

nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on January 22, 2002, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by §§ 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony *in camera* no later than 7 days prior to the date of the hearing.

Written Submissions

Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of § 207.23 of the Commission's rules; the deadline for filing is January 17, 2002. Parties may also file written testimony in connection with their presentation at the hearing, as provided in § 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of § 207.25 of the Commission's rules. The deadline for filing posthearing briefs is January 31, 2002; witness testimony must be filed no later than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations on or before January 31, 2002. On February 21, 2002, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before February 25, 2002, but such final comments must not contain new factual information and must otherwise comply with § 207.30 of the Commission's rules. All written submissions must conform with the provisions of § 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of §§ 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means.

In accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.21 of the Commission's rules.

By order of the Commission.

Issued: November 26, 2001.

Donna R. Koehnke,

Secretary.

[FR Doc. 01-29676 Filed 11-28-01; 8:45 am]

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Frequency of Report: On Occasion.

David B. Nelson,

Deputy Chief Information Officer, Office of the Administrator.

[FR Doc. 01-29646 Filed 11-28-01; 8:45 am]

BILLING CODE 7510-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-247, License No. DPR-26]

Entergy Nuclear Operations, Inc.; Notice of Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Nuclear Reactor Regulation, has issued a Director's Decision with regard to a Petition dated December 4, 2000, filed by Deborah Katz, Marilyn Elie, Tim Judson, Kyle Rabin, Mark Jacobs, Paul Gunter, and Jim Riccio, hereinafter referred to as the "Petitioners." The Petition was supplemented on January 24, 2001. The Petition concerns the operation of the Indian Point Nuclear Generating Unit No. 2 (IP2).

The Petitioners requested that the Nuclear Regulatory Commission (NRC) take the following enforcement-related actions against Consolidated Edison of New York (ConEd, or the licensee) for IP2: (1) Suspend the license for the IP2 reactor because of the licensee's "persistent and pervasive, negligent management of the reactor," (2) investigate whether the potential misrepresentation of material fact by the utility regarding "significantly insufficient" engineering calculations was due to a lack of rigor and thoroughness or was deliberate, (3) revoke the IP2 operating license if it is found that the licensee deliberately provided insufficient and false information, (4) if the license is not revoked, maintain IP2 on the list of "agency focus" plants until management demonstrates it can fulfill its regulatory requirements and commitments, (5) not approve the transfer of the IP2 license until management can demonstrate that the Updated Final Safety Analysis Report (UFSAR), the condition report backlog, and the maintenance requirements are up to date and workers have been retrained, and (6) not allow the IP2 reactor to restart until the fundamental breakdown in management is analyzed and corrected. The Petitioner also requested that a public meeting be held to discuss this matter.

As the basis for the December 4, 2000, request, the Petitioners stated that the licensee's systemic mismanagement of

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[01-152]

Notice of Agency Report Forms Under OMB Review

AGENCY: National Aeronautics and Space Administration (NASA).

SUMMARY: The National Aeronautics and Space Administration, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (Public Law 104-13, 44 U.S.C. 3506(c)(2)(A)). This information collection is required to ensure proper accounting of Federal funds and property provided under grants and cooperative agreements with state and local governments.

DATES: All comments should be submitted on or before January 28, 2002.

ADDRESSES: All comments should be addressed to Mr. Paul Brundage, Code HK, National Aeronautics and Space Administration, Washington, DC 20546-0001.

FOR FURTHER INFORMATION CONTACT: Ms. Nancy Kaplan, NASA Reports Officer, (202) 358-1372.

Title: Grant Programs, Intergovernmental Relations.

OMB Number: 2700-0093.

Type of review: Extension.

Need and Uses: Reporting and recordkeeping are prescribed under 14 CFR part 1274. Information collected ensures the accountability of public funds and proper maintenance of an appropriate internal control system.

Affected Public: State, Local or Tribal Government.

Number of Respondents: 16.

Responses Per Respondent: 6.

Annual Responses: 95.

Hours Per Request: 5 hrs.

Annual Burden Hours: 485.

the plant resulted in, among other things, inconsistencies and inaccuracies in the UFSAR, safety systems whose compliance with the regulations could not be verified, design basis analyses that might not be accurate, and a UFSAR that may not be up to date. The Petitioners consider the systemic mismanagement to be potentially unsafe and to be in violation of Federal regulations. In the Petition, a number of NRC inspection reports, licensee event reports, letters between the NRC staff and the licensee, plant performance review summaries, and other documents were cited that the Petitioners believe document their contentions.

On January 24, 2001, the Petitioners and the licensee met with the staff's Petition Review Board. The meeting gave the Petitioners and the licensee an opportunity to provide additional information and to clarify issues raised in the Petition. During the public meeting, the Petitioners gave the staff supplemental information which the staff considered in making its decision. The Petitioners contended that the supplemental information provided further evidence of the licensee's mismanagement of the IP2 facility.

The NRC sent a copy of the proposed Director's Decision to the Petitioners and to the licensee for comment on July 25, 2001. The Petitioners responded with comments on September 14, 2001. The licensee did not respond. The Petitioners' comments and the NRC staff responses to the comments can be found in the cover letter transmitting the Director's Decision and Attachment 1 to the Director's Decision.

The Director of the Office of Nuclear Reactor Regulation concluded that the information contained in the Petition and the supplement does not warrant NRC staff action to suspend or revoke the operating license for IP2. Likewise, the staff finds no basis for initiating an investigation into wrongdoing on the part of ConEd. These requested actions are not granted. The NRC grants the Petitioners' request that IP2 remain on the list of agency focus plants (i.e., plants with multiple/repetitive degraded cornerstones). However, the NRC staff did not grant the Petitioners' request to define under what conditions IP2 will be removed from the list of plants with multiple/repetitive degraded cornerstones.

In addition, the staff found that the Petitioners' request to delay or deny a request to transfer the operating license for IP2 until the licensee's management can demonstrate that the UFSAR, condition report backlog, and maintenance requirements are up to date, and that plant workers have been

retrained to the modified UFSAR does not meet the requirements for review under 10 CFR 2.206. The reasons for these decisions are explained in the Director's Decision pursuant to 10 CFR 2.206 (DD-01-04), the complete text of which is available in ADAMS for inspection in the Commission's Public Document Room at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and electronically accessible in ADAMS through the NRC Public Electronic Reading Room at <http://www.nrc.gov/reading-rm.html> (ADAMS Accession No. ML 0103030073). Persons who do not have access to ADAMS or who encounter problems in accessing documents located in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209, or locally at 301-415-4737, or by email at pdr@nrc.gov.

A copy of the Director's Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206 of the Commission's regulations. As provided for by this regulation, the Director's Decision will constitute the final action of the Commission 25 days after the date of the decision, unless the Commission, on its own motion, institutes a review of the Director's Decision in that time.

For the Nuclear Regulatory Commission.
Dated at Rockville, Maryland, this 21st day of November 2001.

Samuel J. Collins,
*Director, Office of Nuclear Reactor
Regulations.*

[FR Doc. 01-29622 Filed 11-28-01; 8:45 am]
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SECURITIES AND EXCHANGE COMMISSION

[File No. 1-13961]

Issuer Delisting; Notice of Application To Withdraw From Listing and Registration on the American Stock Exchange LLC (Spinnaker Industries, Inc., Common Stock, No Par Value and Class A Common Stock, No Par Value)

November 23, 2001.

Spinnaker Industries, Inc., a Delaware corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 12d2-2(d) hereunder,² to withdraw its Common Stock, no par value, and Class A

Common Stock, no par value ("Securities"), from listing and registration on the American Stock Exchange LLC ("Amex").

The Issuer stated in its application that it has met the requirements of Amex Rule 18 by complying with all applicable laws in effect in the State of Delaware, in which it is incorporated, and with the Amex's rules governing an issuer's voluntary withdrawal of a security from listing and registration.

On November 9, 2001, the Board of Directors of the Issuer unanimously approved a resolution to withdraw the Securities from listing on the Amex. In making the decision to withdraw the Security from listing on the Exchange, the Issuer considered the following:

1. The Issuer's conclusion that it will be unable to achieve compliance with the Amex's continued listing requirements in the foreseeable future;

2. The Issuer's decision, after extensive negotiations with the holders of the Issuer's 10 3/4% Senior Secured Notes (due 2006) and its senior secured lenders, file a voluntary petition from relief under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court of the Southern District of Ohio, Western Division, in Dayton. The petition is being filed on November 13, 2001;

3. The percentage of the Securities owned by the principal shareholder of the Issuer and the four holders (including the principal shareholder) owning 5% or more of the outstanding Securities as of November 1, 2001 (41.7% and 78.3%, respectively), and the very limited trading activity in the Security; and

4. The costs associated with maintaining the Issuer's listing on the Amex in light of the Issuer's current financial position.

Additionally, the Issuer represents that it has fewer than 300 record holders and it intends to file a Form 15 with the Commission in accordance with Rule 12g-4 under the Act.

The Issuer's application relates solely to the Securities' withdrawal from listing and registration under section 12(b) of the Act³ and shall not affect its obligation to be registered under section 12(g) of the Act.⁴

An interested person may, on or before December 18, 2001 to submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the Amex

¹ 15 U.S.C. 78l(d).

² 17 CFR 240.12d2-2(d).

³ 15 U.S.C. 78l(b).

⁴ 15 U.S.C. 78l(g).