

Dated: February 26, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-4757 Filed 2-29-96; 8:45 am]

BILLING CODE 7555-01-M

Special Emphasis Panel in Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463 as amended), the National Science Foundation announces the following meetings:

Name: Special Emphasis Panel in Materials Research (DMR).

Date and Time: March 21, 1996, 8:00 pm-5:00 pm.

Place: National Science Foundation, 4201 Wilson Boulevard, Room 1020, Arlington, VA 22230.

Type of Meetings: Closed.

Contact Person: Dr. Bruce A. MacDonald, Program Director, Division of Materials Research, Room 1065, National Science Foundation, 4201 Wilson Blvd, Arlington, VA, 22230, Telephone (703) 306-1835.

Purpose of Meetings: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Faculty Early Career Development (CAREER) Program.

Reason for Closing: The proposals being reviewed may include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposal. These matters are exempt under 5 U.S.C. 552 b. (c)(4) and (6) of the Government in the Sunshine Act.

Dated: February 26, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-4763 Filed 2-29-96; 8:45 am]

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Special Emphasis Panel in Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Name: Special Emphasis Panel in Physics (#1208).

Date: March 20-22, 1996.

Place: Massachusetts Institute of Technology, Room 37-252, The Marlar Lounge, 70 Vassar Street, Cambridge, Massachusetts.

Type of Meeting: closed.

Contact Person: Dr. David Berley, Program Manager, Laser Interferometer Gravitational Observatory, Physics Division, Room 1015, National Science Foundation, 4201 Arlington Blvd., Arlington, VA 22230. Telephone: (703) 306-1892.

Purpose of Meeting: To review the MIT subactivity of the LIGO project including the Research and Development, the Detector Fabrication, and the Facilities Support. Evaluate the past activities and assess the proposed program through the end of the LIGO construction period (1999) with the view toward the long term operations.

Agenda: To review the MIT subactivity of the LIGO project, the past activities and the proposed program.

Reason for Closing: The Project plans being reviewed include information of a proprietary or confidential nature, including technical information; information on personnel and proprietary data for present and future subcontracts. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 26, 1996.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 96-4758 Filed 2-29-96; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[IA 96-009]

Bolton, Eugene; Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

I

Eugene Bolton (Mr. Bolton) was employed as a Senior Nuclear Production Technician at the New York Power Authority (NYPA) (Licensee). Licensee is the holder of License No. DPR-64 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 50. The license authorizes the operation of Indian Point 3 (facility) in accordance with the conditions specified therein. The facility is located on the Licensee's site in Buchanan, New York.

II

On March 10, 1993, the NRC, Region I, received information from NYPA that Mr. Bolton had attempted to substitute a "cold" [surrogate] urine sample during random Fitness-for-Duty (FFD) testing required by NRC regulations, that a subsequent witnessed sample provided by Mr. Bolton had tested positive for marijuana, that Mr. Bolton had been referred to the Employee Assistance Program, and his authorization for access to the Indian Point 3 facility had been suspended. In response to this information, NRC initiated an investigation by the Office of Investigations (OI) of this matter. The investigation established that:

1. When called for a FFD test on March 9, 1993, Mr. Bolton knowingly

submitted a surrogate urine sample which he had collected on a previous date and maintained for that purpose.

2. Mr. Bolton admitted that he provided surrogate urine samples in the past when selected for FFD testing in order to avoid detection of the presence of illegal substances.

On October 6, 1995, a Demand for Information (DFI) was issued to Mr. Bolton based on the findings of the OI investigation. The DFI indicated that Mr. Bolton had engaged in deliberate misconduct in violation of 10 CFR 50.5(a)(2), in that he provided to the facility licensee information which he knew to be inaccurate in some respect material to the NRC. Mr. Bolton's actions also constituted a violation of 10 CFR 50.5(a)(1) in that he deliberately provided a urine sample that he knew to be inaccurate and which, but for detection, would have caused the Licensee to be in violation of 10 CFR 50.9, "Completeness and accuracy of information."

The DFI requested that Mr. Bolton provide a response, within 30 days from the date of the DFI, that would: (A) Identify whether he currently is employed by any company subject to NRC regulation, and if so, describe in what capacity; and (B) Describe why the NRC should have confidence that Mr. Bolton will meet NRC requirements to provide complete and accurate information to the NRC and its licensees in the future.

The DFI further stated that, if Mr. Bolton did not respond as specified, the NRC would proceed on the basis of available information and could take other actions as necessary to ensure compliance with regulatory requirements. Although a response to the DFI was due on November 6, 1995, as of the date of this Order, Mr. Bolton has not responded.

III

Based on the above, it appears that Mr. Bolton, an employee of the Licensee at the time of the incident, engaged in deliberate misconduct in violation of 10 CFR 50.5(a)(2), in that he submitted to the Licensee information which he knew to be inaccurate in some respect material to the NRC, and 10 CFR 50.5(a)(1), in that he deliberately provided a urine sample that he knew to be inaccurate and which, but for detection, would have caused the facility licensee to be in violation of 10 CFR 50.9.

The NRC must be able to rely on its Licensees and their employees to comply with NRC requirements, including the requirement to provide information and maintain records that

are complete and accurate in all material respects. Mr. Bolton's actions in using illegal drugs and attempting to circumvent FFD requirements have raised serious doubt as to whether he can be relied upon to comply with NRC requirements and to provide complete and accurate information to the NRC and its Licensees. Although a DFI was issued on October 6, 1995, which provided Mr. Bolton an opportunity to describe why the NRC should have confidence that he will meet NRC requirements to provide complete and accurate information to the NRC and its Licensees in the future, Mr. Bolton has not responded to the DFI.

Consequently, I lack the requisite reasonable assurance that: (1) Mr. Bolton will conduct any NRC-licensed activities in compliance with the Commission's requirements; and (2) that the health and safety of the public will be protected with Mr. Bolton granted unescorted access to NRC-licensed facilities at this time. Therefore, I find that the public health, safety, and interest require that Mr. Bolton be prohibited from seeking unescorted access to NRC-licensed facilities for five years from the date of his termination of unescorted access by NYPA on March 9, 1993. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of the misconduct described above is such that the public health, safety, and interest require that this Order be immediately effective.

IV

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR 50.5, it is hereby ordered, effective immediately, that:

Mr. Bolton is prohibited for five years from the date of his termination of unescorted access by NYPA on March 9, 1993, from seeking unescorted access to facilities licensed by the NRC.

The Director, OE, may, in writing, relax or rescind any of the above conditions upon demonstration by Mr. Bolton of good cause.

V

In accordance with 10 CFR 2.202, Mr. Bolton must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 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. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this Order and shall set forth the matters of fact and law on which Mr. Bolton or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attn: Chief, Docketing and Service Section, 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, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, and to Mr. Bolton if the answer or hearing request is by a person other than Mr. Bolton. If a person other than Mr. Bolton requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by Mr. Bolton or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), Mr. Bolton, or any other person adversely affected by this Order, may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

Dated: February 23, 1996.

For the Nuclear Regulatory Commission.
James L. Milhoan,
Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations, and Research.
[FR Doc. 96-4790 Filed 2-29-96; 8:45 am]
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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Agricultural Policy Advisory Committee for Trade and Agricultural Technical Advisory Committees for Trade Meetings

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: The Agricultural Policy Advisory Committee for Trade (APAC) and the Agricultural Technical Advisory Committees for Trade (ATACs) will hold meetings during the period of March 1, 1996-June 30, 1996. The meetings will include a review and discussion of current issues which influence U.S. agricultural trade policy that include, but are not limited to, issues concerning GATT accession negotiations with various countries; U.S./Mexico bilateral agricultural trade issues; U.S./Canada bilateral agricultural trade issues; Chile NAFTA accession negotiations; international sanitary and phytosanitary barriers to trade; and WTO Uruguay Round Agreement implementation issues.

Pursuant to section 2155(f)(2) of title 19 of the United States Code, the U.S. Trade Representative has determined that these meetings will be concerned solely with matters the matters of disclosure of which would seriously compromise the development by the United States Government of trade policy priorities, negotiating objectives, bargaining positions. Accordingly, these meetings will be closed to the public.

ADDRESSES: The meetings will be held at the U.S. Department Agriculture, 14th and Independence Avenue, SW, Washington, D.C. 20250 unless an alternate site is necessary.

FOR FURTHER INFORMATION CONTACT:

Clayton Parker, Director of Intergovernmental Affairs, Office of the United States Representative at (202) 395-6120 or John B. Winski, Joint Executive Secretary, Agricultural Policy Advisory Committee for Trade, Foreign Agricultural Services, U.S. Department of Agriculture, at (202) 720-6829.

Michael Kantor,

United States Trade Representative.

[FR Doc. 96-4776 Filed 2-29-96; 8:45 am]

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