

written notification disclosing all changes in membership.

On August 7, 1990, IPACT-I filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on September 6, 1990 (55 FR 36710).

The last notification was filed with the Department on April 15, 1996. The Department of Justice published a notice in the **Federal Register** on April 29, 1996 (61 FR 18755).

**Constance K. Robinson,**

*Director of Operations, Antitrust Division.*

[FR Doc. 97-8454 Filed 4-2-97; 8:45 am]

BILLING CODE 4410-11-M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 97-038]

### Notice of Prospect Patent License

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of prospective patent license.

**SUMMARY:** NASA hereby gives notice that Foerster Instruments, Inc., of Pittsburgh, PA 15275, has applied for a partially exclusive patent license to practice the invention described and claimed in NASA Case No. LAR-15231-1, entitled "Flux-Focusing Eddy Current Probe and Rotating Probe Method for Flaw Detection," which is assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Written objections to the prospective grant of a license should be sent to NASA Langley Research Center.

**DATE:** Responses to this notice must be received by June 2, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Robin W. Edwards, Patent Attorney, NASA Langley Research Center, Mail Stop 212, Hampton, VA 23681-0001, telephone (757) 864-9190.

Dated: March 27, 1997.

**Edward A. Frankle,**

*General Counsel.*

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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 030-13027, 030-21073, 030-22274; License Nos. 12-00722-06, 12-00722-13, 12-00722-14 and EA 97-059]

### Department of the Army, U.S. Army Armament and Chemical Acquisition and Logistics Activity Rock Island, IL; Confirmatory Order Modifying License (Effective Immediately)

#### I

Department of the Army (also known as TACOM-ACALA, Army, and Licensee) is the holder of NRC License Nos. 12-00722-06, 12-00722-13, and 12-00722-14 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 30. The licenses authorize possession of up to 1.5 million curies (55.5 PBq) of tritium, 25 curies (0.93 TBq) of americium-241, and 1000 curies (37 TBq) of nickel-63 for use in self-luminous fire control devices, in chemical agent detectors, and in chemical agent monitors. The licenses authorize use and storage of these devices at Army, Marine, and Navy installations throughout the United States. The licenses were initially issued on June 23, 1977, May 23, 1984, and May 3, 1985, respectively, and each is currently due for renewal or in the renewal process.

#### II

The licenses identified in this Order were inspected by the NRC on several occasions between June 1992 and March 1997. Most of the inspections were conducted as a result of reported events and, therefore, the inspections were limited in scope and direction. As a result of the NRC inspections conducted between June 1992 and August 1995, 22 violations were identified and two civil penalties totaling \$32,500 were proposed and paid.

This Order is being issued because of significant deficiencies in the Licensee's ability to manage its licensed activities, to ensure compliance with NRC requirements, and to promptly correct problems identified through its own internal audits. Based upon results of the December 9, 1996, through March 6, 1997, NRC inspection, NRC has concluded that continued programmatic defects exist, such as extensive loss of control of licensed material and poor communication between the Rock Island radiation protection officer (RPO) and other Department of Defense installations. By its own self-assessment, which was conducted in December 1995, the Licensee identified

a major program weakness in that many of the RPOs responsible for licensed activities are unfamiliar with the license conditions. As of February 1997, this weakness had not been corrected. Furthermore, based upon the NRC inspection findings, the Rock Island radiation safety officer did not provide adequate oversight of licensed activities, including ensuring that corrective actions for identified deficiencies either at Rock Island or at the other installations were fully implemented. Therefore, information is needed to determine how TACOM-ACALA, based on its placement in the overall Army organizational structure, intends to control licensed activities being performed at other Licensee installations and at other Department of Defense installations.

The purpose of this Order is to confirm commitments made by the Licensee as described in Section IV.

#### III

By letter dated February 14, 1997, the NRC described to the Licensee the NRC's understanding of the commitments the Licensee plans to implement. The Licensee subsequently consented to the issuance of this Order in accordance with the conditions described in Section IV below, by a waiver signed on February 28, 1997. The Licensee agreed that this Order is to be effective upon issuance and to waive its right to a hearing in the matter of this Order only. Implementation of these commitments will provide enhanced assurance that sufficient resources will be applied to the radiation safety program, and that the program will be conducted safely and in accordance with NRC requirements. The content of this Order is applicable only to License Nos. 12-00722-06, 12-00722-13, and 12-00722-14.

I find that the Licensee's commitments as set forth in Section IV are acceptable and necessary and conclude that with these commitments public health and safety are reasonably assured. In view of the foregoing, I have determined that public health and safety require that the Licensee's commitments be confirmed by this Order. Based on the above and the Licensee's consent, this Order is immediately effective upon issuance.

#### IV

Accordingly, pursuant to Sections 81, 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 Part 30, *it is hereby ordered, effective immediately, that license nos. 12-00722-06, 12-*