sending the sand, slag and crucible residues to WIPP have been completed:

A. In July 1999, DOE completed sampling and analysis of the sand, slag and crucible residues to a greater than 95 percent confidence level and has concluded that there would be no pyrophoric hazards with this material. The analysis also showed that the sand, slag and crucible residues are sufficiently passivated (i.e. made less chemically reactive) to be shipped to WIPP.

B. DOE obtained Nuclear Regulatory Commission approval of Revision 11 of the TRUCON Codes in June 1999. This revision allows shipment to WIPP of residues with a passivated calcium constituent greater than that present in the sand, slag and crucible residues.

C. WIPP began disposal operations on March 26, 1999. In the process of preparing other transuranic wastes for shipment to WIPP, the Rocky Flats Site has developed a record keeping and management system that meets stringent WIPP certification requirements. This new record keeping and management system has passed several audits by both the DOE Carlsbad Area Office (the DOE organization that operates WIPP) and the U. S. Environmental Protection Agency. The system provides the technical information needed to certify transuranic wastes for disposal in WIPP. Rocky Flats has obtained WIPP certification for several waste streams and is currently shipping these waste streams to WIPP for disposal. This proven system could be used to obtain WIPP certification for the sand, slag and crucible residues. These residues are not hazardous waste, subject to Resource Conservation and Recovery Act regulations.

Completion of the activities discussed above resolves the three issues identified in the first Record of Decision as requiring resolution before disposal of the sand, slag and crucible residues at WIPP would be possible. Their resolution prompted DOE to reconsider its decision.

IV. Need to Change the Initial Decision

Shipment of the sand, slag and crucible residues to the Savannah River Site for processing would result in separation of approximately 130 kg of nuclear weapons usable plutonium from the other constituents of the sand, slag and crucible residues. While plutonium can be safely stored at the Savannah River Site, DOE prefers not to separate weapons usable plutonium unless such separation is required by health and safety concerns. With the resolution of the issues that led to DOE's original decision not to dispose of the sand, slag and crucible residues at WIPP, and the delay in shipping material to Savannah River Site, there is no longer any advantage in shipping the sand, slag and crucible residues to the Savannah River Site for processing.

In addition, if the plutonium were separated from the sand, slag and crucible residues at the Savannah River Site, the separated plutonium would then have to be stored at the Savannah River Site for several years before it would be further dispositioned, e.g., by immobilization. If the plutonium were to be immobilized, it would likely be several additional years before the immobilized plutonium could be shipped to a geologic repository for disposal. Direct disposal at WIPP would require further repackaging at Rocky Flats, and shipment to WIPP for disposal would occur somewhat later than shipments to the Savannah River Site. Nevertheless, DOE has confirmed that this delay would not adversely affect DOE's plan to close Rocky Flats by 2006.

V. Environmental Impacts Analysis

As indicated in the Records of Decision issued under the Final EIS, because of the small risks that potentially could result from implementation of any of the action alternatives and the absence of any clear basis for discerning an environmental preference, no one action alternative is clearly environmentally preferable over any other action alternative. On the other hand, because the residues would be left in storage at Rocky Flats with no defined disposal path under the No Action Alternative, all of the action alternatives are environmentally preferable to the No Action Alternative. Since the estimates of the impacts that could potentially occur under the various alternatives for management of the sand, slag and crucible residues have not changed since issuance of the Records of Decision, DOE believes that the conclusions it previously reached regarding the environmentally preferable alternative are still valid.

VI. Amended Decision

After review of the potential impacts considered in the EIS and the new information discussed above, DOE has decided to dispose of the sand, slag and crucible residues at WIPP (i.e., DOE will implement the repackaging option of Alternative 4). Termination of safeguards (as discussed in Section III.D. of the first Record of Decision) will be accomplished through the continued use of an approved variance to the safeguards requirements, as is already being done for several other categories of Rocky Flats plutonium residues.

Basis for the Decision

As discussed above, disposal at WIPP of the sand, slag and crucible residues will avoid separation of up to 130 kg of plutonium and result in permanent disposal of the plutonium several years sooner than it could be disposed of under the Savannah River Site plutonium separation alternative. DOE estimates that packaging the material for direct disposal is a more cost effective approach than processing at the Savannah River Site. Additionally, this would allow other materials from Rocky Flats, which would have been processed after the sand, slag and crucible residues, to be processed earlier in the F Canyon and F–B line facilities.

VII. Conclusion

The decision specified in this Amended Record of Decision is effective upon being made public, in accordance with DOE's NEPA implementation regulations (10 CFR 1021.315). The goals of this decision remain as stated in the first Record of Decision, namely to prepare the sand, slag and crucible residues for disposal in a manner that addresses health and safety concerns associated with storage of the sand, slag and crucible residues and to support closure of the Rocky Flats Site.

Issued in Washington, DC this 25th day of August, 1999.

Carolyn L. Huntoon,

Assistant Secretary for Environmental Management.

[FR Doc. 99–22671 Filed 8–31–99; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Application Accepted for Filing and Soliciting Comments

August 26, 1999.

Take notice that the following hydroelectric applications have been filed with the Commission and are available for public inspection.

a. *Type of Application:* Non-project Use of Project Lands (Development of a New Marina).

b. *Project No.:* 2105–079.

c. *Date Filed:* August 9, 1999.

d. *Applicant:* Pacific Gas & Electric Company (PG & E).

e. *Name of Project:* Upper North Fork Feather River Project (Lake Almanor).

f. *Location:* The proposed recreation facilities would be located in Big Cove

on the northern shore of Lake Almanor in Plumas County, California.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. § 791(a)–825(r).

h. *Applicant contact:* Bill Zemke, Pacific Gas & Electric Company, Mail Code N11C, P.O. Box 770000, San Francisco, CA 94177, (415) 973–1646.

i. *FERC contact:* Any questions on this notice should be addressed to J.K. Hannula, E-mail address *john.hannula@ferc.fed.us*, or telephone (202) 219–0116.

j. *Description of the Application:* PG & E requests approval to permit the construction of a marina containing 18 to 20 slips. The marina will be operated by an RV campground and will be used exclusively by its own residents. The proposed marina would be located across from Big Cove Resort's marina. All RV sites will be located outside the project boundary.

k. *Deadline for filing comments:* 20 days from issuance date of this notice.

l. *Locations of the application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street, NE, Room 2A, Washington, DC 20426, or by calling (202) 208–1371. The Application may be viewed on the web at *http://www.ferc.fed.us/online/rims.htm* (call (202) 208–2222 for assistance). A copy is also available for inspection and reproduction at the address in item ''h'' above.

All documents (original and eight copies) should be filed with: David P. Boergers, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person whose name appears on the official serve list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on the resource agency.

Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

David P. Boergers,

Secretary.

[FR Doc. 99–22735 Filed 8–31–99; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6431–6]

Agency Information Collection Activities: Submission for OMB Review; Comment Request; Clean Water Act Section 404 State-Assumed Programs

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: Clean Water Act Section 404 State-Assumed Programs; OMB No. 2040–0168; EPA ICR No. 0220.08; expiration date 10/31/99. The ICR describes the nature of the information collection and its expected burden and cost; where appropriate, it includes the actual data collection instrument.

DATES: Comments must be submitted on or before October 1, 1999.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at EPA by phone at (202) 260–2740, by email at farmer.sandy@epa.gov, or download a copy of the ICR off the Internet at http://www.epa.gov/icr and refer to EPA ICR No. 0220.08.

SUPPLEMENTARY INFORMATION:

Title: Clean Water Act Section 404 State-Assumed Programs (OMB Control No. 2040–0168; EPA ICR No. 0220.08) expiring 10/31/99. This is a request for extension of a currently approved collection.

Abstract: The Clean Water Act authorizes states [and tribes] to assume the Section 404 permit program. States/tribes must demonstrate that they meet the statutory and regulatory requirements (40 CFR Part 233) for an approvable program. When EPA has a complete assumption request, the statutory time clock for EPA's decision starts. This information is made available to the other involved federal agencies (Corps of Engineers, Fish and Wildlife Service and National Marine Fisheries Service) and to the general public for review and comment.

EPA's assumption regulations establish recommended elements that should be included in a state/tribe's permit application, to ensure a thorough analysis of anticipated impacts and to comply with the 404(b)(1) Guidelines. These minimum information requirements are based on the information that must be submitted when applying for a federal Section 404 permit.

EPA is responsible for oversight of assumed programs to ensure that state/tribal programs are in compliance with applicable requirements and that state/tribal permit decisions adequately consider and minimize anticipated impacts. States/tribes must evaluate their programs annually and submit an annual report to EPA assessing their program. EPA's assumption regulations establish minimum requirements for the annual report.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on April 27, 1999 (64 FR 22607); no comments were received.

Burden Statement: This collection of information is separated into three pieces. The annual public reporting and record keeping burden for this collection of information is estimated to average 520 hours to request program assumption, 5 hours to complete a permit application and 80 hours to prepare the annual report. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: States, Tribes, permit applicants.