

**SUPPLEMENTARY INFORMATION:** The package listing contains the following information: (1) Title of the information collection package; (2) current OMB control number; (3) type of respondents; (4) estimated number of responses annually; (5) estimated total burden hours, annually, including recordkeeping hours required to provide the information; (6) purpose; and (7) number of collections.

*Package Title:* Legal.

*Current OMB No.:* 1910-0800.

*Type of Respondents:* DOE management and operating contractors, and offsite contractors.

*Estimated Number of Responses:* 2,719.

*Estimated Total Burden Hours:* 21,052.

*Purpose:* This information is required by the Department to ensure that legal resources and requirements are managed efficiently and effectively and for exercise of management oversight of DOE contractors.

**James Renjilian,**

*Office of the General Counsel.*

[FR Doc. 98-26465 Filed 10-1-98; 8:45 am]

BILLING CODE 6450-01-P

## DEPARTMENT OF ENERGY

### Environmental Impact Statement (EIS) for the Transfer of the Heat Source/Radioisotope Thermoelectric Generator Assembly and Test Operations From the Mound Site

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice of intent.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA), DOE announces its intent to prepare an EIS for the proposed transfer of the Heat Source/Radioisotope Thermoelectric Generator (HS/RTG) operations at the Mound Site near Miamisburg, Ohio, to an alternative DOE site. Alternative sites for the proposed transfer of operations to be evaluated in the EIS include: Oak Ridge National Laboratory (ORNL) in Oak Ridge, Tennessee; the Pantex Plant, seventeen miles east of Amarillo, Texas; the Hanford Site, north of Richland, Washington; the Nevada Test Site (NTS), sixty miles northwest of Las Vegas, Nevada; and Idaho National Engineering and Environmental Laboratory (INEEL), fifty miles west of Idaho Falls, Idaho. In addition, the "No Action" alternative (operations remaining at Mound) will be evaluated as required by NEPA. DOE invites individuals, organizations, and agencies to present oral and/or written comments concerning the scope of the EIS,

including the environmental issues and alternatives the EIS should analyze.

**DATES:** The public scoping begins with publication of this Notice in the **Federal Register** and continues until December 1, 1998. Comments must be postmarked or submitted by fax or electronic mail by that date to ensure consideration. The public may also call 1-800-931-9006 and leave a detailed message with their comments. Comments received after that date will be considered to the extent practicable. DOE will conduct public scoping meetings to assist in defining the appropriate scope of the EIS including the significant environmental issues to be addressed. DOE plans to hold scoping meetings in the vicinity of the Mound Site, ORNL, Pantex, Hanford, NTS, and INEEL. The date, time, and location will be announced through the local media as soon as determined but at least 15 days before the date of the meetings.

**ADDRESSES:** Please direct comments on the scope of the EIS, requests to speak at the public scoping meetings, requests for special arrangements to enable participation at scoping meetings (e.g., interpreter for the hearing-impaired), and questions concerning the project to: Timothy A. Frazier, U.S. Department of Energy, P. O. Box 66, Miamisburg, OH 45343-0066, Telephone: (937) 865-3748 or leave a message on (800) 931-9006, Facsimile (937) 865-4219, Electronic mail: Tim.Frazier@EM.DOE.GOV  
**FOR FURTHER INFORMATION CONTACT:** For general and technical information associated with the HS/RTG assembly and acceptance testing activities, please contact Mr. Frazier at the address above. For general information on the DOE NEPA process, please contact:

Carol M. Borgstrom, Director, Office of NEPA Policy and Assistance, EH-42, U.S. Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585-0119, Telephone: (202) 586-4600 or leave a message on (800) 472-2756.

#### SUPPLEMENTARY INFORMATION:

##### Background

DOE and its predecessor agencies have been developing HS/RTGs and supplying them to user agencies for more than 35 years. The radioisotope used in these systems is plutonium-238, a non-fissile (i.e., non-weapons-usable) form of plutonium. A HS/RTG converts thermal energy that is generated by the spontaneous radioactive decay of Pu-238 to electrical energy. These systems have repeatedly demonstrated their value as key technologies in various harsh, remote, and inaccessible environments, such as space, where it is

impractical to provide the fuel and maintenance that more conventional electrical power sources would need. The Mound Site has been performing the DOE's HS/RTG assembly and testing operations for over 15 years.

The Mound Site, located in Miamisburg, Ohio, was established in 1946 as the first permanent installation associated with the Atomic Energy Commission. Until the early 1990s, the Mound Site manufactured critical nuclear weapons components. The site is currently being environmentally restored under a Comprehensive Environmental Response, Compensation and Liabilities Act (CERCLA) § 120 Agreement. DOE and its site restoration contractor plan to complete the environmental restoration and exit the site by February 2003. It is anticipated that the future use of the site will involve an industrial park.

The HS/RTG assembly and test operations are contained in two major buildings at the Mound Site. HS/RTG assembly is performed in Mound's Building 38. The HSs are assembled in glove boxes using parts manufactured or procured by the Mound Site and encapsulated plutonium-238 provided by the Los Alamos National Laboratory (LANL). RTGs are also assembled, as well as tested, in Mound's Building 50. The RTGs are assembled in a large inert atmosphere chamber and then acceptance tested. The acceptance testing involves: mass properties (mass and center of gravity), determination of magnetic signature, vibration, and performance testing (to simulate in-flight performance).

##### Purpose and Need for Agency Action

It is DOE's responsibility and a primary mission to maintain the availability of HS/RTGs for the U.S. Government. DOE currently has projected requirements to provide such power systems through FY 2009. Based on that commitment and the planned exit of DOE from the Mound Site, DOE needs to relocate the HS/RTG assembly and test operations from the Mound Site to a technically capable site with a continuing long-term Departmental presence. DOE is proposing to transfer the HS/RTG assembly and test operations from the Mound Site immediately prior to the completion of the environmental restoration activities at this site. DOE would then cease operations and exit the site in February 2003. Should DOE maintain the HS/RTG operations at the Mound Site, DOE would be unable to exit the site as planned in February 2003.

The assessment that led to the proposed transfer addressed a number

of questions related to remaining at Mound versus the advantages of moving to another site. Items evaluated included: (1) Staying at Mound would require DOE to maintain a secure facility collocated with an industrial park, (2) staying at Mound would require DOE to maintain a small facility handling nuclear materials in close proximity to the public, (3) moving to another location would enable the program to draw upon the technical resources of a much broader program structure in the event of technical problems or schedule demands, and (4) the supporting infrastructure of DOE offices, safety staff, and related functions would exist at another site but DOE would have to create an as-yet undefined system of support to enable the program to remain at Mound.

#### Alternatives To Be Evaluated

The EIS will analyze the reasonable alternatives as determined based on public input during the scoping process and further study by DOE for the proposed transfer of the HS/RTG assembly and test operations. The alternatives must meet certain technical evaluation criteria related to the site's technical approach to accomplish the work, the proposed personnel and management commitment, past performance and project management, facilities and equipment, the operation of the facilities, the integration with other program activities, and the schedule. DOE has preliminarily identified the following alternatives which meet these criteria:

##### *No Action Alternative*

Under this alternative, the HS/RTG assembly and test operations would remain at the Mound Site. Operations would continue at the Mound Site and be consolidated into Building 50 with several support buildings. Continuation of HS/RTG assembly and test operations at the Mound Site would require the DOE to maintain a presence at the site and the planned closure of the Mound Site in February 2003 would not take place.

##### *Transfer Operations to ORNL*

Under this alternative, DOE would transfer the HS/RTG assembly and test operations to Building 3525 and support facilities at ORNL.

##### *Transfer Operations to Pantex*

Under this alternative, DOE would transfer the HS/RTG assembly and test operations to Building 12-66 at the Pantex Plant. Current DOE planning to store surplus pits in Pantex's Building 12-66, in accordance with the Record of

Decision (ROD) on the Storage and Disposition of Weapons Useable Fissile Materials Programmatic Environmental Impact Statement (PEIS) (January 14, 1997, 62 Federal Register 3014), could impact the use of this building as a reasonable alternative for the HS/RTG assembly and test operations.

##### *Transfer Operations to Hanford*

Under this alternative, DOE would transfer the HS/RTG assembly and test operations to the Hanford Site's Fuel Materials and Examination Facility (FMEF). In its Surplus Plutonium Disposition Draft Environmental Impact Statement (July 1998), DOE is also analyzing the use of FMEF as a reasonable alternative for the siting of surplus plutonium disposition facilities, and this analysis could impact the use of FMEF as a reasonable alternative for the HS/RTG assembly and test operations.

##### *Transfer Operations to Nevada*

Under this alternative, DOE would transfer HS/RTG assembly and test operations to NTS's Device Assembly Facility.

##### *Transfer Operations to INEEL*

Under this alternative, DOE would transfer the HS/RTG assembly and test operations to INEEL's Test Area North.

#### Preliminary Environmental Analysis

The following issues have been tentatively identified for analysis in the EIS. This list is neither intended to be all-inclusive nor is it a predetermination of potential environmental impacts. The list is presented to facilitate comment on the scope of the EIS. Additions to or deletions from this list may occur as a result of the public scoping process.

- Health and Safety: potential public and occupational consequences from construction, routine operation, and credible accident scenarios.
- Waste Management: types and quantities of wastes expected to be generated, handled, and stored.
- Pollution Prevention: pollution prevention opportunities and the potential consequences to public safety and the environment.
- Hazardous Materials: handling, storage, and use, both present and future.
- Background Radiation: cosmic, rock, soil, water, and air, and the potential addition of radiation.
- Water Resources: surface and groundwater hydrology, water use and quality, and the potential for degradation.
- Air Quality: meteorological conditions, ambient background, sources, and potential for degradation.

- Earth Resources: physiography, topography, geology, and soil characteristics.

- Land Use: plans, policies, and controls.

- Noise: ambient, sources, and sensitive receptors.

- Ecological Resources: wetlands, aquatic, terrestrial, economically/recreationally important species, threatened species, and endangered species.

- Socioeconomic: demography, economic base, labor pool, housing, transportation, utilities, public services/facilities, education, recreation, and cultural resources.

- Natural Disasters: floods, hurricanes, tornadoes, and seismic events.

- Unavoidable Adverse Impacts.

- Natural and Depletable Resources: requirements and conservation potential.

- Environmental Justice: any potential disproportionately high and adverse impacts to minority and low income populations.

#### Scoping Meetings

The purpose of this Notice is to encourage public involvement in the EIS process and to solicit public comments on the proposed scope and content of the EIS. DOE will hold public scoping meetings near Mound, ORNL, Pantex Plant, Hanford Site, NTS, and INEEL to solicit both oral and written comments from interested parties. The public may also call 1-800-931-9006 and leave a detailed message with their comments. The dates, times, and locations will be announced through the local media as soon as determined but at least 15 days before the date of the meetings.

In order to facilitate an understanding of the program's objectives, DOE personnel will be available at the scoping meetings to explain the program to the public and answer questions. DOE will designate a facilitator for the scoping meetings. At the opening of each meeting, the facilitator will establish the order of speakers and will announce any additional procedures necessary for conducting the meetings. To ensure that all persons wishing to make a presentation are given the opportunity, each speaker may be limited to five minutes, except for public officials and representatives of groups, who will be allotted ten minutes each. DOE encourages those providing oral comments to also submit them in writing. Comment cards will also be available for those who prefer to submit their comments in written form. Speakers may be asked clarifying

questions, but the scoping meetings will not be conducted as evidentiary hearings.

DOE will make transcripts of the scoping meetings and project-related materials available for public review in the following reading rooms:

U.S. Department of Energy, Freedom of Information Public Reading Room, Forrestal Building, Room 1E-190, 1000 Independence Avenue, S.W., Washington, D.C. 20585, Telephone: (202) 586-3142

Ohio Field Office, Freedom of Information Public Reading Room, Cafeteria Garden Room, One Mound Road, Miamisburg, OH 45342, Telephone: (937) 865-4078

Oak Ridge Operations Office, DOE Oak Ridge Public Reading Room, U.S. Department of Energy, 200 Administration Road, Room G-217, P.O. Box 2001, Oak Ridge, TN 37831, Telephone: (423) 576-1216 or (423) 241-4780

Amarillo Area Office, Pantex Plant, DOE Public Reading Room, Reference Department, Lynn Library and Learning Center, Amarillo College, 2201 South Washington, 4th Floor, Amarillo, TX 79109, Telephone: (806) 371-5400

Richland Operations Office, DOE Public Reading Room, 2770 University Drive CIC, Room 101L, P.O. Box 999, mail stop H2-53, Richland, WA 99352, Telephone: (509) 372-7443

Nevada Test Site, Coordination and Information Center, Bechtel Nevada, P.O. Box 98521, Las Vegas, NV 89193-8521, Telephone: (702) 295-1628

Idaho National Engineering and Environmental Laboratory, DOE-Idaho Operations Office Public Reading Room, 1776 Science Center Drive, Idaho Falls, ID 83415, Telephone: (208) 526-0271

#### NEPA Process

The EIS for the proposed transfer of the HS/RTG assembly and test operations will be prepared in accordance with the National Environmental Policy Act of 1969, the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA (40 CFR Parts 1500-1508), and DOE's NEPA Regulations (10 CFR Part 1021).

A schedule for the draft EIS will be contingent on the scoping process. A 60-day comment period on the draft EIS is planned, and public hearings to receive comments will be held approximately six weeks after distribution of the draft EIS. Availability of the draft EIS, the

dates of the public comment period, and information about the public hearings will be announced in the **Federal Register** and in the local news media when the draft EIS is distributed.

The final EIS, which will consider the public comments received on the draft EIS, is scheduled to be published in the fall of 1999. No sooner than 30 days after the U.S. Environmental Protection Agency publishes a notice of availability of the final EIS in the **Federal Register**, DOE will issue its Record of Decision and publish it in the **Federal Register**.

Signed in Washington, D.C., this 24th day of September 1998.

**Peter N. Brush,**

*Acting Assistant Secretary, Environment, Safety and Health.*

[FR Doc. 98-26464 Filed 10-1-98; 8:45 am]

BILLING CODE 6450-01-P

#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. MG98-9-003]

##### Dynegy Midstream Pipeline, Inc.; Notice of Filing

September 28, 1998.

Take notice that on September 11, 1998, Dynegy Midstream Pipeline Inc. (Dynegy) filed a report on shared employees in response to an August 12, 1998 Order on Standards of Conduct and Order on Rehearing. 84 FERC ¶ 61,179 (1998).

Dynegy states that it has served a copy of the filing on all parties on the service list in this proceeding.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 or 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 or 385.214). All such motions to intervene or protest should be filed on or before October 13, 1998. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-26371 Filed 10-1-98; 8:45 am]

BILLING CODE 6717-01-M

#### DEPARTMENT OF ENERGY

##### Federal Energy Regulatory Commission

[Docket No. GT98-94-000]

##### Equitrans, L.P.; Notice of Proposed Changes in FERC Gas Tariff

September 28, 1998.

Take notice that on September 23, 1998, Equitrans, L.P., (Equitrans) tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, the following tariff sheet, with an effective date of October 1, 1998:

Twelfth Revised Sheet No. 401

Equitrans states that the filing is being made to update Equitrans' index of customers. In Order No. 581, the Commission established a revised format for the Index of Customers to be included in the tariffs of interstate pipelines and required the pipelines to update the index on a quarterly basis to reflect changes in contract activity.

Equitrans states that a copy of its filing has been served upon its customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make Protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

**David P. Boergers,**

*Secretary.*

[FR Doc. 98-26364 Filed 10-1-98; 8:45 am]

BILLING CODE 6717-01-M