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Electronic copies of this **Federal Register** notice as well as other relevant documents are available on OSHA's Web page.

## II. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651 *et seq.*) authorizes information to collection by employees as necessary or appropriate or enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (28 U.S.C. 657).

The OSHA 70 Form is used by applicants seeking accreditation from OSHA to be able to test or examine certain equipment and material handling devices, as required under the maritime regulations, part 1917 (Marine Terminals), and part 1918 (Longshoring). The OSHA 70 Form application for accreditation provides an easy means for companies to apply for accreditation.

The OSHA 71 Form is required to be issued by the those accredited by OSHA to employers in the maritime industry to make known that certain equipment and material handling devices are safe to use of operate. The OSHA 72 Form is required to be issued by those accredited by OSHA to employers in the maritime industry when the equipment or material handling device is found to be unsafe to use.

The collection of the information needed to complete these forms is necessary to provide an affective and efficient means of enabling employers and employees to determine if cargo gear, equipment and/or other material handling devices are safe to use.

## III. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

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- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information-collection requirements, including the validity of the methodology and improvement used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

## IV. Proposed Actions

OSHA is proposing to extend the information collection requirements in the Gear Certification Standard (29 CFR part 1919). The Agency will summarize the comments submitted in response to this notice and will include this summary in its request to OMB to extend the approval of these information collection requirements contained in the Standard.

*Type of Review:* Extension of currently approved information collection requirements.

*Title:* Gear Certification (29 CFR part 1919).

*OMB Number:* 1218-0003.

*Affected Public:* Business or other for-profit, not-for-profit institutions; Federal government; State, local, or Tribal governments.

*Number of Respondents:* 80.

*Frequency of Response:* On occasion, annually; quadrennially.

*Total Responses:* 82.

*Average Time per Response:* Varies from 2 minutes (.03 hour) for a supervisor to disclose forms to an OSHA Compliance Officer during an inspection to 45 minutes (.75 hour) for an accredited agency to complete the OSHA 70 Form.

*Estimated Total Burden Hours:* 61.

*Estimated Cost (Operation and Maintenance):* \$1,452,000.

## V. Authority and Signature

John L. Henshaw, Assistant Secretary of the Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, on August 23, 2004.

**John L. Henshaw,**

*Assistant Secretary of Labor.*

[FR Doc. 04-19630 Filed 8-26-04; 8:45 am]

BILLING CODE 4510-26-M

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on the Medical Uses of Isotopes: Meeting Notice

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The U.S. Nuclear Regulatory Commission will convene a meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) on October 13 and 14, 2004. A sample of agenda items to be discussed during the public sessions includes: (1) Use of I-125 Brachytherapy Seeds as Markers; (2) Proposed Changes to Abnormal Occurrence Criteria; (3) Discussion of Medical Event Criteria; and, (4) Update on St. Joseph Mercy Hospital Dose Reconstruction Case. To review the agenda, see <http://www.nrc.gov/reading-rm/doc-collections/acmui/schedules/2004/> or contact [arm@nrc.gov](mailto:arm@nrc.gov).

**PURPOSE:** Discuss issues related to 10 CFR Part 35, Medical Use of Byproduct Material.

#### DATE AND TIME FOR CLOSED SESSION MEETING:

October 13, 2004, from 8 a.m. to 10 a.m. This session will be closed so that NRC staff can give the ACMUI its required annual ethics briefing.

#### DATES AND TIMES FOR PUBLIC MEETINGS:

October 13, 2004, from 8:30 a.m. to 5 p.m.; October 14, 2004, from 8 a.m. to 5 p.m.

#### ADDRESS FOR PUBLIC MEETINGS:

U.S. Nuclear Regulatory Commission, Two White Flint North Building, Room T2B3, 11545 Rockville Pike, Rockville, MD 20852-2738.

#### FOR FURTHER INFORMATION CONTACT:

Angela R. McIntosh, telephone (301) 415-5030; e-mail [arm@nrc.gov](mailto:arm@nrc.gov) of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

#### Conduct of the Meeting

Leon S. Malmud, M.D., will chair the meeting. Dr. Malmud will conduct the meeting in a manner that will facilitate the orderly conduct of business. The following procedures apply to public participation in the meeting:

1. Persons who wish to provide a written statement should submit a

reproducible copy to Angela R. McIntosh, U.S. Nuclear Regulatory Commission, Two White Flint North, Mail Stop T8F5, 11545 Rockville Pike, Rockville, MD 20852-2738. Submittals must be postmarked by September 15, 2004, and must pertain to the topics on the agenda for the meeting.

2. Questions from members of the public will be permitted during the meeting, at the discretion of the Chairman.

3. The transcript and written comments will be available for inspection on NRC's Web site (<http://www.nrc.gov>) and at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD 20852-2738, telephone (800) 397-4209, on or about January 14, 2005. This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 161a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in Title 10, U.S. Code of Federal Regulations, Part 7.

4. Attendees are requested to notify Angela R. McIntosh at (301) 415-5030 of their planned attendance if special services, such as for the hearing impaired, are necessary.

Dated at Rockville, Maryland, this 23rd day of August, 2004.

For the Nuclear Regulatory Commission.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 04-19595 Filed 8-26-04; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[License Nos. (as shown in Attachment 2);  
Docket Nos. (as shown in Attachment 2);  
EA-03-099]

### Decommissioning Power Reactor Licensees Order Modifying License (Effective Immediately)

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Issuance of order for implementation of additional security measures associated with access authorization.

**FOR FURTHER INFORMATION CONTACT:** John Hickman, Project Manager, Decommissioning Directorate, Division of Waste Management and Environmental Protection, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Rockville, MD 20852. Telephone: (301) 415-3017; fax number: (301) 415-5398; e-mail [JBH@nrc.gov](mailto:JBH@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

## I. Introduction

Pursuant to Code of Federal Regulations Title 10 part 2.106, the Nuclear Regulatory Commission is providing notice in the matter of decommissioning power reactor licensees order modifying license (effective immediately).

## II. Further Information

I. The licensees identified in Attachment 2 to this Order hold licenses issued by the Nuclear Regulatory Commission (NRC or Commission) authorizing possession of nuclear power plants in accordance with the Atomic Energy Act of 1954 and Code of Federal Regulations Title 10 (10 CFR) part 50. Commission regulations at 10 CFR 50.54(p)(1) require these licensee to maintain safeguards contingency plan procedures in accordance with 10 CFR part 73, Appendix C. Specific safeguards requirements are contained in 10 CFR 73.55.

II. On September 11, 2001, terrorists simultaneously attacked targets in New York, N.Y., and Washington, DC, utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees in order to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. The Commission has also communicated with other Federal, State, and local government agencies and industry representatives to assess the adequacy of security measures at licensed facilities. In addition, the Commission conducted a comprehensive review of its safeguards and security programs and requirements.

As a result of its initial consideration of current safeguards and security requirements and the Order issued on May 23, 2002, as well as a review of information provided by the intelligence community, the Commission has determined that certain additional security measures are required to address the current threat environment. Therefore, the Commission is imposing requirements, as set forth in Attachment 1<sup>1</sup> of this Order, on all decommissioning power reactor licensees with spent fuel in the spent fuel pool. These requirements, which supplement existing regulatory requirements, provide the Commission with reasonable assurance that the public health and safety, and common defense and security continue to be

<sup>1</sup> Attachment 1 contains SAGEGUARDS information and will not be released to the public.

adequately protected in the current threat environment. These requirements will remain in effect until the Commission determines otherwise.

The Commission recognizes that licensees may have already initiated many of the measures set forth in Attachment 1 to this Order in response to previously issued advisories, the May 2002 Order, or on their own. It also recognizes that some measures may not be possible or may need to be tailored to accommodate the specific circumstances existing at the licensee's facility to achieve the intended objectives and avoid any unforeseen effect on safety.

Although the additional security measures implemented by licensees in response to the Safeguards and Threat Advisories and the May 2002 Order have been adequate to provide reasonable assurance of adequate protection of public health and safety, the Commission concludes that these security measures must be supplemented further because the current threat environment continues to persist. Therefore, it is appropriate to require additional security measures and these measures must be embodied in an Order, consistent with the established regulatory framework. In order to provide assurance that licensees are implementing prudent measures to achieve a consistent level of protection to address the current threat environment, all licenses identified in Attachment 2 to this Order shall be modified to include the requirements identified in Attachment 1 to this Order. In addition, pursuant to 10 CFR 2.202, I find that in the circumstances described above, the public health, safety and interest require that this Order be immediately effective.

III. Accordingly, pursuant to Sections 103, 104, 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 parts 50 and 73, it is hereby ordered, effective immediately, that all licenses identified in Attachment 2 to this order are modified as follows:

A. All licensees shall, notwithstanding the provisions of any Commission regulation or license to the contrary, comply with the requirements described in Attachment 1 to this Order except to the extent that a more stringent requirement is set forth in the licensee's security plan. The licensees shall immediately start implementation of the requirements in Attachment 1 to the Order and shall complete implementation no later than 180 days from the date of this Order with the exception of additional security