

is outweighed by the lack of adequate assurances that Ms. Pierson has the needed self-esteem to withstand being intimidated to sell ephedrine for illegal purposes in the future.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that the application for registration as a retail distributor of ephedrine, submitted by Jacqueline Lee Pierson, d/b/a Energy Outlet, be, and it hereby is, denied. This order is effective April 23, 1999.

Dated: March 17, 1999.

**Donnie R. Marshall,**  
Deputy Administrator.

[FR Doc. 99-7123 Filed 3-23-99; 8:45 am]

BILLING CODE 4410-09-M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (99-048)]

### Government-Owned Inventions, Available for Licensing

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Availability of Inventions for Licensing.

**SUMMARY:** The invention listed below is assigned to the National Aeronautics and Space Administration, has been filed in the United States Patent and Trademark Office, and is available for licensing.

**DATES:** March 24, 1999.

**FOR FURTHER INFORMATION CONTACT:** Ms. Beth Vrioni, Patent Counsel, John F. Kennedy Space Center, Mail Stop MM-E, Kennedy Space Center, FL 32899; telephone (407) 867-6225.

NASA Case No. KSC-12023: Cable and Line Inspection Mech.

Dated: March 16, 1999.

**Edward A. Frankle,**  
General Counsel.

[FR Doc. 99-7120 Filed 3-23-99; 8:45 am]

BILLING CODE 7510-01-U

## NATIONAL INDIAN GAMING COMMISSION

### Notice of Approval of Class III Tribal Gaming Ordinances

**AGENCY:** National Indian Gaming Commission.

**ACTION:** Notice; Correction.

**SUMMARY:** The National Indian Gaming Commission published the Notice of

Approval of Class III Tribal Gaming Ordinances on January 29, 1999. The list of approved class III tribal gaming ordinances was incorrect. This publication corrects the mistake and updates additional approvals.

**EFFECTIVE DATE:** This notice is effective March 24, 1999.

**FOR FURTHER INFORMATION CONTACT:** Frances Fragua at the National Indian Gaming Commission, 202/632-7003, or by facsimile at 202/632-7066 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:** The Indian Gaming Regulatory Act (IGRA) 25 U.S.C. 2701 *et seq.*, was signed into law on October 17, 1988. The IGRA established the National Indian Gaming Commission (Commission). Section 2710 of the IGRA authorizes the Commission to approve class II and class III tribal gaming ordinances. Section 2710(d)(2)(B) of the IGRA as implemented by 25 C.F.R. Section 522.8 (58 FR 5811 (January 22, 1993)), requires the Commission to publish, in the **Federal Register**, approved class III gaming ordinances.

The IGRA requires all tribal gaming ordinances to contain the same requirements concerning ownership of the gaming activity, use of net revenues, annual audits, health and safety, background investigations and licensing of key employees. The Commission, therefore, believes that publication of each ordinance in the **Federal Register** would be redundant and result in unnecessary cost to the Commission. The Commission believes that publishing a notice of approval of each class III gaming ordinance is sufficient to meet the requirements of 25 U.S.C. Section 2710(d)(2)(B). Also, the Commission will make copies of approved class III ordinances available to the public upon request. Requests can be made in writing to the: National Indian Gaming Commission, 1441 L Street, N.W., Suite 9100, Washington, D.C. 20005.

The notice of tribal gaming ordinances authorizing class III gaming approved by the Chairman on January 29, 1999, and published in the **Federal Register**, should be corrected as follows for the following tribes:

1. Bear River Band of the Rohnerville Rancheria
2. Burns Paiute Tribe
3. Confederated Salish & Kootenai Tribes of the Flathead Nation
4. Dry Creek Rancheria
5. Grand Portage Band of Chippewa Indians
6. Iowa Tribe of Kansas and Nebraska
7. Kalispel Tribe of Indians

8. Little Traverse Bay Bands of Odawa Indians
9. Ottawa Tribe of Oklahoma
10. Pawnee Tribe of Oklahoma
11. Pueblo of Santa Clara
12. Rumsey Indian Rancheria
13. Santa Ysabel Band of Mission Indians
14. Scotts Valley Band of Pomo Indians
15. Skokomish Indian Tribe
16. Table Mountain Rancheria
17. Trinidad Rancheria
18. Washoe Tribe of Nevada and California

**Barry Brandon,**  
General Counsel.

[FR Doc. 99-7121 Filed 3-23-99; 8:45 am]

BILLING CODE 7565-01-U

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-3]

### Carolina Power & Light Company, H. B. Robinson Nuclear Plant; Notice of Docketing of the Materials License SNM-2502 Amendment Application for the H. B. Robinson Independent Spent Fuel Storage Installation

By letter dated January 11, 1999, Carolina Power and Light Company (CP&L) submitted an application to the Nuclear Regulatory Commission (the Commission) in accordance with 10 CFR Part 72 requesting the amendment of the H. B. Robinson (HBR) independent spent fuel storage installation (ISFSI) license (SNM-2502) and the Technical Specifications for the ISFSI located at Darlington County, South Carolina. CP&L is seeking Commission approval to amend the materials license and the ISFSI Technical Specifications to change the reporting frequency for the radiological effluent reports from semi-annual to annual. Such an action would align the reporting requirements for CP&L's license with those currently in 10 CFR 50.36a(a)(2) and 10 CFR 72.44(d)(3).

This application was docketed under 10 CFR Part 72; the ISFSI Docket No. is 72-3 and will remain the same for this action. The amendment of an ISFSI license is subject to the Commission's approval.

The Commission will determine if the amendment presents a genuine issue as to whether public health and safety will be significantly affected and may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2).

For further details with respect to this application, see the application dated January 11, 1999, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW, Washington, DC 20555 and at the Local Public Document Room located at the Hartsville Memorial Library, 147 W. College Avenue, Hartsville, SC 29550.

Dated at Rockville, Maryland, this 12th day of March 1999.

For the Nuclear Regulatory Commission.

**E. William Brach,**

*Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 99-7164 Filed 3-23-99; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-413 and 50-414]

### Duke Energy Corporation; Notice of Consideration of Issuance of Amendments to Facility Operating Licenses, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-35 and NPF-52, issued to Duke Energy Corporation (the licensee), for operation of the Catawba Nuclear Station, Units 1 and 2, located in York County, South Carolina.

The proposed amendments would revise the Technical Specifications (TS), deleting Section 3.3.7, "Control Room Area Ventilation System (CRAVS) Actuation Instrumentation," and Section 3.3.8, "Auxiliary Building Filtered Ventilation Exhaust System (ABFVES) Actuation Instrumentation." The basis for the proposed deletion is that Sections 3.3.7 and 3.3.8 do not correctly reflect the design of the Catawba CRAVS and ABFVES control systems. At Catawba, the Solid State Protection System (SSPS) provides input to the diesel generator load sequencer, which, in turn, provides input to the CRAVS and ABFVES. Thus, the CRAVS and ABFVES are not directly actuated by the SSPS. However, the surveillance requirements currently specified by Sections 3.3.7 and 3.3.8 are written on the assumption that the CRAVS and ABFVES are directly actuated by the SSPS.

The licensee requested approval on an exigent basis pursuant to its request for enforcement discretion. The staff verbally granted the enforcement discretion on March 11, 1999, and

affirmed it by a subsequent notice of enforcement discretion (NOED) letter dated March 15, 1999. The NOED letter stated that the enforcement discretion is in effect until the issuance of amendments to revise Section 3.3.7 and 3.3.8. The staff intends to issue such amendments within 4 weeks of the NOED letter. This issuance schedule would not be accommodated by the normal 30-day notice to the public.

Before issuance of the proposed license amendments, 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 request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

#### First Standard

Implementation of this amendment would not involve a significant increase in the probability or consequences of an accident previously evaluated. Approval of this amendment will have no effect on accident probabilities or consequences. No physical changes are being made to the plant design which will result in any increase in accident probabilities. Approval of this amendment will not result in a decrease in system or equipment reliability or availability. Therefore, there will be no impact on any accident consequences.

#### Second Standard

Implementation of this amendment would not create the possibility of a new or different kind of accident from any accident previously evaluated. No new accident causal mechanisms are created as a result of NRC approval of this amendment request. No changes are being made to the plant that will introduce any new accident causal mechanisms.

#### Third Standard

Implementation of this amendment would not involve a significant reduction in a margin of safety. Margin of safety is related to the confidence in the ability of the fission product barriers to perform their design functions during and following an accident

situation. These barriers include the fuel cladding, the reactor coolant system, and the containment system. The performance of these fission product barriers will not be degraded by the implementation of this amendment. No safety margins will be impacted.

Based upon the preceding discussion, Duke Energy Corporation has concluded that the proposed amendment does not involve a significant hazards consideration.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 14 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendments until the expiration of the 14-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendments before the expiration of the 14-day notice period, provided that its final determination is that the amendments involve no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D59, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By April 23, 1999, the licensee may file a request for a hearing with respect