

DEPARTMENT OF JUSTICE**Immigration and Naturalization Service****Agency Information Collection
Activities: Comment Request**

ACTION: Notice of Information Collection Under Review: Arrival/Departure Record.

The Department of Justice, Immigration and Naturalization Service has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until March 1, 1999.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

(1) *Type of Information Collection:* Reinstatement without change of previously approved collection which has expired.

(2) *Title of the Form/Collection:* Arrival-Departure Record.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form I-94. Office of Inspections, Immigration and Naturalization Service.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or households. Documentation of alien arrival and departure to and from the United States is a part of the manifest

requirements of Sections 231 and 235 of the Immigration and Nationality Act (INA) and may be evidence of registration when issued as provided by Section 264 of the INA.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 13,924,380 responses at 4 minutes (.066) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 919.009 annual burden hours.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions, or additional information, please contact Richard A. Sloan 202-514-3291, Director, Policy Directives and Instructions Branch, Immigration and Naturalization Service, U.S. Department of Justice, Room 5307, 425 I Street, NW., Washington, DC 20536. Additionally, comments and/or suggestions regarding the items(s) contained in this notice, especially regarding the estimated public burden and associated response time may also be directed to Mr. Richard A. Sloan.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW., Washington, DC 20530.

Dated: December 23, 1998.

Richard A. Sloan,

Department Clearance Officer, United States Department of Justice, Immigration and Naturalization Service.

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**NUCLEAR REGULATORY
COMMISSION**

[IA 98-045]

**William H. Clark; Order Prohibiting
Involvement in NRC-Licensed
Activities****I**

William H. Clark was formerly employed by the Power Authority of the State of New York (New York Power Authority) as a contract employee who had been granted unescorted access to the Indian Point Unit 3 Nuclear Power Plant (Indian Point 3 Plant). The New York Power Authority is the holder of Facility Operating License No. DPR-64, issued by the Nuclear Regulatory Commission (NRC or Commission)

pursuant to 10 CFR Part 50 on April 5, 1976. The license authorizes the operation of the Indian Point 3 Plant in accordance with conditions specified therein. The facility is located in Buchanan, New York.

Mr. Clark was also formerly employed by the Centerior Service Corporation (Centerior) as a contract employee who had been granted unescorted access to the Perry Nuclear Power Plant (Perry Plant). Centerior is the holder of Facility Operating License No. NPF-58, issued by the NRC pursuant to 10 CFR Part 50 on November 18, 1987. The license authorizes the operation of the Perry Plant in accordance with conditions specified therein. The facility is located in Perry, Ohio.

II

On October 30 and 31, 1997, the NRC received information from Centerior and the New York Power Authority, in accordance with 10 CFR 73.71(b)(1), that Mr. Clark had been granted unescorted access to the Perry Plant during the period September 11 through September 25, 1997, and the Indian Point 3 Plant during the period May 13 through August 14, 1997, and that Mr. Clark was previously denied unescorted access to the Philadelphia Electric Company's (PECo) Peach Bottom Nuclear Plant (Peach Bottom Plant) based on a positive test for illegal drug use (marijuana). On October 30, 1997, the New York Power Authority submitted Licensee Event Report (LER) No. 97-026-00 to the NRC which concluded that Mr. Clark had been granted unescorted access to the Indian Point 3 Plant based, in part, on false information that Mr. Clark provided to the New York Power Authority during pre-access screening regarding: (1) a prior positive test for illegal drug use (marijuana), which was administered to him by PECo on September 4, 1996; and (2) a prior denial of unescorted access to PECo's Peach Bottom Plant based on a positive test for illegal drug use. Centerior submitted a similar LER (No. 97-S01-000) to the NRC on October 31, 1997. Both Centerior and the New York Power Authority informed the NRC that had the information regarding Mr. Clark's previous positive test for illegal drug use and his denial of unescorted access to the Peach Bottom Plant been known, Mr. Clark would not have been granted unescorted access to their nuclear facilities.

In response to the information reported by Centerior and the New York Power Authority to the NRC, the NRC initiated an investigation of facts and circumstances surrounding the allegedly false information that Mr. Clark