

Adjustment Board, U.S. Shipping Board files, and legal opinions.

9. Department of Transportation, Maritime Administration (N1-357-99-1, 98 items, 65 temporary items). Records relating to such matters as subsidy rates, seamen's rest centers, insurance claims, auditing, and ship valuation as well as routine administrative and program subject files. Some of these files were accumulated by the U.S. Maritime Commission. Proposed for permanent retention are such records as the Administrator's correspondence and subject files, files of the Special Assistant to the Administrator, records of the President's Maritime Advisory Committee and the National Maritime Council, research and development files, legal opinions, and records pertaining to international conferences.

10. Department of the Treasury, Office of the Secretary (N1-56-01-9, 8 items, 6 temporary items). Records of the Office of Public Affairs including scheduling proposals, briefing files, public appearance files, and operational records relating to public education projects. Also included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of biographical sketches and portraits of high level officials and substantive documentation relating to public education campaigns are proposed for permanent retention.

11. Administrative Office of the U.S. Courts, Office of Judges Programs (N1-116-02-1, 8 items, 7 temporary items). Official personnel files of Bankruptcy, Magistrate, and Court of Federal Claims judges, Judicial Retirement System Participant and Annuitant files, and Judicial Survivors Annuities System Participant and Revocation files. Records relate to such matters as appointments and other personnel actions, insurance status, leave records, applications for annuities, health benefits, and salary payments. Also included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of Official Personnel Files of Supreme Court justices, Appellate Court judges, District Court judges, and Territorial Judges are proposed for permanent retention.

12. Consumer Product Safety Commission, Office of Compliance (N1-424-02-1, 3 items, 3 temporary items). Manufacturer reports regarding civil litigation concerning products. Also included are electronic copies of documents created using electronic mail and word processing.

Dated: August 30, 2002.

**Michael J. Kurtz,**

*Assistant Archivist for Record Services—  
Washington, DC.*

[FR Doc. 02-23350 Filed 9-12-02; 8:45 am]

**BILLING CODE 7515-01-P**

## **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:* Revision to Extension.

2. *The title of the information collection:* Voluntary Reporting of Performance Indicators.

3. *The form number if applicable:* Not Applicable.

4. *How often the collection is required:* Quarterly.

5. *Who will be required or asked to report:* Power reactor licensees.

6. *An estimate of the number of responses:* 445 (412 responses plus 33 recordkeepers).

7. *The estimated number of annual respondents:* 103 reactors.

8. *An estimate of the total number of hours needed annually to complete the requirement or request:* 83,720 hours (813 hours per unit).

9. *An indication of whether Section 3507(d), Pub. L. 104-13 applies:* Not applicable.

10. *Abstract:* As part of a joint industry-NRC initiative, the NRC received information submitted voluntarily by power reactor licensees regarding selected performance attributes known as performance indicators (PIs). PIs are objective measures of the performance of licensee systems or programs. The NRC's reactor oversight process uses PI information, along with the results of audits and inspections, as the basis for NRC

conclusions regarding plant performance and necessary regulatory response. Licensees transmit PIs electronically to reduce burden on themselves and the NRC.

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-1 F23, 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 October 15, 2002. 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, Bryon Allen, Office of Information and Regulatory Affairs (3150-0195), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be submitted by telephone at (202) 395-3087.

The NRC Clearance Officer is Brenda Jo. Shelton, 301-415-7233.

Dated at Rockville, Maryland, this 5th day of September, 2002.

For the Nuclear Regulatory Commission.

**Brenda Jo. Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 02-23359 Filed 9-12-02; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[Docket No.: 150-00009, General License,  
10 CFR 150.20, EA-02-166]**

### **Engineering & Inspections Unlimited, Inc., Boca Raton, FL Demand for Information**

On May 7, 2002, Engineering & Inspections Unlimited, Inc. (Licensee), a radiography licensee of the State of Florida, filed an NRC Form 241, "Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, or Offshore Waters," notifying the NRC of its intent to conduct radiography activities at numerous locations in the State of Hawaii, a Non-Agreement State. On August 1, 2002, the Licensee filed a revised NRC Form 241, notifying the NRC of additional locations where it intended to conduct radiography activities in Hawaii. In accordance with 10 CFR 150.20, "Recognition of

Agreement State licenses," a specific licensee of an Agreement State is granted a general license to perform the same activity in Non-Agreement states where NRC maintains jurisdiction provided the licensee complies with 10 CFR 150.20(b). Thus, the Licensee is currently performing radiography activities in Hawaii under a general license.

On April 22, 2002, NRC Region IV conducted an unannounced inspection of Engineering & Inspections Hawaii, doing business as Testing Technologies, Inc. (TTI), at a temporary job site in Kapolei, Hawaii. Engineering & Inspections Hawaii was performing activities under an NRC license issued to TTI. TTI, based in Woodbridge, Virginia, and the holder of NRC License No. 45-25007-01, is licensed to conduct radiography activities at temporary job sites anywhere the NRC has jurisdiction. Based on the discovery of apparent willful violations of NRC requirements, on April 24, 2002, NRC's Office of Investigations (OI) began an investigation of activities being conducted in Hawaii under TTI's license. On May 1, 2002, NRC's Region II office in Atlanta, Georgia, issued a confirmatory action letter (CAL No. 2-02-001) to TTI confirming TTI's commitment to take several remedial actions before radiography activities were resumed in Hawaii. As discussed above, on May 7, 2002, Engineering & Inspections Unlimited, Inc., a State of Florida licensee, filed with NRC to perform radiography activities in Hawaii under the reciprocity provisions of 10 CFR 150.20. Thus, Engineering & Inspections Hawaii's activities in Hawaii were no longer being conducted under TTI's NRC license.

The preliminary results of the OI investigation include a finding that the Division Manager for Engineering & Inspections Hawaii, and who is currently managing Engineering & Inspections Unlimited, Inc.'s radiography activities in Hawaii, engaged in deliberate misconduct, as defined by 10 CFR 30.10. Specifically, the investigation found that the Division Manager had on numerous occasions dispatched radiographer's assistants and helpers to conduct radiography without their being accompanied by a certified radiographer who was trained and certified in accordance with the training requirements of 10 CFR 34.43. The Division Manager first denied dispatching non-certified radiographers to conduct radiography, but admitted after being shown records of specific radiography jobs that he had assigned non-certified radiographers to conduct

radiography because of a shortage of qualified personnel.

The investigative evidence developed to date demonstrates a lack of regard for NRC's radiation safety requirements by the Division Manager. The Division Manager currently manages Engineering & Inspections Unlimited, Inc.'s radiography activities in Hawaii, supervises the individual that dispatches workers to job-sites, and is himself authorized to perform radiography. This situation raises questions as to why the NRC should have reasonable assurance that Engineering & Inspections Unlimited, Inc.'s radiography activities in Hawaii are being conducted in accordance with all NRC radiation safety requirements.

Given the Division Manager's involvement in, and supervisory responsibility for, the Licensee's radiation safety program, further information is needed to determine whether the Commission can have reasonable assurance that the Licensee's radiography activities in Hawaii are being conducted in accordance with all radiation safety requirements.

Accordingly, pursuant to sections 161c, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204, 30.32(b), and 150.20(b) in order for the Commission to determine whether the Licensee's general license should be suspended or revoked, or other enforcement action taken to ensure compliance with NRC regulatory requirements, the Licensee is required to submit to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 10 days of the date of this Demand for Information, in writing and under oath or affirmation: Information as to why the NRC should have reasonable assurance that the Licensee's radiography activities in Hawaii are being conducted, and will be conducted, in accordance with all NRC radiation safety requirements.

Copies of the Licensee's response to this Demand for Information also shall be sent to the Assistant General Counsel for Materials Litigation and Enforcement at the same address, the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011-4005, and the Regional Administrator, NRC Region II, Atlanta Federal Center, 61 Forsyth St., Atlanta, Georgia 30303.

After reviewing the Licensee's response, the NRC will determine whether further action is necessary to ensure compliance with regulatory requirements.

Dated this 5th day of September 2002.

For the Nuclear Regulatory Commission.

**James G. Luehman,**

*Deputy Director, Office of Enforcement.*

[FR Doc. 02-23360 Filed 9-12-02; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[IA-02-030]

### Brian J. McKenna; Demand for Information

Brian J. McKenna, is employed as manager of radiography activities at Engineering & Inspections Unlimited, Inc. in the State of Hawaii. Engineering & Inspections Unlimited, Inc. (Licensee), a radiography licensee of the state of Florida, on May 7, 2002, filed an NRC Form 241, "Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, or Offshore Waters," notifying the NRC of its intent to conduct radiography activities at numerous locations in the state of Hawaii, a Non-Agreement State. On August 1, 2002, Engineering & Inspections Unlimited, Inc. filed a revised NRC Form 241, notifying the NRC of additional locations at which it intended to conduct radiography activities in Hawaii. In accordance with 10 CFR 150.20, "Recognition of Agreement State licenses," a specific licensee of an Agreement State is granted a general license to perform the same activity in Non-Agreement states where NRC maintains jurisdiction provided the licensee complies with 10 CFR 150.20(b). Thus, the Licensee is currently performing radiography activities in Hawaii under a general license.

On April 22, 2002, NRC Region IV conducted an unannounced inspection of Engineering & Inspections Hawaii, doing business as Testing Technologies, Inc. (TTI), at a temporary job site in Kapolei, Hawaii. Engineering & Inspections Hawaii was performing activities under an NRC license issued to TTI. TTI, based in Woodbridge, Virginia and the holder of NRC License No. 45-25007-01, is licensed to conduct radiography activities at temporary job sites anywhere the NRC has jurisdiction. Based on the discovery of apparent willful violations of NRC requirements, on April 24, 2002, NRC's Office of Investigations (OI) began an investigation of activities being conducted in Hawaii under TTI's license. On May 1, 2002, NRC's Region II office in Atlanta, Georgia, issued a confirmatory action letter to TTI