

**NUCLEAR REGULATORY COMMISSION****Advisory Committee on Reactor Safeguards; Joint ACRS Subcommittees on Reliability and Probabilistic Risk Assessment and on Regulatory Policies and Practices; Revised**

A two-day meeting of the Joint ACRS Subcommittees on Reliability and Probabilistic Risk Assessment and on Regulatory Policies and Practices scheduled to be held on Thursday, and Friday, October 29–30, 1998, has been changed to a one-day meeting which will be held on Thursday, October 29, 1998, beginning at 8:30 a.m., in Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. Notice of this meeting was published in the **Federal Register** on Thursday, October 15, 1998 (63 FR 55414). All other items pertaining to this meeting remain the same as previously published.

For further information contact, Mr. Michael T. Markley, cognizant ACRS staff engineer, (telephone 301/415-6885) between 7:30 a.m. and 4:15 p.m. (EDT).

Dated: October 16, 1998.

**Michael T. Markley,**

*Acting Chief, Nuclear Reactors Branch.*

[FR Doc. 98-28359 Filed 10-21-98; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 40-3453 and License No. SEA-917]

**Atlas Corporation**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Receipt of petition for Director's Decision under 10 CFR 2.206.

Notice is hereby given that a request for Hearing and Petition for Leave to Intervene (Petition) filed by the State of Utah (State) has been referred by the Atomic Safety and Licensing Board (ASLB) to be treated as a petition under 10 CFR 2.206.

On August 2, 1988, Atlas Corporation (Atlas), 370 Seventeenth Street, Suite 3050, Denver, Colorado 80202, submitted an application for a license amendment to revise its site reclamation plan for uranium mill tailings at its site near Moab, Utah. On April 4, 1994,

notice of Receipt of Application and notice of opportunity for hearing on the application were published in the **Federal Register**. 59 Fed. Reg. 16,665 (1994). On July 13, 1998, the State filed its Petition stating that if the Petition is found to be untimely that it be treated as a 10 CFR 2.206 petition in accordance with 10 CFR 2.1205(l)(2). The Petition was filed by Denise Chancellor, Assistant Attorney General on behalf of the State. By Memorandum and Order dated August 13, 1998, the ASLB determined that the Petition was inexcusably late and would be treated as a petition under 10 CFR 2.206 in accordance with 10 CFR 2.1205(l)(2).

In its Petition the State asserts that if Atlas were to proceed with its reclamation plan as approved by the Nuclear Regulatory Commission, it would be in violation of 10 CFR Part 40, Appendix A. More specifically, the State asserts that the rock apron design (armoring the tailings pile) does not provide "reasonable assurance" against engineering failure at the Atlas Uranium Tailings Site, and, thus does not satisfy Appendix A." As bases for its assertion, Utah stated that the unpredictability of flood events, erosion, and vegetation growth along the river banks makes computation of the probability of river migration extremely difficult and that, therefore, conservatism should be built into how the tailings pile is armored.

The Petition has been referred to the Director of the Office of Nuclear Material Safety and Safeguards. As provided by Section 2.206, appropriate action will be taken on this Petition within a reasonable time. A copy of the Petition is available for inspection at the Commission's Public Document Room at 2120 L Street, NW, Washington, DC 20555.

**FOR FURTHER INFORMATION CONTACT:**

Myron Fliegel, Petition Manager, Telephone (301) 415-6629.

Dated at Rockville, Maryland, this 16th day of October, 1998.

For the Nuclear Regulatory Commission.

**Michael F. Weber,**

*Deputy Director, Division of Waste Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 98-28357 Filed 10-21-98; 8:45 am]

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**SECURITIES AND EXCHANGE COMMISSION****Sunshine Act Meetings**

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of October 26, 1998.

An open meeting will be held on Tuesday, October 27, 1998, at 10:00 a.m. A closed meeting will be held on Tuesday, October 27, 1998, following the 10:00 a.m. open meeting.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Unger, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the open meeting scheduled for Tuesday, October 27, 1998, at 10:00 a.m., will be:

The Commission will hear oral argument on an appeal by Joseph J. Barbato from an administrative law judge's initial decision. For further information, contact Joan L. Loizeaux or Sara Crovitz at (202) 942-0950.

The subject matter of the closed meeting scheduled for Tuesday, October 27, 1998, following the 10:00 a.m. open meeting, will be:

Institution and settlement and injunctive actions.

Institution and settlement of administrative proceedings of an enforcement nature.

Post argument discussion.

At times, changes in Commission priorities require alternations in the scheduling of meeting items. For further information and to ascertain, what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942-7070.

October 20, 1998.

**Jonathan G. Katz,**  
*Secretary.*

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