very short time, have to perform with a design event. If the Colorado River were to migrate towards the tailings pile, it would occur over decades or centuries. There would be ample time to determine whether the assumptions used in the design of the rock apron (e.g., the scour depth, river curvature, river velocity, etc.) were correct or appropriate.

In summary, NRC regulations and EPA standards do not require the degree of certainty about the potential future threats to the rock apron that would require an extremely conservative design, but rather ''reasonable assurance'' that the design will protect the tailings pile.

Assertion 5. The DRC disagrees with the NRC conclusion that the Atlas design provides the necessary protection of the tailings pile. DRC asserts that the apron design does not meet the requirements of 10 CFR Part 40, Appendix A.

As discussed in the TER and SR, the staff performed detailed evaluations of the proposed design. Based on those evaluations, the staff concludes that: (1) A conservative approach was taken by Atlas in its reclamation plan by assuming that the Colorado River would migrate to the tailings pile and by designing the erosion protection apron to account for that event; (2) the rock size of 11 inches proposed by Atlas for the rock apron is greater than the rock size of about 2.4 inches required to resist velocities produced by the Colorado River on the collapsed rock apron, based on the most conservative calculated channel velocity and considering the effects of channel curvature and increased shear forces on the outside of channel bends; (3) the volume of rock provided for the apron is acceptable; (4) the maximum river velocity that should be used for the design of the rock apron for reasonable assurance is approximately 5.2 feet per second (ft/sec), rather than the 6.9 ft/sec used by ACE; (5) the potentially increased density of vegetation and tamarisks in the floodplains of the river will not significantly affect river velocities in the channel; (6) the design parameters selected for use in the ACE calculations of rock size are very conservative and are not likely to reflect conditions that will exist at the rock apron, if the river were to migrate to the pile in the future; (7) cohesive soils that could adversely affect the performance of the apron are not significantly present; (8) the requirement of reasonable assurance of site stability for a period of 200–1000 years is met by the proposed apron design; (9) a post-licensing monitoring and maintenance program will be implemented for this by the long-term custodian and will help to assure that requirements are continuously met and to assure that any unexpected problems occurring at the site will be promptly detected and mitigated; (10) the current design includes an over-designed volume of 5.3-inch rock on the side slope of the tailings pile that would be available to also launch into any gaps formed in the launched 11-sinch rock; (11) the riprap for the side slopes is designed for a precipitation intensity approaching the world record rainfall intensity; and (12) the riprap layer thickness exceeds the design criteria routinely accepted by the staff; and (13) the rock sizes that will actually be constructed will likely exceed the sizes proposed by Atlas.

IV. Conclusions and Recommendations

The NRC staff has reviewed the concerns and issues raised in the State's Petition and has concluded that the rock apron design for the Atlas reclamation plan complies with 10 CFR Part 40, Appendix A. For the reasons discussed above, no basis exists for taking any action in response to the Petition. Accordingly, no action pursuant to Section 2.206 is being taken.

Dated at Rockville, Maryland, this 20th day of January, 1999.

For the Nuclear Regulatory Commission.

Carl J. Paperiello,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99–1702 Filed 1–25–99; 8:45 am]

BILLING CODE 7590–01–P

POSTAL RATE COMMISSION

[Docket No. IM99–1; Order No. 1226]

International Mail Report

(Authority: 39 U.S.C. 3663)

AGENCY: Postal Rate Commission.

ACTION: Notice concerning international mail report.

SUMMARY: This document notes the establishment of a docket for matters related to the Commission's new annual international mail reporting responsibilities. It defers a formal rulemaking on permanent data submission requirements supporting this effort, but invites comments related to preparation of the initial report to Congress. These actions facilitate compliance with a new statutory provision requiring the Commission to prepare an annual report on international mail.

DATES: Initial written comments are due by January 29, 1999; reply comments are due by February 5, 1999. See Supplementary Information for other dates.

ADDRESSES: Send comments to Margaret P. Crenshaw, Secretary, Postal Rate Commission, 1333 H St. NW., Suite 300, Washington, DC 20268–0001.

FOR MORE INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 1333 H. St. NW., Washington, DC 20268–0001 at 202–789–6820.

SUPPLEMENTARY INFORMATION: On October 21, 1998, Public Law 105–277 was signed into law, adding section 3663 to the Postal Reorganization Act. This amendment requires that by July 1 of each year, the Commission transmit to the U.S. Congress a comprehensive report of costs, revenues, and volumes the Postal Service accrues in connection with mail matter conveyed between the United States and other countries for the prior fiscal year. It also requires the Service to provide, by March 15, data the Commission may need to prepare the report. It further directs that the data be in sufficient detail to enable the requisite analysis to be performed under methods the Commission determines appropriate for analysis of rates for domestic mail.

In recognition of this responsibility, the Commission issued order no. 1226 (January 15, 1999) establishing the docket designation ''IM99–1'' to refer to international mail and to reflect the unique, ongoing nature of the required report. The order also addressed the following matters.

Deferral of rulemaking given impending report deadline. On December 16, 1998, United Parcel Service (UPS) asked the Commission to institute a rulemaking to determine the data to be provided to the Commission and the methods to be used by the Commission in analyzing the costs, revenues, and volumes of each international mail product for the required report. UPS asserts that it has a vital interest in ensuring that Postal Service international products with which it competes are not subsidized by other Postal Service offerings. It notes that the GAO has recently reported that several of the Postal Service's competitive international mail products are currently being provided at a loss. It observes that analyzing the costs, volumes, and revenues of international mail is a new responsibility for the Commission, and argues that in deciding what data and what methods to use, the Commission is likely to benefit from the input of interests affected by international mail.

Section 3663 contemplates an ongoing responsibility of the Commission to analyze international mail costs and revenues. It therefore may be appropriate to establish permanent rules concerning data that the Postal Service should provide to enable the Commission to carry out this responsibility. However, it appears that initiating traditional procedures leading to the adoption of permanent data reporting rules would not be useful at this time, given the short period that remains for obtaining the data on which the initial study will be based.

Establishing permanent data reporting rules will involve a 5 U.S.C. 553 rulemaking of the type UPS suggests, but a rulemaking ordinarily requires more time than is available to obtain data for the initial report. The Commission must decide what data are necessary in advance of that deadline, and a rulemaking could delay identifying the information needed to prepare a report by July 1. Therefore, the Commission will defer establishing the rulemaking docket requested by UPS, although the Commission expects to initiate such an inquiry shortly after the July 1, 1999 report is completed.

Request for comments on data and other issues related to the annual report. Despite the short time remaining for identifying data necessary for preparing the first report, input from interested parties would be helpful, since the required report covers ground that is largely new to the Commission. Therefore, the Commission requests written comments on this topic on or before January 29, 1999, and reply comments on or before February 5, 1999. To facilitate replies, all comments will be made available on the Commission's website (www.prc.gov) as well as in the Commission's docket room.

To help interested parties focus their comments, the Commission invites them to identify the international mail products or services they believe should be analyzed in the report and to discuss their reasons for proposing the inclusion of these products. In that regard, an examination of relevant documents, including the International Mail Manual, USPS Publication 51, and the recent Government Accounting Office (GAO) report on new postal products (GAO/GGD–99–15), suggests that it might be appropriate for the report to consist of an analysis of the international products or services listed below. (This list appears as an attachment to order no. 1226.) Interested persons may wish to comment on whether this list is complete and whether the level of disaggregation is appropriate.

Identification of candidate international mail products and services for purposes of 39 U.S.C. 3663. The list of candidate products and services includes: A. Inbound mail: letter and cards/AO; express; and parcels. B. Outbound mail: letters and cards (letters and letter packages; post cards and postal cards; and aerograms); other articles: printed matter, including small packets and matter for the blind (air and surface); M-bags (air and surface); parcel post (air and surface); express mail international service (EMS); international priority airmail (IPA); international surface airlift (ISAL); Valuepost/Canada; bulk letter service to Canada; global priority mail; global package link; global parcel services; direct entry; international customized mail (ICM); and international special services. C. Transit mail.

Supporting data; request for comments. The Postal Service annually compiles an International Cost and Revenue Analysis (ICRA) containing data on international mail services generally comparable to those presented in the CRA for domestic mail. The Commission believes the data in the ICRA are necessary to support the required report. Additionally, supporting data on international mail services comparable to those provided in the cost segments and components (CSC) report for domestic mail will be necessary to support the report. The Commission invites parties to identify any additional data that they believe are likely to be helpful or necessary. Questions of commercial sensitivity should not be an obstacle to submission of data for the Commission's analysis, since the Commission has procedures that allow it to maintain and analyze *in camera* data found to be commercially sensitive.

Finally, the Commission invites comments on any other issues that interested parties consider relevant to the Commission's duty to analyze and report on international mail costs, volumes, and revenues under 39 U.S.C. 3663.

Dated: January 21, 1999.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 99–1778 Filed 1–25–99; 8:45 am]

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POSTAL SERVICE

Sunshine Act Meeting

TIMES AND DATES: 10:00 a.m., Monday, February 1, 1999; 8:30 a.m., Tuesday, February 2, 1999.

PLACE: Naples, Florida, at the Registry Hotel, 475 Seagate Drive, in the Lalique I Room.

STATUS: February 1 (Closed); February 2 (Open).

MATTERS TO BE CONSIDERED:

Monday, February 1—10:00 a.m. (Closed)

1. Consideration of Delivery Confirmation Implementation Date.

2. Preliminary Annual Performance Plan Targets.

3. International Rates.

4. Strategic Alliance.

5. Office of the Inspector General FY 1999 Performance Plan.

Tuesday, February 2—8:30 a.m. (Open)

1. Minutes of the Previous Meeting, January 4–5, 1999.

2. Remarks of the Postmaster General/ Chief Executive Officer.

3. Appointment of Members to Board Committees.

Tuesday, February 2—8:30 a.m. (Open) [Continued]

4. Preliminary Annual Performance Plan.

5. Fiscal Year 1998 Comprehensive Statement on Postal Operations.

6. Quarterly Report on Service Performance.

7. Quarterly Report on Financial Results.

8. Capital Investments.

a. Small Parcel and Bundle Sorter (SPBS) Feed System.

b. 2,000 Trailers—Additional Funding Request.

9. Report on the Southeast Area and Suncoast Performance Cluster.

10. Tentative Agenda for the March 1–2, 1999, meeting in Washington, D.C.

CONTACT PERSON FOR MORE INFORMATION: Thomas J. Koerber, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, S.W., Washington, D.C. 20260–1000. Telephone (202) 268–4800.

Thomas J. Koerber,

Secretary.

[FR Doc. 99–1805 Filed 1–21–99; 4:54 p.m.]

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