

Routine administrative records common to most agencies are approved for disposal in the General Records Schedules (GRS), which are disposition schedules issued by NARA that apply Government-wide.

In the past, NARA approved the disposal of electronic copies of records created using electronic mail and word processing via General Records Schedule 20, Items 13 (word processing documents) and 14 (electronic mail). However, NARA has determined that a different approach to the disposition of electronic copies is needed. In 1998, the Archivist of the United States established an interagency Electronic Records Work Group to address this issue and pursuant to its recommendations, decided that agencies must submit schedules for the electronic copies of program records and administrative records not covered by the GRS. On March 25, 1999, the Archivist issued NARA Bulletin 99-04, which tells agencies what they must do to schedule electronic copies associated with previously scheduled program records and certain administrative records that were previously scheduled under GRS 20, Items 13 and 14.

Schedules submitted in accordance with NARA Bulletin 99-04 only cover the electronic copies associated with previously scheduled series. Agencies that wish to schedule hitherto unscheduled series must submit separate SF 115s that cover both recordkeeping copies and electronic copies used to create them.

In developing SF 115s for the electronic copies of scheduled records, agencies may use either of two scheduling models. They may add an appropriate disposition for the electronic copies formerly covered by GRS 20, Items 13 and 14, to every item in their manuals or records schedules where the recordkeeping copy has been created with a word processing or electronic mail application. This approach is described as Model 1 in Bulletin 99-04. Alternatively, agencies may group records by program, function, or organizational component and propose disposition instructions for the electronic copies associated with each grouping. This approach is described as Model 2 in the Bulletin. Schedules that follow Model 2 do not describe records at the series level.

For each schedule covered by this notice the following information is provided: Name of the Federal agency and any subdivisions requesting disposition authority; the organizational unit(s) accumulating the records or a statement that the schedule has agency-wide applicability in the case of

schedules that cover records that may be accumulated throughout an agency; the control number assigned to each schedule; the total number of schedule items; the number of temporary items (the record series proposed for destruction); a brief description of the temporary electronic copies; and citations to previously approved SF 115s or printed disposition manuals that scheduled the recordkeeping copies associated with the electronic copies covered by the pending schedule. If a cited manual or schedule is available from the Government Printing Office or has been posted to a publicly available Web site, this too is noted.

Further information about the disposition process is available on request.

Schedules Pending

1. Department of Labor, Office of the Inspector General (N9-174-99-2, 2 items, 2 temporary items). Electronic copies of records created using electronic mail and word processing that relate to investigations of labor racketeering. This schedule follows Model 1 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Disposition Job No. N1-174-93-1.

2. Department of Labor, Office of the Inspector General (N9-174-99-3, 1 item, 1 temporary item). Electronic copies of records created using electronic mail and word processing that relate to the Semiannual Report to Congress prepared by the Office of the Inspector General. This schedule follows Model 1 as described in the **SUPPLEMENTARY INFORMATION** section of this notice. Recordkeeping copies of these files are included in Disposition Job No. N1-174-96-2.

Dated: August 24, 1999.

Geraldine Phillips,

Acting Assistant Archivist for Record Services—Washington, DC.

[FR Doc. 99-22619 Filed 8-30-99; 8:45 am]

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NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Advisory Committee on Presidential Libraries Meeting

Notice is hereby given that the Advisory Committee on Presidential Libraries will meet on October 14, 1999, from 10:30 a.m. to 2 p.m., in room 105 of the National Archives Building, 700 Pennsylvania Avenue, NW, Washington, DC.

The agenda for the meeting will be the Presidential library programs and a discussion of several critical issues.

The meeting will be open to the public. For further information, call David F. Peterson at 301-713-6050.

Dated: August 18, 1999.

Mary Ann Hadyka,

Committee Management Officer.

[FR Doc. 99-22618 Filed 8-30-99; 8:45 am]

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NATIONAL TRANSPORTATION SAFETY BOARD

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: National Transportation Safety Board.

TIME AND DATE: 9:30 a.m., Wednesday, September 8, 1999.

PLACE: NTSB Board Room, 5th Floor, 490 L'Enfant Plaza, SW, Washington, DC 20594.

STATUS: Open to the Public.

MATTERS TO BE CONSIDERED:

7047A—Aviation Accident Report: Crash During Landing, Federal Express, Inc., Flight 14, McDonnell Douglas MD-11, N611FE, Newark International Airport, Newark, New Jersey, July 31, 1997.

NEWS MEDIA CONTACT: Telephone: (202) 314-6100. Individuals requesting specific accommodation should contact Mrs. Barbara Bush at (202) 314-6220 by Friday, August 6, 1999.

FOR MORE INFORMATION CONTACT: Rhonda Underwood, (202) 314-6065.

Dated: August 27, 1999.

Rhonda Underwood,

Federal Register Liaison Office.

[FR Doc. 99-22761 Filed 8-27-99; 2:10 pm]

BILLING CODE 7533-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 030-19405; License No. 37-20553-01 (Suspended); EA 99-057]

In the Matter of Alfonso Deleo, Jr., Ardmore, Pennsylvania, Order Imposing Civil Monetary Penalty

I

Alfonso Deleo, Jr. (Mr. Deleo or licensee) is the holder of suspended Byproduct Material License No. 37-20553-01 (license) that was originally issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR part 30 on April 4, 1982. The license authorized: (1) Possession and use of cesium-137 and americium-241 sealed sources (gauges)

at temporary jobsites of the licensee anywhere in the United States where the Commission maintained jurisdiction for regulating the use of licensed material; and (2) storage of the licensed material at 141 Golf Hills Road, Havertown, PA. The license has an expiration date of March 31, 2004. Licensees of the Commission are required to pay annual fees. Mr. Deleo has failed to pay annual fees since 1991.

II

On September 20, 1993, the NRC contacted Mr. Deleo to inform him of the need to renew the license and pay annual fees, which he had not done for the preceding two years. After Mr. Deleo indicated that it was his intent to terminate the license and that he had found a licensee to take the two gauges in his possession, the NRC outlined the steps that he would have to take to terminate the license once the licensed material was properly transferred.

Subsequently, the NRC conducted an inspection at Mr. Deleo's Havertown, PA, facility on November 16, 1994, at which time he still possessed the gauges, and had not paid the annual fees. As a result of Mr. Deleo's continued non-payment of fees, the NRC issued an Order Suspending License on February 12, 1996.

During a subsequent inspection by the NRC at Mr. Deleo's Havertown, PA, facility on December 5, 1996, the NRC determined that he failed to notify the Commission in accordance with 10 CFR 30.36(d)(3) of the cessation of principal licensed activities. Specifically, Mr. Deleo had ceased activities prior to August 15, 1994, the regulation's effective date. As a result, a Notice of Violation was issued on December 16, 1996. Mr. Deleo failed to reply to the Notice within 30 days of its issuance as required by 10 CFR 2.201. The NRC contacted Mr. Deleo on February 13, 1997, concerning his failure to reply to the December 16, 1996 Notice, and he indicated that he would reply to the Notice.

Subsequently, the NRC sent Mr. Deleo another letter on February 24, 1997, describing the Decommissioning Timeliness rule (10 CFR 30.36), and indicating that the licensed material in his possession needed to be transferred to another authorized recipient by October 15, 1998. The letter further stated that failure to dispose of licensed material by that date could result in significant enforcement action, including the imposition of monetary civil penalties. Nonetheless, Mr. Deleo did not transfer the gauges. During another inspection of Mr. Deleo's Havertown, PA, facility on March 16,

1998, he was again informed that 10 CFR 30.36 required him to transfer licensed material to an authorized recipient by October 15, 1998.

The NRC attempted to contact Mr. Deleo several times between December 30, 1998 and March 10, 1999 by leaving messages on his answering machine to determine the status of the licensed material. As of April 1, 1999, Mr. Deleo had not returned the telephone calls. As a result, a joint inspection/investigation by the NRC Office of Investigations and Division of Nuclear Materials Safety was conducted on April 1, 1999, at his Havertown, PA, facility. That investigation disclosed that Mr. Deleo still retained possession of the gauges. Based on the above, including the OI investigation, the NRC concluded that Mr. Deleo was in willful violation of NRC requirements.

Since 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 June 2, 1999. The Notice states the nature of the violation, the provision of the NRC's requirements that the Licensee had violated, and the amount of the civil penalty proposed for the violation.

III

Although Mr. Deleo has confirmed to the NRC, during a telephone conversation on June 18, 1999, that he has received the NRC's June 2, 1999 letter transmitting the Notice of Violation and Proposed Imposition of Civil Penalty, he has failed to respond to it and is still in possession of the gauges. Therefore, the NRC staff has determined, as set forth in the Appendix to this Order, that the violation occurred as stated and that the penalty proposed for the violation designated in the Notice 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 \$5,500 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 also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, and to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania, 19406.

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:

- (a) Whether the Licensee was in violation of the Commission's requirements as set forth in the Notice referenced in Section II above, and
- (b) Whether, on the basis of such violation, this Order should be sustained.

Dated this 23rd day of August 1999.

For the Nuclear Regulatory Commission.

R.W. Borchardt,

Director, Office of Enforcement.

Appendix: Evaluation(s) and Conclusion

On June 2, 1999, a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) was issued to Alfonso Deleo for a violation identified during an NRC inspection and investigation. Mr. Deleo has failed to respond to the Notice. Accordingly, the NRC has concluded that the violation occurred as stated in the Notice and the licensee has not provided any basis for a reduction of the severity level or for mitigation of

the civil penalty. Therefore, the proposed civil penalty in the amount of \$5,500 should be imposed.

[FR Doc. 99-22651 Filed 8-30-99; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-315 and 50-316]

Indiana Michigan Power Company; Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-58 and DPR-74 issued to Indiana Michigan Power Company (the licensee) for operation of the Donald C. Cook Nuclear Power Plant, Units 1 and 2, located in Berrien County, Michigan.

The proposed amendments would revise Technical Specification (TS) 3.3.3.8 for Unit 1 and TS 3.3.3.6 for Unit 2, "Post-Accident Instrumentation." The proposed changes to the TSs will place tighter restrictions on the amount of time the refueling water storage tank (RWST) water level instrumentation may be inoperable before the limiting conditions for operation in the TSs are applied.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination 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:

Criterion 1

This amendment request does not involve a significant increase in the probability or consequences of an accident previously evaluated because the proposed changes do

not change or add to any of the accidents previously evaluated. The T/S changes do not change the available instrumentation nor change the readability of the instrumentation. The T/S changes make the allowable out of service time more conservative for the RWST water level instrumentation, reducing the allowable time from 30-days to 72-hours for a single channel out-of-service, with T/S 3.0.3 being entered if both channels of instrumentation are lost.

Criterion 2

The proposed change does not create the possibility of a new or different kind of accident from any previously evaluated. The T/S change only reduces the allowable out of service time for the RWST water level instrumentation. It does not involve a physical change and does not create a new type of accident.

Criterion 3

This proposed change does not involve a significant reduction in a margin of safety. The T/S change is limited to the allowable out of service time and does not change the number of instrument channels available, the testing of the instruments or the range of the instruments.

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 30 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 30-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 amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves 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 and provide for opportunity for a hearing after 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 September 30, 1999, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Maud Preston Palenske Memorial Library, 500 Market Street, St. Joseph, MI 49085. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should