of the content of the presentation. Persons who request the opportunity to address the Federal Advisory Council may be allowed to speak, as time permits, at the discretion of the Chairperson. Individuals with disabilities who wish to attend the meeting should contact Tom Marple at the address indicated below, if special accommodations are needed.

For additional information, please contact Thomas K. Marple, Director, Office of Federal Agency Programs, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–3622, 200 Constitution Avenue, NW., Washington, DC 20210, telephone number (202) 693–2122. An official record of the meeting will be available for public inspection at the Office of Federal Agency Programs.

Signed at Washington, DC, this 11th day of December 2002.

John L. Henshaw,

Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 02–31783 Filed 12–18–02; 8:45 am]

BILLING CODE 4510–26–M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

Combined Arts Advisory Panel

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92–463), as amended, notice is hereby given that four meetings of the Combined Arts Advisory Panel to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC, 20506 as follows:

Arts Education: January 14–17, 2003, Room 716 (Arts Learning category-section B1). A portion of this meeting, from 1 p.m. to 2 p.m. on January 17th, will be open to the public for policy discussion. The remaining portions of this meeting, from 9 a.m. to 6 p.m. on January 14th and 16th, from 9 a.m. to 6:30 p.m. on January 15th, and from 9 a.m. to 1 p.m. and 2 p.m. to 3:45 p.m. on January 17th, will be closed.

Arts Education: January 28–31, 2003, Room 716 (Arts Learning category-Section B2). A portion of this meeting, from 1 p.m. to 2 p.m. on January 31st, will be open to the public for policy discussion. The remaining portions of this meeting, from 9 a.m. to 6 p.m. on January 28th and 30th, from 9 a.m. to 6:30 p.m. on January 29th, and from 9 a.m. to 1 p.m. and 2 p.m. to 3:45 p.m. on January 31st, will be closed.

Folk & Traditional Arts: January 21–24, 2003, Room 716 (National Heritage Fellowships category). A portion of this meeting, from 1:30 p.m. to 2:30 p.m. on January 23rd, will be open to the public for policy discussion. The remaining portions of this meeting, from 9 a.m. to 6:30 p.m. on January 21st and 22nd, from 9 a.m. to 1:30 p.m. and 2:30 p.m. to 6:30 p.m., on January 23rd, and from 9 a.m. to 3:30 p.m. on January 24th, will be closed.

Arts Education: February 4–7, 2003, Rooms 714 & 716 (Arts Learning category—sections C1 and C2). A portion of this meeting, from 1 p.m. to 2 p.m. on February 7th, will be open to the public for policy discussion. The remaining portions of this meeting, from 9 a.m. to 6 p.m. on February 4th and 6th, from 9 a.m. to 6:30 p.m. on February 5th, and from 9 a.m. to 1 p.m. and 2 p.m. to 3:45 p.m. on February 7th, will be closed.

The closed portions of these 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 information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of May 2, 2002, these sessions will be closed to the public pursuant to (c)(4)(6) and (9)(B) of section 552b of title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and, if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, 202/682–5532, TDY–TDD 202/682–5496, at least seven days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506, or call 202/682–5691.

Dated: December 12, 2002.

Kathy Plowitz-Worden,

Panel Coordinator, Panel Operations, National Endowment for the Arts.

[FR Doc. 02–31909 Filed 12–18–02; 8:45 am]

BILLING CODE 7537–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 30–30097]

Dr. Ilia Ruiz Gandulla, Environmental Assessment and Final Finding of No Significant Impact; Exemption

The U. S. Nuclear Regulatory Commission is authorizing Ilia Ruiz Gandulla, M.D., License No. 52–24929–01, an exemption to 10 CFR 35.432, for 90 days to permit the licensee to continue the medical use of its strontium-90 eye applicator without determining the source output or activity based on a calibration performed as required by 10 CFR 35.432. During this period, the licensee shall use the activity value (corrected for decay) provided by the strontium-90 eye applicator brachytherapy 1988 calibration certificate for ophthalmic treatment.

Environmental Assessment

Identification of the Proposed Action

Ilia Ruiz Gandulla, M.D., has a United States Nuclear Regulatory Commission (NRC) license (License No. 52–24929–01) that authorizes the use, for medical therapeutic patient treatment purposes, of a strontium-90 eye applicator sealed source. The licensee has requested, in a letter dated November 21, 2002, that the NRC grant her an exemption for a limited period of time from the source calibration requirement in 10 CFR 35.432, in order to use the licensed source for patient treatment until a laboratory authorized to calibrate the source can provide the calibration required by 10 CFR 35.432. This requirement became effective on October 24, 2002.

10 CFR section 35.432 specifies that licensees may only use brachytherapy sources on or after October 24, 2002, if the licensee shall have determined the source output or activity using a dosimetry system that meet the requirements of 10 CFR 35.630(a). To meet this requirement, a licensee may perform the measurements, or use measurements provided by the source manufacturer or by a calibration laboratory accredited by the American Association of Physicists in Medicine that are made in accordance with the referenced section of the rule.

Since the 1988 calibration of the source was not performed in accordance with the requirements of 10 CFR 35.432, Dr. Gandulla, an opthamologist practicing in Mayaguez, Puerto Rico, has not been able to use the source since October 24, 2002. She requested recalibration of her strontium-90 eye

applicator source by an accredited calibration laboratory, but the calibration laboratory has a backlog of requests and cannot send the transportation container needed to ship the source at this time. The calibration is expected to be completed by December 31, 2002. Dr. Gandulla does not have the authorization or equipment to perform the calibration and the strontium-90 source manufacturer cannot provide the calibration because the manufacturer is no longer in business. Dr. Gandulla requested an exemption that would permit her to continue to perform patient treatments until the required recalibration can be performed.

Need for the Proposed Action

The exemption is needed so that Dr. Gandulla can continue to provide optimum medical treatment to her patients. The exemption would allow Dr. Gandulla to use the activity from the 1988 calibration certificate (corrected for decay) to determine the treatment times for ophthalmic conditions. This would permit continued use of the source prior to its recalibration and provide needed timely patient therapeutic services without interruption. Recalibration of the licensed strontium-90 eye applicator is expected to be performed by December 31, 2002. The 90-day duration of the exemption allows for flexibility if there is a delay in the calibration laboratory's ability to supply the transportation container necessary to ship the source. NRC inspections since 1988 have not identified any medical events associated with the use of the source or the treatment times developed using the existing activity values.

Environmental Impacts of the Proposed Action

The strontium-90 eye applicator source is a sealed source and no material will be released into the environment. All the strontium-90 is contained within the brachytherapy source, as verified by periodic source leak tests performed by the licensee. The proposed action does not increase public radiation exposure. There will be no impact on the environment as a result of the proposed action.

Alternatives to the Proposed Action

As required by section 102(2)(E) of NEPA (42 U.S.C. 4322(2)(E)), possible alternatives to the final action have been considered. The alternatives are to deny the exemption request and to require the licensee to: (1) return the source for calibration to the manufacturer, (2) have another calibration laboratory perform the measurements, (3) perform the calibration measurements, or (4) put the sources in storage until the calibration can be performed. The sources cannot be returned to the manufacturer because the manufacturer is no longer in business. Dr. Gandulla has already requested calibration by an accredited calibration laboratory. The licensee does not have the qualifications, authorization, or equipment to perform the calibration. The only other possible option is to require that the licensee place the source in storage. This option would not produce a gain in protecting the human environment, and it would negatively impact the licensee-physician's provision of medical care to her patients.

Alternative Use of Resources

No alternative use of resources was considered due to the reasons stated above.

Agencies and Persons Consulted

No other agencies or persons were contacted regarding this proposed action.

Identification of Source Used

Letter from Ilia Ruiz Gandulla, M.D., to U.S. Nuclear Regulatory Commission, Region II, dated November 21, 2002.

Finding of No Significant Impact

Based on the above environmental assessment, the Commission has concluded that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined that a Finding of No Significant Impact is appropriate and preparation of an environmental impact statement is not warranted.

The licensee's letter is available for inspection, and/or copying for a fee, in the Region II Public Document Room, Atlanta Federal Center, 61 Forsyth Street, SW., Atlanta, GA 30303 The document is available electronically for public inspection from the Publically Available Records (PARS) component of NRC's Documents Access and Management System (ADAMS), accession number ML023250443. ADAMS is accessible from the NRC Web site at *http://www.nrc.gov/reading-rm/adams.html.*

Dated in Rockville, Maryland, this 13th day of December, 2002.

For the Nuclear Regulatory Commission.

Frederick Brown,

Section Chief, Material Safety and Inspection Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 02–31943 Filed 12–18–02; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Final Finding of No Significant Impact and Availability of the Environmental Assessment Regarding Troxler Electronic Laboratories, Inc., Request for Exemption

I. Introduction

NRC is considering the granting of an exemption from the provisions in 10 CFR 32.14, to allow Troxler Electronic Laboratories, Inc. (hereafter Troxler) to manufacture and distribute the Model CoreReader density gauge as an exempt product. The NRC staff performed an Environmental Assessment (EA) in support of its review of Troxler's request, in accordance with the requirements in 10 CFR part 51. The conclusion of the EA is a Finding of No Significant Impact (FONSI) for the proposed licensing action.

II. Supplementary Information

Background

Troxler has requested a license to manufacture and distribute an ionizing measuring instrument for density readings (CoreReader) as an exempt product. This licensing action requires an exemption from the provisions of 10 CFR 32.14, which specify that licensees can incorporate byproduct material into products that meet the requirements found in 10 CFR 30.15.

The CoreReader is an ionizing radiation measurement instrument that determines the specific gravity of a compacted asphalt sample. The construction of the CoreReader is all metal housing and includes lead shielding around the source. It is a bench top laboratory instrument containing eight exempt-quantity cesium-137 sources (10 microcuries/0.37 MBq each) installed in plexiglass which is filled and sealed with an epoxy. The sources are held in a subassembly inside the device which is mounted inside the lower third of the device below the sample chamber. It is not removable and is completely inaccessible to the user. The total activity is 80 microcuries (3 MBq).

Troxler has requested an exemption from 10 CFR 32.14, to allow it to distribute the CoreReader as an exempt