

ISG lines 422–427, that the percentage of “crane issue reports caused by poor human performance” has increased over time and averaged between 70–80 percent of the reports, should not be taken to mean that human performance is getting worse over time, and NRC should not establish any regulatory expectations based on such an assumption.

*Response.* NRC is not adding expectations based on these statistics reported in NUREG–1774. NRC recognizes there could be many factors, known and unknown, that may be driving the statistics. The intent of quoting the statistics in the ISG is to show that human performance did contribute significantly to the rate of load drops from cranes in the empirical data in this hypothetical example.

To help clarify, the ISG is revised to add the following sentence starting in line 425: “The reason for citing this statistic is not to imply that human performance is deteriorating over time, but as an indicator that human performance *does* contribute significantly to events in the empirical data in this hypothetical example.”

*Comment 21.* One commenter stated that the statement in item 6 on ISG lines 491–493 that the NRC staff review should look for a “rigorous performance-monitoring program that might compensate for elements missing from the NUREG–1774 facilities” would not be a necessary part of the LA unless the applicant claimed better crane reliability than the empirical data in NUREG–1774.

*Response.* NRC disagrees with the commenter. The ISG does not direct NRC staff review to look for “ \* \* \* a rigorous performance-monitoring program that might compensate for elements missing from the NUREG–1774 facilities.” ISG lines 487–493 discuss a hypothetical scenario where there are differences, in the conditions at the facilities from which the empirical data were obtained, compared to those at the GROA. The ISG lists examples of what the LA might provide as part of the technical basis for whatever empirical rate(s) are chosen. “Rigorous performance-monitoring program to account for uncertainties” is just one example of justification the LA may provide for using a particular empirical rate (as is, or modified). This is part of the staff review of assumptions in the analysis, and checking for justifiable inputs from a human performance perspective (which the commenter recognized is a reasonable thing to do in the LA review).

No change to the ISG was made as a result of this comment.

**FOR FURTHER INFORMATION CONTACT:** Jon Chen, Project Manager, Division of High-Level Waste Repository Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 [Telephone: (301) 492–3197; fax number: (301) 492–3361; e-mail: [jcc2@nrc.gov](mailto:jcc2@nrc.gov)]; or Robert K. Johnson, Senior Project Manager, Division of High-Level Waste Repository Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001 [Telephone: (301) 492–3175; fax number: (301) 492–3361; e-mail: [rkj@nrc.gov](mailto:rkj@nrc.gov)].

Dated at Rockville, Maryland, this 10th day of August, 2007.

For the Nuclear Regulatory Commission.

**N. King Stablein,**

*Chief, Project Management Branch B, Division of High-Level Waste Repository Safety, Office of Nuclear Material Safety and Safeguards.*

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Petition under Section 302 on China’s Currency Valuation; Decision Not To Initiate Investigation

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Decision not to initiate investigation.

**SUMMARY:** The United States Trade Representative (USTR) has determined not to initiate an investigation under section 302 of the Trade Act of 1974 with respect to a petition addressed to China’s currency valuation policies because initiation of an investigation would not be effective in addressing the issues raised in the petition.

**EFFECTIVE DATE:** June 14, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Terrence J. McCartin, Deputy Assistant United States Trade Representative for China Enforcement, (202) 395–3900; or William Busis, Associate General Counsel and Chairman of the Section 301 Committee, (202) 395–3150.

**SUPPLEMENTARY INFORMATION:** On May 17, 2007, the Bipartisan China Currency Action Coalition filed a petition pursuant to section 302(a)(1) of the Trade Act of 1974, as amended (the Trade Act), alleging that certain acts, policies and practices of the Government of China with respect to the valuation of China’s currency deny and violate international legal rights of the United States, are unjustifiable, and

burden or restrict U.S. commerce. In particular, the petition alleged that China’s acts, policies, and practices that maintain a fixed exchange rate vis-à-vis the U.S. dollar have resulted in a significant undervaluation of China’s currency. The petition alleged that these acts, policies and practices amount to: a prohibited export subsidy under the Agreement on Subsidies and Countervailing Measures and articles VI and XVI of the General Agreement on Tariffs and Trade 1994 (GATT 1994); exchange action under article XV of the GATT 1994 that frustrates the intent of articles I, II, III, VI, XI, and XVI of the GATT 1994; and subsidies that are inconsistent with China’s obligations under articles 3, 9, and 10 of the Agreement on Agriculture. The petition also alleged that these acts, policies, and practices of China violate international legal rights of the United States under articles IV and VIII of the Articles of Agreement of the International Monetary Fund, and that they burden or restrict U.S. commerce by, among other things, suppressing U.S. manufacturing for domestic consumption and the growth in U.S. exports.

On June 14, 2007, the USTR determined not to initiate an investigation under section 302 of the Trade Act because, among other reasons, an investigation would not be effective in addressing the acts, policies, and practices covered in the petition. The Administration is currently involved in efforts to address with the Government of China the currency valuation issues raised in the petition. The USTR believes that initiation of an investigation under section 302 would hamper, rather than advance, Administration efforts to address China’s currency valuation policies.

**William Busis,**

*Chairman, Section 301 Committee.*

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## PEACE CORPS

### Volunteer Language Testing Scores System

**AGENCY:** Peace Corps.

**ACTION:** Notice to add a new system of records.

**SUMMARY:** As required under the Privacy Act of 1974, (5 U.S.C. 552a), as amended, the Peace Corps is giving notice of a new system of records, Volunteer Language Testing Scores System.