

fax 202-693-3015 (this is not a toll-free number).

**FOR FURTHER INFORMATION CONTACT:** Anthony D. Dais, at telephone number (202) 693-2784 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR part 75, authorizes the United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) An increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed at Washington, DC November 8, 2007.

**Gay M. Gilbert,**

*Administrator, Office of Workforce Investment, Employment and Training Administration.*

[FR Doc. E7-22325 Filed 11-14-07; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2007-0011]

#### Federal Advisory Council on Occupational Safety and Health (FACOSH)

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Appointment of new members.

**SUMMARY:** On September 28, 2007, the Secretary of Labor appointed six new members to the Federal Advisory Council on Occupational Safety and Health (FACOSH).

**FOR FURTHER INFORMATION CONTACT:** Ms. Diane Brayden, Director, OSHA, Office of Federal Agency Programs, U.S. Department of Labor, 200 Constitution Avenue, NW., Room 3622, Washington, DC 20210; telephone (202) 693-2122; fax (202) 693-1685; e-mail *ofap@dol.gov*.

**SUPPLEMENTARY INFORMATION:** FACOSH is authorized to advise the Secretary of Labor on all matters relating to the occupational safety and health of Federal employees (Occupational Safety and Health Act of 1970 (29 U.S.C. 668), 5 U.S.C. 7902, Executive Order 13446). This includes providing advice on how to reduce and keep to a minimum the number of injuries and illnesses in the Federal workforce and how to encourage the establishment and maintenance of effective occupational safety and health programs in each Federal department and agency.

FACOSH consists of 16 members, divided equally between representatives of Federal agencies and labor organizations representing Federal employees. FACOSH members serve three-year terms.

**FACOSH Member Appointments:** OSHA published a request for FACOSH nominations in the **Federal Register** (72 FR 7467-7468 (3/2/2007)), and received nominations for seventeen individuals. On September 28, 2007, the Secretary of Labor appointed the following five individuals to serve three-year terms ending in June 2010:

- Mr. Ralph E. Dudley, Tennessee Valley Authority,
- Ms. Kathleen J.H. Wheeler, U.S. Department of the Interior,
- Ms. Colleen M. Kelley, National Treasury Employees Union,
- Mr. William D. "Chico" McGill, International Brotherhood of Electrical Workers, and
- Mr. Chester G. Wheeler, Jr., Seafarers International Union.

In addition, the Secretary of Labor appointed Mr. Paul Hutter, U.S. Department of Veterans Affairs, to fill the remainder of a term that expires in June 2009.

**Authority and Signature:** Edwin G. Foulke, Jr., Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice under the authority granted by section 19 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 668), 5 U.S.C. 7902, section 1(c) of Executive Order 13446, the Federal Advisory Committee Act (5 U.S.C. App. 2), and Secretary of Labor's Order No. 5-2007 (72 FR 31160).

Signed at Washington, DC, this 9th day of November, 2007.

**Edwin G. Foulke, Jr.,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. E7-22310 Filed 11-14-07; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of the OMB review of information collection and solicitation of public comment.

**SUMMARY:** The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

1. *Type of submission, new, revision, or extension:* New collection.
2. *The title of the information collection:* NRC Survey of Public Response to Emergencies.
3. *The form number if applicable:* N/A.
4. *How often the collection is required:* This is a one-time collection.
5. *Who will be required or asked to report:* Members of the public that reside within the 10-mile Emergency Planning Zones (EPZs) of nuclear power plants.
6. *An estimate of the number of annual responses:* 920 (each respondent will answer one survey).
7. *The estimated number of annual respondents:* This is a one-time collection of 800 completed surveys.
8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 210 hours ((800 completed surveys × .25 hours per response = 200 hours) + (120 uncompleted surveys × .083 hours per response = 10 hours)).
9. *An indication of whether Section 3507(d), Public Law 104-13 applies:* N/A.
10. *Abstract:* As part of the NRC's effort to review and improve emergency response program areas, the NRC intends to conduct a telephone survey

to assess public reaction to existing protective action strategies, new protective action strategies, and the effectiveness in which these strategies are conveyed to the public. The survey will produce statistical descriptions of likely public reaction to and acceptance of various protective action strategies. The targets for the telephone survey are randomly selected members of the public that reside within the 10-mile EPZs around nuclear power plants. This is a nationwide survey of the public residing within EPZs. The response to the surveys will be used by the NRC in the development of enhancements to its guidance for nuclear power plant protective action recommendations and the means by which this information is disseminated. The survey will also improve the understanding of other areas related to protective action implementation, such as the extent of shadow evacuations and the expected usage of congregate care facilities.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by December 17, 2007. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Nathan J. Frey, Office of Information and Regulatory Affairs (3150-XXXX), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be e-mailed to [Nathan J. Frey@omb.eop.gov](mailto:Nathan.J.Frey@omb.eop.gov) or submitted by telephone at (202) 395-7345.

The NRC Clearance Officer is Margaret A. Janney, 301-415-7245.

Dated at Rockville, Maryland, this 8th day of November, 2007.

For the Nuclear Regulatory Commission.

**Margaret A. Janney,**

*NRC Clearance Officer, Office of Information Services.*

[FR Doc. E7-22334 Filed 11-14-07; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 150-00043 General License Pursuant to 10 CFR 150.20 EA-06-259; EA-07-230]

### In the Matter of Universal Testing, LLC, Clearfield, UT; Confirmatory Order (Effective Immediately)

Universal Testing, LLC (Universal Testing) is the holder of a general license pursuant to 10 CFR 150.20 issued by the Nuclear Regulatory Commission (NRC or Commission). This general license was granted to Universal Testing at various times during calendar years 2005, 2006, and 2007.

#### II

An NRC inspection was conducted at your Clearfield, Utah, facility on April 4, 2006. Following that inspection, an investigation was initiated on May 8, 2006, by the NRC Office of Investigations (OI) in order to determine whether a radiographer employed by Universal Testing willfully violated NRC regulations.

Based on the results of the NRC inspection and OI investigation, the NRC determined that a violation of NRC requirements occurred. The violation involved a failure to secure an industrial radiography exposure device containing licensed material as required by 10 CFR 20.1801 and 10 CFR 20.1802. The NRC also determined that the violation resulted from willful actions on the part of the radiographer involved.

#### III

In a letter dated February 23, 2007, the NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty—\$6,500 for the violation. In the February 23, 2007, letter, the NRC offered Universal Testing the opportunity to request Alternative Dispute Resolution (ADR) with the NRC in an attempt to resolve issues associated with these violations. In response to the February 23, 2007, letter, Universal Testing requested ADR to resolve the matter with the NRC. ADR is a process in which a neutral mediator, with no decision-making authority, assists the NRC and Universal Testing to resolve any differences regarding the matter.

An ADR session was conducted between Universal Testing and the NRC in Arlington, Texas, on July 25, 2007. During that ADR session, an Agreement in Principle was reached. The elements of the agreement consisted of the following:

1. Universal Testing will add one additional qualified person to conduct

additional field audits of its radiographers. Universal Testing will conduct at least one unannounced field audit in NRC jurisdiction on each job where that job lasts more than 3 consecutive weeks.

2. For a period of 1-year from the date of this Confirmatory Order, Universal Testing will notify the NRC the same day that it accepts any contract to perform a job in NRC jurisdiction.

3. Within 30 days from the date of this Confirmatory Order, Universal Testing will develop and implement a disciplinary program with a graded approach for infractions. This disciplinary program will consider minor infractions up to willful failures to follow the rules. The disciplinary program will emphasize individual responsibility for radiation safety and radioactive material security, and will encourage reporting safety and security concerns. The disciplinary program will include a requirement that at least one individual who is in possession of a radiography camera be capable of responding to a security alarm.

4. Universal Testing will develop, maintain, and implement a procedure for employees who are in possession of licensed material and who are away from the office, to notify company owners or managers of their location every evening. The intent of the notification is for the company to actively maintain knowledge of where licensed material is located every evening. Universal Testing will develop this procedure within 60 days of the date of this order. This procedure will include a requirement for reporting of safety and security concerns. The procedure will also include actions the company will take to find licensed material when it has not arrived at its expected location.

5. Within 1-year from the date of this Confirmatory Order, Universal Testing will discuss with the Non-Destructive Testing Manager's Association (NDTMA) the possibility of an industry-based program to share information about radiography employees. The concept would be for this industry-based program to assist radiography companies to determine the trustworthiness and reliability of individuals applying for employment.

6. Not later than 1-year from the date of this Confirmatory Order, Universal Testing will discuss with NDTMA the possibility of submitting an article or making a presentation to the membership. The article or presentation will address the conditions of this Confirmatory Order and the value it adds to overall safe and effective operations. Alternatively, Universal