

200 will be sampled every year at afrequency of once every three years for each firm.

*Responses Per Respondent:* Once every three years.

*Estimated Annual Responses:* 200.

*Estimated Hours Per Request:* 1.

*Estimated Annual Burden Hours:* 217.

*Frequency of Report:* Once every three years.

Dated: January 17, 1997.

Russell S. Rice,

*Director, IRM Division.*

[FR Doc. 97-1898 Filed 1-24-97; 8:45 am]

BILLING CODE 7510-01-M

[(97-007)]

### **NASA Advisory Council (NAC), Space Science Advisory Committee (SScAC); Meeting**

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of Meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee.

**DATES:** Monday, February 24, 1997, 8:30 a.m. to 5:00 p.m.; Tuesday, February 25, 1997, 8:30 a.m. to 5:00 p.m.; Wednesday, February 25, 1997, 8:30 a.m. to 2:30 p.m.

**ADDRESSES:** Lunar & Planetary Institute, 3600 Bay Area Boulevard, Houston, TX 77058.

#### **FOR FURTHER INFORMATION CONTACT:**

Dr. Guenter R. Riegler, Code SR, National Aeronautics and Space Administration, Washington, DC 20546, 202/358-1588.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the capacity of the room. The agenda for the meeting is as follows:

- Status of prior SScAC recommendations
- FY 98 Budget Request
- Subcommittee Business
- Space Summit
- Space Science Theme Roadmaps; Technology Roadmaps, and Strategic Planning Process.

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: January 21, 1997.

Leslie M. Nolan,

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. 97-1897 Filed 1-24-97; 8:45 am]

BILLING CODE 7510-01-M

### **NATIONAL CREDIT UNION ADMINISTRATION**

#### **Sunshine Act Meeting**

**TIME AND DATE:** 10:00 a.m., Wednesday, January 29, 1997.

**PLACE:** Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314-3428.

**STATUS:** Open.

#### **BOARD BRIEFING:**

1. Insurance Fund Report.

#### **MATTERS TO BE CONSIDERED:**

1. Approval of Minutes of Previous Open Meeting.
2. Proposed Revision to the Operating Fee Scale.
3. Chartering and Field of Membership Issues.
4. Requests from Federal Credit Unions to Convert to a Community Charter.
5. Request to Charter a Low-Income Community Federal Credit Union.
6. Requests from Corporate Federal Credit Unions for Field of Membership Amendments.
7. Final Rule: Amendments to part 704, NCUA's Rules and Regulations, Corporate Credit Unions.

#### **FOR FURTHER INFORMATION CONTACT:**

Becky Baker, Secretary of the Board, Telephone (703) 518-6304.

Becky Baker,

*Secretary of the Board.*

[FR Doc. 97-1975 Filed 1-22-97; 4:31 pm]

BILLING CODE 7535-01-M

### **NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES**

#### **Meetings of Humanities Panel**

**AGENCY:** National Endowment for the Humanities.

**ACTION:** Notice of meetings.

**SUMMARY:** Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, as amended), notice is hereby given that the following meetings of the Humanities Panel will be held at the Old Post Office, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506.

**FOR FURTHER INFORMATION CONTACT:** Michael S. Shapiro, Advisory Committee Management Officer,

National Endowment for the Humanities, Washington, D.C. 20506; telephone (202) 606-8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Endowment's TDD terminal on (202) 606-8282.

**SUPPLEMENTARY INFORMATION:** The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by the grant applicants. Because the proposed meetings will consider information that is likely to disclose: (1) trade secrets and commercial or financial information obtained from a person and privileged or confidential; or (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee meetings, dated July 19, 1993, I have determined that this meeting will be closed to the public pursuant to subsections (c)(4), and (6) of section 552b of Title 5, United States Code.

1. *Date:* February 7, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Humanities Projects in Museums and Historical Organizations, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

2. *Date:* February 14, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Humanities Projects in Museums and Historical Organizations, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

3. *Date:* February 21, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Humanities Projects in Media, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

4. *Date:* February 24, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Special Projects, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

5. *Date:* February 25, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Special Projects, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

6. *Date:* February 28, 1997.

*Time:* 9:00 a.m. to 5:30 p.m.

*Room:* 415.

*Program:* This meeting will review applications for Humanities Projects in Media, submitted to the Division of Public Programs for projects at the December 6, 1996 deadline.

Michael S. Shapiro,

*Advisory Committee Management Officer.*

[FR Doc. 97-1809 Filed 1-24-97; 8:45 am]

BILLING CODE 7536-01-M

## NUCLEAR REGULATORY COMMISSION

[IA 96-101]

### Joseph R. Bynum; Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

I

Since April 1993, Joseph R. Bynum has held the position of Vice President, Fossil Operations in the Fossil and Hydro Power organization of the Tennessee Valley Authority (TVA or Licensee). At the time of the events described in this Order, Mr. Bynum was employed as Vice President, Nuclear Operations, in the Licensee's corporate organization and was responsible for the oversight of TVA's nuclear program at its four nuclear reactor sites. During this time, the Licensee held five operating licenses and four construction permits issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 50. License Nos. DPR-77 and DPR-79 authorized the Licensee's operation of the Sequoyah Nuclear Plant in Soddy-Daisy, Tennessee; License Nos. DPR-33, DPR-52, and DPR-68 authorized operation of the Browns Ferry Nuclear Plant in Athens, Alabama; Construction Permit Nos. CPPR-91 (now Operating License NPF-90) and CPPR-92 authorized the construction of the Watts Bar Nuclear Plant in Spring City, Tennessee; and Construction Permit Nos. CPPR-122 and CPPR-123 authorized the construction of the Bellefonte Nuclear Plant in Scottsboro, Alabama.

II

Following receipt of information regarding alleged discrimination against Mr. William F. Jocher, former Manager,

Chemistry and Environmental Protection in TVA's corporate organization, the NRC Office of Investigations (OI) initiated an investigation, Case No. 2-93-015, on April 15, 1993. OI completed its investigation on August 31, 1995, and concluded that: (1) Mr. Jocher "was engaged in protected activities during his employment at TVA, and received an adverse employment action in the form of a threat of termination by TVA if he did not resign"; (2) "the reason proffered by TVA for this adverse action, namely that Jocher's performance in the area of management skills was inadequate, was primarily pretextual"; and (3) "despite denials by the TVA managers involved, the methodology of Jocher's engagement in protected activity was the primary reason for the adverse action" against him.

In addition, on June 29, 1993, Mr. Jocher, filed a complaint with the U. S. Department of Labor (DOL). In his DOL complaint, Mr. Jocher alleged that he was forced to resign from employment with TVA as a result of carrying out activities protected by the Atomic Energy Act of 1954. He further stated that his forced resignation was based on his activities in revealing deficiencies in the plant chemistry programs at the Sequoyah Nuclear Plant, revealing TVA's non-compliance with NRC approved guidelines, and revealing inconsistencies between actual facts and TVA management's reports to the NRC and other TVA oversight groups.

DOL efforts to conciliate the matter between Mr. Jocher and TVA were unsuccessful, and on April 29, 1994, the DOL District Director (DD) issued the initial finding of the DOL compliance action in the case. The DOL DD concluded that Mr. Jocher was a protected employee engaged in protected activity within the scope of the Energy Reorganization Act, and that discrimination, as defined and prohibited by the statute, was a factor in the actions which comprised his complaint.

Following an appeal by TVA, administrative hearings were conducted before the DOL Administrative Law Judge (ALJ). On July 31, 1996, the DOL ALJ issued a Recommended Decision and Order (RDO) in the case (DOL Case No. 94-ERA-24) finding that TVA discriminated against Mr. Jocher in violation of Section 211 of the Energy Reorganization Act. On November 20, 1996, the ALJ issued a Recommended Order of Dismissal, based on a conciliation agreement between Mr. Jocher and TVA, and on November 22, 1996, the DOL Administrative Review

Board issued a Final Order Approving Settlement and Dismissing Complaint.

Both the ALJ and OI stated that Mr. Joseph R. Bynum, the former Vice President of Nuclear Operations of TVA, ordered the forced resignation of Mr. Jocher. By letter dated August 26, 1996, Mr. Bynum was informed of the DOL findings and the OI investigation results and requested to attend a predecisional enforcement conference. On September 23, 1996, a closed, transcribed conference was conducted with Mr. Bynum, legal counsel, and management representatives of TVA. During the conference and in a written statement provided to NRC Region II prior to the conference, Mr. Bynum vigorously denied any violation of 10 CFR 50.5, Deliberate Misconduct, and stated that he did not discriminate against Mr. Jocher for engaging in protected activities. He attributed his decision to ask for Mr. Jocher's resignation to Mr. Jocher's poor management skills, and stated that he (Mr. Bynum) used poor judgement in not coordinating the personnel action with the appropriate TVA offices (i.e., Human Resources, Office of General Counsel). Mr. Bynum provided a detailed description of the events and circumstances surrounding Mr. Jocher's departure and addressed specific conclusions drawn by the DOL ALJ.

Based on the NRC staff's review of the evidence gathered by OI, the ALJ decision, and the views presented by Mr. Bynum at the predecisional enforcement conference, the NRC staff is satisfied that discrimination against Mr. Jocher by Mr. Bynum, who is currently the TVA Vice President for Fossil Operations, as described in the ALJ RDO and the OI Report, had occurred when Mr. Bynum ordered the forced resignation of Mr. Jocher. In reaching this determination the staff considered among other things: (1) The close timing between some of the protected activities in March 1993, i.e., formal notification by the NRC that it would be investigating the safety issues raised by Mr. Jocher, and the adverse action taken against Mr. Jocher on April 5, 1993; (2) statements made by TVA managers that Mr. Bynum ordered the forced resignation of Mr. Jocher; (3) inconsistent statements made by Mr. Bynum and the two managers who carried out the forced resignation of Mr. Jocher with respect to why and how the employment decision was made, and whether Mr. Jocher was placed in a six month improvement program in March, 1993; (4) inconsistencies in the various statements given by Mr. Bynum regarding his knowledge of Mr. Jocher's protected activities, most notably the