

Boulevard, Suite 995, Arlington, VA 22230. Telephone: (703) 306-1731.

*Agenda:* To review and evaluate social psychology proposals as part of the selection process for awards.

*Type of Meeting:* Part-open: April 25, 1996, 1:00 p.m.–2:00 p.m.; Closed session: April 24, 1996, 9:00 a.m.–5:00 p.m.; April 25, 1996, 9:00 a.m.–12:00 p.m.; April 26, 1996, 9:00 a.m.–5:00 p.m.

*Date & Time:* April 22–24, 1996, 9:00 a.m.–6:00 p.m. (PST)

*Place:* University of California-Berkeley, Dwinelle Hall, Room 3401, Berkeley, California 94720.

*Contact Person:* Dr. Paul G. Chapin, Program Director for Linguistics, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1731.

*Agenda:* To review and evaluate linguistics proposals as part of the selection process for awards.

*Type of Meeting:* Part-open: April 24, 1996, 9:00 a.m.–12:00 p.m. (PST); Closed session: April 22–23, 1996, 9:00 a.m.–6:00 p.m. (PST); April 24, 1996, 1:00 p.m.–6:00 p.m. (PST).

*Purpose of Meetings:* To provide advice and recommendations concerning support for research proposals submitted to the National Science Foundation for financial support.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (5) of the Government in the Sunshine Act.

Dated: April 3, 1996.

M. Rebecca Winkler,

*Committee Management Officer.*

[FR Doc. 96-8632 Filed 4-5-96; 8:45 am]

BILLING CODE 7555-01-M

### **Advisory Panel for Economics, Decision and Management Sciences; Notice of Meetings**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Advisory Panel for Economics, Decision and Management Sciences (#1759).

*Date and Time:* April 23–24, 1996.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 970, Arlington, VA 22230.

*Contact Person:* Dr. Robin Cantor, Program Director for DRMS, Division of Social Behavioral and Economic Research, National Science Foundation, Room 995, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1757.

*Agenda:* To review and evaluate DRMS proposals as part of the selection process for awards.

*Date and Time:* April 11–12, 1996.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Rooms 365 and 380, Arlington, VA 22230.

*Contact Person:* Dr. Daniel H. Newlon, Program Director for Economics, Division of Social, Behavioral and Economic Research, National Science Foundation, Room 995, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1753.

*Agenda:* To review and evaluate Economics proposals as part of the selection process for awards.

*Type of Meeting:* Closed.

*Purpose of Meeting:* To provide advice and recommendations concerning proposals submitted to NSF for financial support.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

*Reason for Late:* Working around Continuing Resolution.

Dated: April 3, 1996.

M. Rebecca Winkler,

*Committee Management Officer.*

[FR Doc. 96-8634 Filed 4-5-96; 8:45 am]

BILLING CODE 7555-01-M

### **Advisory Panel for Social and Political Sciences; Notice of Meetings**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation (NSF) announces the following five meetings.

*Name:* Advisory Panel for Social and Political Sciences #1761

*Date & Time:* April 29–30, 1996; 9:00 a.m.–5:00 p.m.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 360, Arlington, VA 22230.

*Contact Person:* Dr. Frank Scioli and Dr. John McIver, Program Directors for Political Science, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1760.

*Agenda:* To review and evaluate the Political Science proposals as part of the selection process for awards.

*Date & Time:* April 11–12, 1996; 9:00 a.m.–5:00 p.m.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 970, Arlington, VA 22230.

*Contact Person:* Dr. C. Neal Tate, Program Director for Law and Social Science, National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1760.

*Agenda:* To review and evaluate the Law and Social Science proposals as part of the selection process for awards.

*Date & Time:* May 22–23, 1996; 9:00 a.m.–5:00 p.m.

*Place:* National Science Foundation, Stafford Place, 4201 Wilson Boulevard, Room 360, Arlington, VA 22230.

*Contact Person:* Dr. William S. Bainbridge and Dr. Patricia White, Program Directors for Sociology, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1760.

*Agenda:* To review and evaluate the Sociology proposals as part of the selection process for awards.

*Type of Meetings:* Closed.

*Purpose of Meetings:* To provide advice and recommendations concerning support for research proposals submitted to the NSF for financial support.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act.

*Reason for Late:* Working around Continuing Resolution.

Dated: April 3, 1996.

M. Rebecca Winkler,

*Committee Management Officer.*

[FR Doc. 96-8633 Filed 4-5-96; 8:45 am]

BILLING CODE 7555-01-M

### **NUCLEAR REGULATORY COMMISSION**

[Docket Nos. 030-10859, 030-06198; License Nos. 37-14600-01, 37-09135-01; EA 96-009]

#### **Applied Health Physics, Inc., Bethel Park, PA; Confirmatory Order (Effective Immediately)**

I

Applied Health Physics, Inc. (Licensee) is the holder of NRC License Nos. 37-14600-01 and 37-09135-01 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 30. The licensee's facility is located on the Licensee's site in Bethel Park, Pennsylvania. License No. 37-14600-01 currently authorizes the receipt, possession, and storage of pre-packaged wastes. License No. 37-09135-01 currently authorizes leak tests services, analysis of samples, calibrations of instruments, and fixed gauge services. Overall, the Licensee provides services to customers in a variety of areas such as radioactive waste brokerage, surveys, leak tests and analysis, calibration of

instrumentation, sample analysis, training, and consultation. License No. 37-14600-01 initially was issued on September 4, 1975, and is due to expire on January 30, 1997. License No. 37-09135-01 was initially issued on February 19, 1963, and is due to expire on October 31, 2000.

## II

On May 19, 1994, representatives from NRC Region I spoke with Licensee representatives concerning the need for financial assurance. The NRC representatives discussed options with Licensee representatives with respect to meeting the financial assurance requirements. The result of the conversation was that the Licensee decided to reduce the radioactive material possession limits on License No. 37-14600-01 such that financial assurance would not be required.

In a letter dated May 24, 1994, the Licensee requested a license amendment to lower possession limits, add specifically listed radionuclides for its waste broker License No. 37-14600-01, and limit possession to sealed sources only for its calibration service License No. 37-09135-01. The NRC approved these amendments on June 28, 1994.

On March 9, 1995, the Licensee voluntarily filed for bankruptcy under Chapter 11 of the U.S. Bankruptcy Code in the U.S. Bankruptcy Court for the Western District of Pennsylvania. On March 20 and 22, 1995, respectively, the NRC Office of the Controller filed for proofs of claim for 1994 license and Freedom of Information Act fees owed by the Licensee to the NRC. (On November 14 and 15, 1995, respectively, the NRC filed an additional proof of claim for 1995 license fees owed and amended the proof of claim previously filed for the 1994 fees.)

During a routine safety inspection conducted on April 18-19, 1995, the NRC identified seven violations as described in the Notice of Violation (Notice) dated May 22, 1995. One of the seven violations cited the Licensee for holding radioactive waste for more than 180 days, contrary to the requirements of Condition 14 of License No. 37-14600-01.

On May 26, 1995, four days after the issuance of the Notice, the Licensee took possession of two drums of radioactive waste. One drum contained approximately 23 microcuries of unsealed americium-241, which is not authorized on its waste broker license. The authorization for unsealed americium-241 was deleted from License No. 37-14600-01 in accordance

with the Licensee's May 24, 1994 request.

In a letter dated June 26, 1995, the Licensee responded to the Notice and indicated that the Licensee's president would provide the management commitment and oversight needed to maintain compliance with conditions of both licenses. This response indicated that procedures would be developed to provide for immediate review of received material to determine acceptability for storage at the Licensee's facility.

On October 25, 1995, the date that the Licensee was to file a Chapter 11 disclosure statement and plan, the Chapter 11 case was converted to a Chapter 7 case. The conversion occurred due to the Licensee's inability to file the disclosure statement and plan by the October 25, 1995 deadline.

Due to the NRC's concern about the financial status of the Licensee and the possibility of abandoned radioactive material at the Bethel Park, Pennsylvania, facility, the NRC issued a Confirmatory Action Letter (CAL) to the Licensee on November 8, 1995, confirming the Licensee's commitment to:

- (1) Cease acquiring any additional radioactive waste from customers;
- (2) provide an up-to-date inventory of the radioactive material in its possession at the Bethel Park facility to the NRC by November 9, 1995;
- (3) provide a schedule of any shipments of radioactive waste planned for 1995; and
- (4) provide a copy of the Licensee's plans over the next six months with regard to the bankruptcy proceedings.

The Licensee responded in a letter dated November 9, 1995, that included a current inventory of radioactive waste held at the Licensee's Bethel Park, Pennsylvania, facility, a schedule of shipments planned for 1995, a commitment not to accept any additional waste, and a commitment to inform the NRC, upon notification from the Licensee's attorney, of the Licensee's financial status.

The NRC conducted an inspection at the site on November 15, 1995, and reviewed the storage and security of licensed material, inventory, and storage of radioactive waste. As a result of this inspection, NRC found three apparent violations, as follows:

- (1) failure to limit possession of byproduct material (unsealed Am-241) to those isotopes listed on the license, as required by 10 CFR 30.3;
- (2) failure to limit possession of special nuclear material (Pu-239) to those authorized by the service license, as required by 10 CFR 70.19; and

(3) failure to limit possession of licensed material waste to a period not to exceed 180 days (May 26, 1995 acquisition of 2 drums), as required by License Condition No. 14 of License No. 37-14600-01, a repeat violation.

The Licensee met with the NRC staff during a predecisional enforcement conference at the NRC Region I office on January 30, 1996, to review the circumstances that led to these violations. During the enforcement conference, the Licensee proposed corrective actions that included: (1) Establishing a separate bank account for payment of costs incurred due to waste disposal; (2) setting a disposal date of 100 days from the date of receipt of waste to assure that the waste is disposed prior to 180 days; (3) checking the Licensee's license prior to obtaining waste in order to assure compliance; and (4) hiring an Assistant to the President who will streamline procedures, maintain control of day-to-day business activities, and ensure that the RSO has the necessary resources to maintain compliance.

The NRC requested the Licensee to submit, by February 15, 1996, a more detailed, thorough plan describing the Licensee's plans for achieving compliance with all license requirements. A plan was received from the Licensee on February 15, 1996, but additional information was requested by the NRC staff.

## III

By a letter dated February 19, 1996, and facsimiles dated February 23 and March 15, 21, and 25, 1996, the Licensee agreed that: (1) With the exception of the radioactive waste in containers W-1995-010, and W-1995-050 through W-1995-062, the Licensee will achieve compliance with Condition 14 of License No. 37-14600-01 by April 30, 1996; (2) with respect to the radioactive waste in containers W-1995-010, W-1995-050 through W-1995-062, S-1995-002, and S-1995-007 through S-1995-010, the Licensee will achieve compliance with Condition 14 of License No. 37-14600-01 by December 31, 1996; and (3) the Licensee will establish a separate bank account for radioactive waste disposal and use the account exclusively for the deposit of payments made by the Licensee's customers for the disposal of NRC-licensed radioactive waste materials.

I find that the Licensee's commitments as set forth in its letter of February 19, 1996 and facsimiles dated February 23 and March 15, 21, and 25, 1996, are acceptable and necessary and conclude that with these commitments the public health and safety are

reasonably assured. In view of the foregoing, I have determined that the public health and safety require that the Licensee's commitments in its February 19, 1996 letter and February 23 and March 15, 21, and 25, 1996 facsimiles be confirmed by this Order. The Licensee has agreed to this action in a telephone call on March 28, 1996, between James H. Joyner, Technical Assistant to Director, Division of Nuclear Materials Safety, U.S.N.R.C., Region I, and Daniel Haber, Assistant to the President, Applied Health Physics. Pursuant to 10 CFR 2.202, I also have determined, based on the Licensee's consent and on the significance of the violations described above, that the public health and safety require this Order to be immediately effective.

#### IV

Accordingly, pursuant to sections 81, 161b, 161i, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 30, it is hereby ordered, effective immediately, that:

A. Authorization for the receipt of pre-packaged radioactive waste at the Bethel Park facility be suspended.

B. Radioactive waste be disposed of as specified in the Licensee's disposal schedule dated February 19, 1996, as amended by the Licensee's facsimiles dated February 23 and March 15, 21, and 25, 1996. With the exception of the radioactive waste in containers W-1995-010, and W-1995-050 through W-1995-062, S-1995-002, and S-1995-007 through S-1995-010, compliance with Condition 14 of License No. 37-14600-01 must be achieved by April 30, 1996.

C. Radioactive waste in containers W-1995-010, and W-1995-050 through W-1995-062, S-1995-002, and S-1995-007 through S-1995-010, be disposed of by December 31, 1996.

D. An escrow account be established in accordance with this Order within 30 days of the date of this Order to provide financial assurance for waste handling and disposal of the Licensee's waste. For the purposes of this paragraph, an escrow account is an account where money is put into the custody of a third party for delivery to a grantee only after the fulfillment of specified conditions. The escrow agent shall be provided a copy of this Order.

E. The NRC be informed of the name, address, and location of the escrow agent within 72 hours of the Licensee's opening of the escrow account. Such escrow account information as well as any other information required by this Order shall be submitted to the Director,

Division of Nuclear Materials Safety, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406.

F. All revenues coming from customers for waste brokerage required to pay for the direct costs of transportation, permits, disposal, and a 10% contingency fee will be delivered into the escrow account established under Paragraph D above within 5 business days and will remain in this escrow account until one of the following three conditions has been satisfied:

1. the Licensee formally notifies the NRC, by telephone and facsimile, of the planned withdrawal of funds for the purpose of waste handling or disposal at least 5 business days prior to withdrawal of funds and the NRC has not provided within this time period an objection to the dispersal of the funds; or

2. the escrow agent has been notified by the NRC, in writing, that the Licensee has defaulted on its obligation to carry out waste handling and disposal for the Bethel Park, Pennsylvania, facility; or

3. the escrow account has been terminated by joint notice, in writing, from the Licensee and NRC.

Upon the escrow agent receiving written notification from the NRC of the Licensee's default, the escrow agent shall make payments from the escrow account as the NRC shall direct, in writing, to provide for payment of the costs of the required waste handling and disposal activities covered by this agreement.

G. The NRC be provided with monthly bank account statements pertaining to the escrow account.

If personal privacy or proprietary information is included in any submittal required by this Order, the Licensee shall provide a bracketed copy that identifies the information that should be protected and a redacted copy that deletes such information. If the Licensee requests withholding of such material, the Licensee *must* specifically identify the portions that it seeks to have withheld and provide in detail the bases for its claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information).

The Regional Administrator, Region I, may relax or rescind, in writing, any of the above conditions upon a showing by the Licensee of good cause.

#### V

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission Washington, D.C. 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Section, Washington, D.C. 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), any person other than the Licensee adversely affected by this Order may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received. An Answer or a Request For Hearing Shall Not Stay the Immediate Effectiveness of This Order.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland this 29th day of March 1996.

James Lieberman,

*Director, Office of Enforcement.*

[FR Doc. 96-8598 Filed 4-5-96; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** This gives notice of positions placed or revoked under Schedules A and B, and placed under Schedule C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

**FOR FURTHER INFORMATION CONTACT:** Patricia Paige, (202) 606-0830.

**SUPPLEMENTARY INFORMATION:** The Office of Personnel Management published its last monthly notice updating appointing authorities established or revoked under the Excepted Service provisions of 5 CFR 213 on March 14, 1996 (60 FR 10601). Individual authorities established or revoked under Schedules A and B and established under Schedule C between February 1, 1996, and February 29, 1996, appear in the listing below. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 will also be published.

#### *Schedule A*

No schedule A authorities were established in February 1996.

The following Schedule A authority was revoked:

#### *Department of Justice*

Immigration and Naturalization Service. Not to exceed 350 positions, at grades GS-15 and below, engaged in planning for and implementing the processing of claims for resident status which may be submitted by aliens already in the United States as authorized by immigration control and reform legislation. Effective February 23, 1996.

#### *Schedule B*

No Schedule B authorities were established or revoked February 1996.

#### *Schedule C*

The following Schedule C authorities were established in February 1996.

#### *Department of Agriculture*

Confidential Assistant to the Administrator, Farmers Home Administration. Effective February 21, 1996.

Deputy Under Secretary for Rural Economic and Community Development to the Under Secretary, Rural Economic and Community Development. Effective February 23, 1996.

Confidential Assistant to the Director of Legislative Affairs and Public Information Staff, Rural Economic and Community Development. Effective February 27, 1996.

#### *Department of Commerce*

Special Assistant to the Under Secretary for International Trade. Effective February 13, 1996.

Confidential Assistant to the Deputy Assistant Secretary for Administration. Effective February 13, 1996.

Senior Policy Advisor to the Assistant to the Secretary and Director, Office of Policy and Strategic Planning. Effective February 20, 1996.

Congressional Liaison Specialist to the Director, Office of Congressional Affairs. Effective February 23, 1996.

#### *Department of Defense*

International Counterdrug Specialist to the Deputy Assistant Secretary of Defense (Drug Enforcement Policy and Support). Effective February 6, 1996.

Program Analyst to the Deputy Assistant Secretary of Defense, Humanitarian and Refugee Affairs. Effective February 23, 1996.

#### *Department of Education*

Special Assistant to the Chief of Staff, Office of the Deputy Secretary. Effective February 13, 1996.

#### *Department of Energy*

Special Assistant to the Director, Office of Civilian Radioactive Waste Management. Effective February 6, 1996.

Staff Assistant to the Assistant Secretary for Environment, Safety and Health. Effective February 16, 1996.

Special Assistant to the Deputy Secretary. Effective February 16, 1996.

Staff Assistant to the Deputy Secretary. Effective February 16, 1996.

Special Assistant to the Assistant Secretary for Environment, Safety and Health. Effective February 26, 1996.

#### *Department of Health and Human Services*

Attorney Advisor (Special Assistant) to the General Counsel. Effective February 6, 1996.

Congressional Liaison Specialist to the Deputy Assistant Secretary for

Legislation (Congressional Liaison). Effective February 8, 1996.

Special Assistant to the Deputy Assistant Secretary for Legislation (Health). Effective February 13, 1996.

Director, Office of Professional Relations to the Associate Administrator for External Affairs, Health Care Financing Administration. Effective February 13, 1996.

Deputy Director, Office of Professional Relations to the Director, Office of Professional Relations, Health Care Financing Administration. Effective February 13, 1996.

Special Assistant to the Director of Communications, Communications Services Division. Effective February 13, 1996.

#### *Department of Housing and Urban Development*

Special Assistant to the Chief of Staff. Effective February 8, 1996.

Deputy Assistant Secretary for Congressional Relations to the Assistant Secretary for Congressional and Intergovernmental Relations. Effective February 22, 1996.

#### *Department of Justice*

Special Assistant to the Special Representatives to the United States Attorney, Southern District of California. Effective February 8, 1996.

Special Assistant to the Commissioner. Effective February 22, 1996.

#### *Department of Labor*

Speech Writer to the Assistant Secretary for Policy. Effective February 6, 1996.

Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective February 8, 1996.

Special Assistant to the Assistant Secretary for Policy. Effective February 8, 1996.

Special Assistant to the Assistant Secretary for Administration Management. Effective February 16, 1996.

#### *Department of the Navy (DOD)*

Staff Assistant to the Assistant Secretary of Navy (Research, Development and Acquisition). Effective February 27, 1996.

#### *Department of State*

Member, Policy Planning Staff to the Director. Effective February 6, 1996.

#### *Department of Transportation*

Scheduling Assistant to the Special Assistant for Scheduling and Advance. Effective February 2, 1996.