the creek channel far out-weigh any slight