

copy of the information collection request, should be directed to Tracy Sumpter at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, or at (703) 518-6444.

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*Title:* Central Liquidity Facility Regular Member Membership Application.

*OMB Number:* 3133-0063.

*Form Number:* CLF-8702.

*Type of Review:* Extension of a currently approved collection.

*Description:* This is a one-time form used to request membership in the CLF.

*Respondents:* Credit unions seeking membership in the CLF.

*Estimated No. of Respondents/Record keepers:* 25.

*Estimated Burden Hours Per Response:* .5 hour.

*Frequency of Response:* Other. As credit unions request membership in the CLF.

*Estimated Total Annual Burden Hours:* 12.5 hours.

*Estimated Total Annual Cost:* 0.

By the National Credit Union Administration Board on January 27, 2005.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 05-2008 Filed 2-2-05; 8:45 am]

**BILLING CODE 7535-01-P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Submission to OMB for Extension of a Currently Approved Collection; Comment Request

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Request for comment.

**SUMMARY:** The NCUA is submitting the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public.

**DATES:** Comments will be accepted until March 7, 2005.

**ADDRESSES:** Interested parties are invited to submit written comments to the NCUA Clearance Officer listed below:

*Clearance Officer:* Mr. Neil McNamara, National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, Fax No.

703-518-6669, E-mail: [mcnamara@ncua.gov](mailto:mcnamara@ncua.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or a copy of the information collection request, should be directed to Tracy Sumpter at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, or at (703) 518-6444.

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*Title:* Forms and Instructions for Central Liquidity Facility Loans.

*OMB Number:* 3133-0064.

*Form Number:* NCUA-7000, 7001, 7002, 7003 and 7004.

*Type of Review:* Extension of a currently approved collection.

*Description:* Forms used by each borrower from the CLF.

*Respondents:* Credit unions that borrow from the CLF.

*Estimated No. of Respondents/Record keepers:* 25.

*Estimated Burden Hours Per Response:* 1 hour.

*Frequency of Response:* Other. As the need for borrowing arises.

*Estimated Total Annual Burden Hours:* 25 hours.

*Estimated Total Annual Cost:* 0.

By the National Credit Union Administration Board on January 27, 2005.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 05-2009 Filed 2-2-05; 8:45 am]

**BILLING CODE 7535-01-P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Agency Information Collection Activities: Submission to OMB for Reinstatement, Without Change, of a Previously Approved Collection; Comment Request

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Request for comment.

**SUMMARY:** The NCUA intends to submit the following information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public.

**DATES:** Comments will be accepted until March 7, 2005.

**ADDRESSES:** Interested parties are invited to submit written comments to the NCUA Clearance Officer:

*Clearance Officer:* Mr. Neil McNamara, National Credit Union

Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428, Fax No. 703-518-6669, E-mail: [mcnamara@ncua.gov](mailto:mcnamara@ncua.gov).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or a copy of the information collection request, should be directed to Tracy Sumpter at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428, or at (703) 518-6444.

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*Title:* Part 715, NCUA Rules and Regulations (Existing Parts 701.12 and 701.13).

*OMB Number:* 3133-0059.

*Form Number:* NA.

*Type of Review:* Reinstatement, without change, of a previously approved collection for which approval has expired.

*Description:* The rule specifies the minimum annual audit a credit union is required to obtain according to its charter type and asset size, the licensing authority required of persons performing certain audits, the auditing principles that apply to certain audits, and the accounting principles that must be followed in reports filed with the NCUA Board.

*Respondents:* Federal credit unions.

*Estimated No. of Respondents/Recordkeepers:* 12,000.

*Estimated Burden Hours Per Response:* 5.75 hours.

*Frequency of Response:* Reporting and annually.

*Estimated Total Annual Burden Hours:* 100,906 hours.

*Estimated Total Annual Cost:* None.

By the National Credit Union Administration Board on January 27, 2005.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 05-2010 Filed 2-2-05; 8:45 am]

**BILLING CODE 7535-01-P**

## NATIONAL SCIENCE FOUNDATION

### Conservation Act of 1978; Notice of Permit Modification

**AGENCY:** National Science Foundation.

**SUMMARY:** The Foundation modified a permit to conduct activities regulated under the Antarctic Conservation Act of 1978 (Pub. L. 95-541; Code of Federal Regulations Title 45, Part 670).

**FOR FURTHER INFORMATION CONTACT:** Polly A. Penhale, Environmental Officer, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

**SUPPLEMENTARY INFORMATION:** On September 21, 1999, the National Science Foundation issued a five-year permit (ACA #2000-001) to Dr. Steven D. Emslie after posting a notice in the August 17, 1999 **Federal Register**. Public comments were not received. A request to modify the permit was posted in the **Federal Register** on December 20, 2004. No public comments were received. The modification was issued by the Foundation on January 19, 2005.

**Polly A. Penhale,**

*Environmental Officer.*

[FR Doc. 05-2011 Filed 2-2-05; 8:45 am]

**BILLING CODE 7555-01-M**

## **NUCLEAR REGULATORY COMMISSION**

[Docket No. 30-19882, License No. 52-21175-01, EA-04-118]

### **Baxter Health Care, Aibonito, PR; Confirmatory Order Modifying License (Effective Immediately)**

Baxter Health Care Corporation (Baxter or Licensee) is the holder of NRC License No. 52-21175-01 (License) which authorizes the Licensee to operate an irradiator at its facility in Aibonito, Puerto Rico.

On October 25, 2004, the NRC issued a Notice of Violation and Proposed Imposition of Civil Penalties (Notice) in the amount of \$44,400 to Baxter Healthcare Corporation (Baxter) based on six violations of NRC requirements. The circumstances associated with these violations were reviewed by the NRC during an Augmented Inspection Team (AIT) inspection conducted between April 22, 2004, and June 1, 2004, after a Baxter representative informed the NRC on April 21, 2004, that an event had occurred at the facility. The event involved two individuals (an irradiator operator and assistant) bypassing safety interlocks and entering the irradiator at a time when an irradiator source rack (containing 2,000,000 curies of cobalt-60) was stuck in an unshielded position.

The three most significant violations cited by the NRC in its October 25, 2004 Notice were described in Section I. The first violation cited in Section I of the Notice involved the failure to adhere to emergency and abnormal event procedures when the safety interlocks were bypassed even though the irradiator source rack fault indicator was illuminated and the source travel alarm had sounded for an extended period. This occurred on at least three occasions, including when the source rack was stuck in the unshielded position on April 21, 2004. This created

the potential for a lethal exposure to radiation for the two individuals who entered the area while the sources were exposed, since, as previously indicated, the individuals passed through an area with a radiation level at least as high as 1600 rads/hour, and were planning to enter an area with much higher radiation levels (as high as 100,000 rads/hour in the irradiator cell). By bypassing the safety interlocks, a system designed to prevent a serious safety event was rendered inoperable, which created the potential for significant injury and loss of life. Therefore, in the Notice, the NRC classified this violation at Severity Level II and proposed a civil penalty in the amount of \$28,800 (\$9,600 for each of the minimum three occasions that the violation occurred).

The second violation cited set forth in Section I involved the failure to perform an adequate survey prior to the two individuals entering the irradiator on April 21, 2004. Prior to the entry, the operators did not adequately check the irradiator cell radiation monitor, did not adequately check the radiation levels outside the irradiator facility, and did not adequately do other such surveys as were reasonable to determine that a source rack was stuck in the unshielded position and had not returned to the fully shielded position. The NRC also classified this violation at Severity Level II and proposed a \$9,600 civil penalty for the violation.

The third violation cited by the NRC in Section I of the Notice involved the failure by the irradiator operator to supply his assistant an individual radiation monitoring device when the two individuals entered the irradiator on April 21, 2004, while a source rack was stuck in the unshielded position. Based on the OI investigation, the NRC concluded that this violation was willful. The NRC classified this violation at Severity Level III and proposed a \$6,000 civil penalty.

The letter transmitting the Notice also described the Licensee's corrective actions, which included, but were not limited to: (1) Revision to procedures for responding to emergency conditions and performing necessary surveys; (2) plans to annually review the standard operating procedures for adequacy; (3) upgrade of the training program and retraining of staff on revised procedures, survey techniques, and dosimetry use; and (4) increased management oversight of the irradiator program, including: (a) Monthly reviews of the irradiator department by the Plant General Manager, Manufacturing Director, Radiation Safety Officer (RSO), and the assistant RSO (ARSO); (b) annual internal audits of the irradiator by the

Environmental Health and Safety Manager and RSO; and (c) additional periodic audits of the irradiator by the corporate environmental health and safety group as well as by an external consultant.

The other three violations cited in the Notice were described in Section II and the NRC classified those violations at Severity Level IV.

In response to the October 25, 2004 Notice, Baxter requested use of the NRC Alternate Dispute Resolution Process (ADR) to resolve differences it had with the NRC concerning the Notice. ADR is a process in which a neutral mediator with no decision-making authority assists the NRC and Baxter in reaching an agreement on resolving any differences regarding the enforcement action. An ADR session was held between Baxter and NRC in Philadelphia, Pennsylvania on December 13, 2004, and was mediated by a professional mediator, arranged through Cornell University's Institute of Conflict Management. During that ADR session, a settlement agreement was reached. The elements of the settlement agreement, which were documented in a letter from Mr. Peter Etienne, Senior Counsel, Baxter, to the NRC on December 17, 2004, consisted of the following:

A. Baxter agrees to pay a civil penalty of \$31,200.00 for Violations I.A, I.B and I.C. The NRC will characterize these violations as a Severity Level II problem.

B. Baxter and the NRC agree to disagree on the willful characterization of Violation I.C.

C. NRC agrees to treat Violations II.A, II.B, and II.C as non-cited violations.

D. Baxter agrees to implement the corrective action as documented in Baxter's letter dated August 23, 2004, except that with respect to item 1(c) in that letter, ("Additional External Review by Outside Consultant"), that item is replaced by the terms of the December 13, 2004, settlement. Specifically, Baxter agrees to provide for reviews of irradiator operations to be conducted by a qualified consultant, with such review to include a review of operations, maintenance, radiation safety and the RSO and ARSO functions. Review results will be documented and made available to NRC during inspections conducted by the NRC. Such reviews to be conducted as noted below.

E. A review by the qualified external consultant will be conducted in 2005 of the RSO and ARSO function to supplement the reviews done in 2004.

F. In 2007, a qualified external consultant will conduct a full review as listed in Item D.