

included in the request for Office of Management and Budget approval of the information collection request. They will also become a matter of public record.

George M. Fesak,

Director, Program Evaluation and Information Resources.

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[MSHA Form 7000-1]

Proposed Information Collection Request Submitted for Public Comment and Recommendations; Mine Accident, Injury, and Illness Report

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the "Mine Accident, Injury, and Illness Report" (MSHA Form 7000-1). MSHA is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- Evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology,

e.g., permitting electronic submission of responses.

A copy of the proposed information collection request can be obtained by contacting the person listed below in the contact section of this notice.

DATES: Submit written comments to the office listed in the **ADDRESSES** section below on or before June 3, 1996.

ADDRESSES: Written comments shall be mailed to Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, U.S. Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Commenters are encouraged to send their comments on a computer disk, or via E-mail to psilvey@msha.gov, along with an original printed copy. Ms. Silvey can be reached at (703) 235-1910 (voice) or (703) 235-5551 (facsimile).

FOR FURTHER INFORMATION CONTACT: George M. Fesak, Director, Office of Program Evaluation and Information Resources, U.S. Department of Labor, Mine Safety and Health Administration, Room 715, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Mr. Fesak can be reached at gfsak@msha.gov (Internet E-mail), (703) 235-8378 (voice), or (703) 235-1563 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

Sections 103(d), (h), and (j) of the Federal Mine Safety and Health Act of 1977 authorize the recordkeeping and reporting requirements implemented in 30 CFR 50—Notification, Investigation, Reports and Records of Accidents, Injuries, Illnesses, Employment, and Coal Production in Mines. Part 50 consolidated the separate reporting systems under 30 CFR 80, which implemented sections 103(e), 111, and 508 of the Federal Coal Mine Health and Safety Act of 1969 and 30 CFR 58, which implemented sections 4 and 13 of the Federal Metal and Nonmetallic Mine Safety Act of 1966. In so doing, part 50 provided for uniform, industry-wide, mandatory reporting and recordkeeping requirements.

Each mine operator is required to submit to MSHA a Mine Accident, Injury, and Illness Report (MSHA Form 7000-1) for each reportable accident, occupational injury, or illness within 10 working days after an accident or occupational injury occurs or an occupational illness is diagnosed. The MSHA form 7000-1 is one of two collection instruments (the other being the MSHA Form 7000-2 (by which the Agency monitors its statutory mandate to reduce accidents, occupational

injuries, and occupational illnesses among the nation's miners).

Data obtained from this form and MSHA Form 7000-2 provide MSHA with timely information for making decisions on improving its safety and health enforcement programs, redirecting its education and training efforts, and establishing priorities for technical assistance activities in mine safety and health. Maintaining a current data base allows MSHA to effectively direct resources to improve safety and health in the mining industry. This data base provides a means for directing efforts to areas or mines where hazardous trends are developing. This cannot be done using historical data exclusively. Information collected using this form and the MSHA Form 7000-2 is the most comprehensive and reliable occupational data available concerning the mining industry.

Data collected through these two forms enable MSHA to publish timely quarterly and annual statistics, reflecting current safety and health conditions in the mining industry. These data are used not only by MSHA, but also by other Federal and State agencies, health and safety researchers, and the mining community to assist in measuring and comparing the results of health and safety efforts both in the United States and internationally.

II. Current Actions

MSHA is seeking to continue collection of mine accident, injury, and illness data through the use of this form. Although there has been a significant decline in the number of mining fatalities over the last decade, accidents, injuries, and illnesses continue to result in serious personal suffering as well as significant costs to the mining industry.

MSHA seeks to continue the frequency of collection to enable the Agency to accurately assess the nature and extent of the safety and health conditions in today's mining environment, and to quickly identify and respond to developing trends. By requiring submission of the MSHA Form 7000-1 within 10 working days after an accident or occupational injury occurs or an occupational illness is diagnosed, MSHA is afforded the opportunity to promptly investigate the cause of the occurrence and to identify possible preventive measures.

In order to better serve the mining community, and to reduce the paperwork burden, MSHA is currently developing methodology to enable submission of the Form 7000-1 electronically. MSHA is establishing the capability to allow mine operators and mining contractors to fax the completed

Form 7000-1 in lieu of sending the form by mail. MSHA also is developing procedures for transmitting the required data via the Internet. Statistical compilations based on submitted information are already available for the Internet. For more information on this capability, please refer to the person listed in the contact section of this notice.

Type of Review: Extension.

Agency: Mine Safety and Health Administration.

Title: Mine Accident, Injury, and Illness Report.

OMB Number: 1219-0007.

Recordkeeping: 30 CFR 50.40(b)

requires respondents to maintain a copy of the Form 7000-1 at the office closest to the mine for 5 years after submission.

Affected Public: Business or other for-profit.

Form: MSHA Form 7000-1.

Total Respondents: 19,935 mine operators and mining contractors.

Frequency: On occasion.

Total Responses: 44,444.

Average Time per Response: 1.91 hours.

Estimated Total Burden Hours: 84,946 hours.

Estimated Total Burden Cost: \$23,160.

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request. They will also become a matter of public record.

George M. Fesak,

Director, Program Evaluation and Information Resources.

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NATIONAL BANKRUPTCY REVIEW COMMISSION

Meeting

AGENCY: National Bankruptcy Review Commission.

ACTION: Notice of public meeting.

TIME AND DATE: Friday, April 19, 1996; 8:30 A.M. to 5:00 P.M.

PLACE: Thurgood Marshall Federal Judiciary Building, Federal Judicial Center/Education Center, One Columbus Circle, N.E., Washington, D.C. 20002. The public should enter through the South Lobby entrance of the Thurgood Marshall Federal Judiciary Building.

STATUS: The meeting will be open to the public.

MATTERS TO BE CONSIDERED: General administrative matters relating to the

organization of the Commission as well as future meetings and hearings.

CONTACT PERSONS FOR FURTHER

INFORMATION: Contact Susan Jensen-Conklin or Carmelita Pratt at the National Bankruptcy Review Commission, Thurgood Marshall Federal Judiciary Building, One Columbus Circle, N.E., Suite G-350, Washington, D.C. (202) 273-1813.

Susan Jensen-Conklin,

Deputy Counsel.

[FR Doc. 96-7902 Filed 4-1-96; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 150-00032 License No. (General License) EA 95-101]

TESTCO, Inc. Greensboro, North Carolina; Order Imposing Civil Monetary Penalty

I

TESTCO, Inc. (TESTCO or Licensee), located in Greensboro, North Carolina, holds Byproduct Materials License No. 041-0894-1 issued by the State of North Carolina under an agreement with the Nuclear Regulatory Commission (NRC or Commission) pursuant to subsection 274b of the Atomic Energy Act of 1954, as amended. The license permits the possession and use of byproduct material for industrial radiography activities in accordance with the conditions specified therein.

II

On September 9, 1992, while conducting an inspection of another NRC licensee, an NRC inspector obtained information which indicated that TESTCO had performed radiographic activities in areas under NRC jurisdiction. A review of NRC records revealed that TESTCO did not possess an NRC specific license pursuant to 10 CFR 30.3, nor had TESTCO notified the NRC of its activities by filing an NRC Form-241 as required by 10 CFR 150.20(b)(1).

The requirement that an Agreement State licensee must file Form-241 before conducting a licensed activity in a non-Agreement State allows NRC to be informed of the location and duration of the activity and permits NRC to inspect licensed activities as appropriate. Since August 9, 1991, NRC has required a fee for the filing of Form-241.

Between November 16, 1992 and April 25, 1995, an investigation was conducted by the NRC Office of Investigations (OI) to determine whether TESTCO performed radiography in non-

Agreement States and deliberately withheld notification from the NRC by failing to file Form-241s. In addition, an inspection of the Licensee's performance of activities in areas of NRC jurisdiction was conducted on August 31 and September 6, 1994. The results of the inspection and investigation indicated that the Licensee had not conducted its activities in full compliance with NRC requirements. Specifically, OI concluded that TESTCO, Inc., while a State of North Carolina radioactive materials licensee, performed radiographic services in Virginia, a non-Agreement State, and its Radiation Safety Officer deliberately withheld notification to the NRC by his failure to file the required NRC Form-241s regarding those activities. A written Notice of Violation and Proposed Imposition of Civil Penalty ("Notice") was served upon the Licensee by letter dated October 31, 1995. The Notice stated the nature of the violation, the provisions of the NRC's requirements the Licensee had violated, and the amount of the civil penalty proposed for the violation.

The Licensee responded to the Notice in letters dated December 20 and 21, 1995 ("Reply"). In its Reply, the Licensee denied the violation and requested a hearing. As the basis for the Licensee's denial, the Licensee contended that prior to October 3, 1994, which the Licensee described as the date of "the issue of NRC Manual Chapter 1220," the NRC did not have a tracking method in place for processing NRC Form-241s and that TESTCO had located copies of NRC Form-241s filed prior to that time.

By letter dated December 28, 1995, NRC responded to the Licensee's request for a hearing, indicating that a request for a hearing on this issue was premature and requesting that TESTCO provide to Mr. James Lieberman, Director, NRC Office of Enforcement, at the address specified, any additional documentation that was relevant to the case by January 27, 1996. The NRC letter further advised that even if the documentation was incomplete, TESTCO should still provide whatever documentation it had to support its position. During a telephone conference held on January 31, 1996, as confirmed by letter dated February 1, 1996, NRC granted an extension giving TESTCO until February 7, 1996, to provide to the NRC Office of Enforcement any documents that it had in its possession or control which might rebut the October 31, 1995 Notice, including any NRC Form-241s and any checks for reciprocity fees regarding work performed in Virginia from January