

Signed at Washington, DC this 26th day of November, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-32232 Filed 12-20-02; 8:45 am]

**BILLING CODE 4510-30-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[Notice 02-148]

### **Notice of Prospective Patent License**

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

**ACTION:** Notice of Prospective Foreign Patent License.

**SUMMARY:** NASA hereby gives notice that Phoenix Systems International, Inc., of Pinebrook, New Jersey, has applied for an exclusive foreign patent license to practice the invention described and claimed in KSC-12235, "High Temperature Decomposition of Hydrogen Peroxide."—Application Serial No. 10/014,140 which is assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. Phoenix Systems International, Inc., currently has an exclusive patent license with NASA for KSC-12235, "High Temperature Decomposition of Hydrogen Peroxide." Written objections to the prospective grant of a license should be sent to Randy Heald, Patent Counsel, John F. Kennedy Space Center, Kennedy Space Center, FL 32899.

**DATES:** Responses to this Notice must be received by January 7, 2003.

**FOR FURTHER INFORMATION CONTACT:** Randall M. Heald, Assistant Chief Counsel/Patent Counsel, John F. Kennedy Space Center, Mail Code CC-A, Kennedy Space Center, FL 32899, telephone (321) 867-7214.

Dated: December 16, 2002.

**Paul G. Pastorek,**

*General Counsel.*

[FR Doc. 02-32179 Filed 12-20-02; 8:45 am]

**BILLING CODE 7510-01-P**

## **NUCLEAR REGULATORY COMMISSION**

[IA-02-031]

### **In the Matter of John Todd Bilinsky; Order Prohibiting Involvement in NRC-Licensed Activities**

**I**

John Todd Bilinsky was employed as a technician by NTH Consultants, Ltd. (Licensee) of Farmington Hills and Grand Rapids, Michigan. NTH Consultants, Ltd., holds License No. 21-14894-01 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR part 30 on June 17, 1996. The license authorizes the use of Cesium-137 and Americium-241 sealed sources in Troxler moisture/density gauges in accordance with the conditions specified therein.

**II**

On November 2, 2001, NTH Consultants Ltd., reported to the NRC that a Troxler moisture/density gauge containing NRC-licensed material had been stolen and subsequently recovered. The NRC Office of Investigations (OI) conducted an investigation into the reported theft of Troxler Model 3411B moisture/density gauge (Serial No. 16990) containing NRC-licensed material in two sealed sources (8 mCi of Cesium-137, Serial No. 50-6374, and 40 mCi of Americium-241, Serial No. 47-12413). The Office of Investigations issued Report No. 3-2001-053 on July 26, 2002. Information developed during that investigation indicated that John Todd Bilinsky was previously employed by NTH Consultants, Ltd., at its facility in Grand Rapids, Michigan, and Mr. Bilinsky was authorized to use Troxler moisture/density gauges. On September 14, 2001, an employee of the Licensee learned that Mr. Bilinsky was soliciting outside work from customers of NTH Consultants, Ltd. As a result of the solicitations, Mr. Bilinsky's employment was suspended by the Licensee on September 21, 2001, and his employment was terminated on September 24, 2001.

During October 2001, licensee personnel conducted a property inventory and could not account for Troxler Model 3411B moisture/density gauge (Serial No. 16990). The Licensee determined that the gauge was returned to its storage area on August 31, 2001. At that time, the gauge utilization log had been updated to reflect that this specific moisture-density gauge was broken and should be transferred from the Grand Rapids, Michigan, office to

the Farmington Hills, Michigan, corporate office for repairs. When Mr. Bilinsky was terminated on September 24, 2001, the Licensee was not aware that Mr. Bilinsky had the gauge in his possession. The Licensee did not learn that the gauge was in the possession of Mr. Bilinsky until November 2, 2001, when another employee of NTH Consultants retrieved the gauge from Mr. Bilinsky.

**III**

Based on the above, it appears that John Todd Bilinsky, a former employee of the Licensee, acquired and possessed, without authorization, a Troxler Model 3441B moisture-density gauge (Serial No. 16990) containing NRC-licensed material, that was owned by NTH Consultants, Ltd. Mr. Bilinsky's possession of a Troxler Model 3411B moisture-density gauge containing byproduct material (nominally 8 millicuries of cesium-137 and 40 millicuries of americium-241:Be) without authorization of an NRC licensee or without a specific or general license issued by the NRC or an Agreement State, is an apparent deliberate violation of 10 CFR 30.3, "Activities Requiring License."

Further, Mr. Bilinsky's conduct has raised serious doubt as to whether he can be relied upon to comply with NRC requirements in the future.

Consequently, I lack the requisite reasonable assurance that licensed activities can be conducted in compliance with the Commission's requirements and that the health and safety of the public will be protected if Mr. Bilinsky were permitted at this time to be involved in NRC-licensed activities. Therefore, the public health, safety and interest require that Mr. Bilinsky be prohibited from any involvement in NRC-licensed activities for a period of five years from the date of this Order.

**IV**

Accordingly, pursuant to sections 81, 161b, 161i, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, 10 CFR 30.10, and 10 CFR 150.20, *it is hereby ordered that:*

1. John Todd Bilinsky is prohibited for five years from the date of this Order from engaging in NRC-licensed activities. NRC-licensed activities are those activities that are conducted pursuant to a specific or general license issued by the NRC, including, but not limited to, those activities of Agreement State licensees conducted pursuant to the authority granted by 10 CFR 150.20.