

**NUCLEAR REGULATORY COMMISSION**

[NRC-2009-0144]

**Agency Information Collection Activities: Proposed Collection; Comment Request****AGENCY:** U.S. Nuclear Regulatory Commission (NRC).**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.**SUMMARY:** The NRC invites public comment about our intention to request the OMB's approval for renewal of an existing information collection that is summarized below. We are required to publish this notice in the **Federal Register** under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* "Reporting and Recordkeeping Requirements for Export and Import of Nuclear Equipment and Material," formerly, "Export and Import of Nuclear Equipment and Material."

2. *Current OMB approval number:* 3150-0036.

3. *How often the collection is required:* On occasion.

4. *Who is required or asked to report:* Any person in the U.S. who wishes to export or import nuclear material and equipment subject to the requirements of a general or specific license.

5. *The number of annual respondents:* 103.

6. *The number of hours needed annually to complete the requirement or request:* 524.

7. *Abstract:* Persons in the U.S. who export or import nuclear material or equipment under a general or specific authorization must comply with certain reporting and recordkeeping requirements under 10 CFR part 110.

Submit, by June 8, 2009, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge

at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, 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 submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. Comments submitted should reference Docket No. NRC-2009-0144. You may submit your comments by any of the following methods. Electronic comments: Go to <http://www.regulations.gov> and search for Docket No. NRC-2009-0144. Mail comments to NRC Clearance Officer, Gregory Trussell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Questions about the information collection requirements may be directed to the NRC Clearance Officer, Gregory Trussell (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-6874, or by e-mail to [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

Dated at Rockville, Maryland, this 30th day of March 2009.

For the Nuclear Regulatory Commission.

**Gregory Trussell,***NRC Clearance Officer, Office of Information Services.*

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**NUCLEAR REGULATORY COMMISSION**

[Docket No. 55-61336; License No. SOP-11801 (Terminated); IA-09-014; NRC-2009-0156]

**In the Matter of Keith Davis; Order Prohibiting Involvement in NRC-Licensed Activities****I**

Keith Davis (Mr. Davis) was previously employed as a Senior Reactor Operator (SRO) at PPL Corporation's Susquehanna Steam Electric Station (SSES or the facility), located in Berwick, Pennsylvania. Mr. Davis was the holder of SRO License Number SOP-11801, issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR part

55. The license authorized Mr. Davis to direct the licensed activities of SSES licensed operators, and to manipulate the controls of the facility. The license was terminated on August 1, 2006.

**II**

In a letter dated July 2, 2007, the NRC provided to Mr. Davis the results of an investigation initiated by the NRC Office of Investigations (OI). The letter informed Mr. Davis that the NRC was considering escalated enforcement action against him for an apparent violation of his SRO license due to his failure to report an arrest as required by SSES procedures. The NRC offered Mr. Davis a choice to attend a Predecisional Enforcement Conference or to request Alternate Dispute Resolution (ADR) to resolve any disagreement over: (1) whether a violation occurred; and (2) The appropriate enforcement action. At his request, an ADR mediation session was held between Mr. Davis and the NRC on September 27, 2007, and a settlement agreement was reached regarding his role in this matter. Mr. Davis confirmed his agreement, in principle, on November 16, 2007, when he signed the Consent and Hearing Waiver form, consenting to the issuance of a Notice of Violation and Confirmatory Order containing commitments agreed to in the settlement.

On November 26, 2007, the NRC issued a Notice of Violation (Notice) to Mr. Davis for his failure to report the arrest. The Notice characterized the violation at Severity Level III. The NRC also issued the Confirmatory Order confirming the commitments made as part of the settlement agreement. The Confirmatory Order required Mr. Davis to complete the commitment actions within three months of the date of the Confirmatory Order, and then inform the NRC within one month of completion.

The actions included:

a. Writing an operating experience report addressing lessons learned from the violation;

b. Providing the report to the NRC for review and then submitting it to a minimum of three national organizations for possible publication;

c. Providing a written response to the NRC explaining why the NRC can have confidence that Mr. Davis will follow licensee procedures and meet NRC regulations, should he work in the nuclear industry in the future; and

d. Preparing a licensed and non-licensed operator training plan regarding procedure compliance and the lessons learned from this issue, and