

III

The NRC investigation is continuing. However, in light of the facts set forth in Section II, the NRC finds that the Licensee has deliberately violated NRC requirements by: (1) directing untrained individuals to use gauges, contrary to License Condition II.A; (2) not providing these individuals with the necessary dosimetry while they were using the gauges, contrary to License Condition 19; (3) making false statements to the NRC, contrary to 10 CFR 30.9. Furthermore, the facts show that Mr. Speciale used gauges between July 1, 1996 and August 6, 1997, even though Testwell Craig's license had been suspended for nonpayment of fees and Special Testing's license had not yet been issued, contrary to 10 CFR 30.3 and the Order Suspending License issued to Testwell Craig.

Deliberately violating NRC requirements is significant because the NRC must be able to rely on the integrity of Licensee employees to comply with NRC requirements. Moreover, providing false information to the NRC is of significant regulatory concern because the Commission must be able to rely on its licensees to provide complete and accurate information. Directing untrained individuals to conduct NRC-licensed activities and not providing dosimetry is also of significant regulatory concern because misuse of gauges (which contain NRC-licensed material) could result in unnecessary radiation exposures to workers or members of the public. Given the above, it appears that the Licensee is either unwilling or unable to comply with the Commission's requirements.

Consequently, I lack the requisite reasonable assurance that the Licensee's current operations can be conducted under License No. 06-30361-01 in compliance with the Commission's requirements, and that the health and safety of the public, including the Licensee's employees, will be protected. Therefore, the public health, safety and interest require that License No. 06-30361-01 be suspended, with the exception of certain requirements enumerated in Section IV below, pending completion of the NRC investigation and further Order by the NRC. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of the conduct described above is such that the public health, safety and interest require that this Order be immediately effective.

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:

A. Except as provided below, the authority to perform NRC-licensed activities under License No. 06-30361-01 is hereby suspended pending completion of the NRC investigation and further Order by the NRC.

B. All NRC licensed material in the Licensee's possession shall be placed in locked storage at 21 Henry Street, Bethel, Connecticut and shall not be used.

C. The Licensee shall not receive any NRC licensed material while this order is in effect.

D. All records related to licensed activities shall be maintained in their original form and shall not be removed or altered in any way.

E. Within 2 days of the date of the Order, all Licensee employees shall be informed of this Order.

F. Within 7 days of the date of the Order, the NRC shall be provided a list of all clients for whom the Licensee has performed activities that involve use of the gauges within the past 12 months.

G. Within 24 hours of receipt of this Order, a copy of this Order shall be posted at the facility, pursuant to 10 CFR 19.11(a)(4).

The Regional Administrator, Region I, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

V

In accordance with 10 CFR 2.202, the Licensee 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. 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 set forth the matters of fact and law on which the Licensee 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 Rulemaking and Adjudications Staff, Washington, D.C. 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia,

Pennsylvania, 19406, and to the Licensee if the answer or hearing request is by a person other than the Licensee. If a person other than the Licensee 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 the Licensee 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), the Licensee, 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, 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 at Rockville, Maryland, this 23rd day of December 1998.

For the Nuclear Regulatory Commission.

Malcolm R. Knapp,

Deputy Executive Director for Regulatory Effectiveness.

[FR Doc. 98-34793 Filed 12-31-98; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 2930]

**Bureau of Political-Military Affairs;
Office of Defense Trade Control;
Munitions Export Involving CWP
Industries, Inc. and/or Luciana
Lawrence**

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: It shall be the policy of the Department of State to deny all export license applications or approvals sought by CWP Industries, Inc. and any of their subsidiaries, associated companies or successor entities, of defense articles or defense services and Luciana Lawrence to export or otherwise transfer defense

articles and defense services pursuant to section 38 of the Arms Export Control Act.

EFFECTIVE DATE: January 4, 1999.

FOR FURTHER INFORMATION CONTACT: Philip S. Rhoads, Chief, Compliance and Enforcement Branch, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (703) 875-6644.

SUPPLEMENTARY INFORMATION: This action has been taken pursuant to sections 38 of the Arms Export Control Act (AECA) (22 U.S.C. 2778) and 126.7(1) and (2) of the International Traffic in Arms Regulations (ITAR) (22 CFR 126.7(1) and (2)) in furtherance of the national security and foreign policy of the United States. It will remain in force until rescinded.

This action also precludes the use by such entities and persons of any exemptions from license or other approval requirements included in the ITAR (22 CFR parts 120-130).

Dated: December 21, 1998.

Michael T. Dixon,

Assistant Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs.
[FR Doc. 98-34758 Filed 12-31-98; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice No. 2946]

Secretary of State's Advisory Committee on Private International Law; Notice of Renewal of Charter

The Charter of the Secretary of State's Advisory Committee on Private International Law was renewed on December 2, 1998 and expires on December 2, 2000.

The Advisory Committee assists the State Department to monitor domestic and international developments in private international law, and provides information to assist in the development of United States positions for international efforts to negotiate uniform rules of private law by treaty, model national laws, and other means.

The Advisory Committee has focussed on work undertaken or proposed for various international bodies, including the United Nations Commission on International Trade Law (UNCITRAL), the Hague Conference on Private International Law; the International Institute for the Unification of Private Law (UNIDROIT), the Organization of American States (OAS), and others. The Committee reviewed proposed positions for the negotiation at the Hague Conference of a multilateral convention on jurisdiction and enforcement of foreign judgments; the United Nations

model international law on cross-border insolvency; the 1996 Hague Convention on the Protection of Minors; new UN Rules on electronic commerce; proposed positions on UNCITRAL work on international digital signature systems; and proposed federal legislation to implement the Hague Convention on Inter-Country Adoption.

In addition to persons designated as members who represent interested nationally-based groups, broad public participation is relied on for the Committee's work, and a wide range of experts and interest groups participate as a regular part of the Committee's work throughout the year. Public notice is provided for all meetings and public notice is provided as well for comment on various international documents and proposals.

Harold S. Burman,

Executive Director, Secretary of State's, Advisory Committee on Private International Law.

[FR Doc. 98-34759 Filed 12-31-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending December 25, 1998

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-1998-4605.

Date Filed: December 22, 1998.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: January 19, 1999.

Description: Amendment No. 2 of the Application of Cargolux Airlines International, S.A., pursuant to 49 U.S.C. Section 41302, and Subpart Q, requests an amendment of its Foreign Air Carrier Permit to authorize it to provide Seventh Freedom all-cargo charter services as specifically added to

the United States-Luxembourg Air Transport Agreement.

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 98-34782 Filed 12-31-98; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Rulemaking Advisory Committee; Air Carrier Operations Issues—New Task

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of new task assignment for the Aviation Rulemaking Advisory Committee (ARAC).

SUMMARY: Notice is given of a new task assigned to and accepted by the Aviation Rulemaking Advisory Committee. This notice informs the public of the activities of ARAC.

FOR FURTHER INFORMATION CONTACT: Quentin J. Smith, Federal Aviation Administration (AFS-200), 800 Independence Avenue, SW., Washington, DC 20591; phone (202) 267-5819; fax (202) 267-5229.

SUPPLEMENTARY INFORMATION:

Background

The FAA has established an Aviation Rulemaking Advisory Committee to provide advice and recommendations to the FAA Administrator, through the Associate Administrator for Regulation and Certification, on the full range of the FAA's rulemaking activities with respect to aviation-related issues. This includes obtaining advice and recommendations on the FAA's commitment to harmonize its regulations and practices with its trading partners in Europe and Canada.

One area ARAC deals with is air carrier operations issues. These issues involve the operational requirements for air carriers, including crewmember requirements, airplane operating performance and limitations, and equipment requirements.

The Tasks

This notice is to inform the public that the FAA has asked ARAC to provide advice and recommendations on the following harmonization tasks:

Tasks 1 through 3 have been previously published and are restated here for continuity; Task 4 is new and is hereby added by this notice. Task 4 also cites the required completion date for all tasks.

Airplane Performance Operating Limitations

1. Review FAA and JAA airplane