

These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: March 24, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

[FR Doc. 97-7969 Filed 3-28-97; 8:45 am]

BILLING CODE 7555-01-M

Office of Polar Programs, Arctic Social Science Program; Notice of Meeting

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

Name and Committee Code: Special Emphasis Panel in Polar Programs (1209).

Date and Time: April 18, 1997; 8:00 a.m. to 5:00 p.m.

Place: Room 730, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Dr. Carol Seyfrit, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 306-1029.

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

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

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 individual 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.

Dated: March 24, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

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NATIONAL WOMEN'S BUSINESS COUNCIL

Sunshine Act meeting

AGENCY: National Women's Business Council.

ACTION: Notice of Meeting.

SUMMARY: In accordance with the Women's Business Ownership Act, Public Law 100-403 as amended, the National Women's Business Council (NWBC) announces a forthcoming Council meeting and joint meeting of the NWBC and Interagency Committee

on Women's Business Enterprise. These meetings will cover action items to be taken by the National Women's Business Council in Fiscal Year 1997 including but not limited to increasing procurement opportunities and access to capital for women business owners. **DATES:** April 8, 1997, from 10:00 am to 5:00 pm.

ADDRESSES: U.S. Department of Treasury, Secretary's Conference Room, Room #3327, Washington, DC 20515.

STATUS: Open to the public.

CONTACT: For further information contact Amy Millman, Executive Director, or Gilda Presley, Administrative Officer, National Women's Business Council, 409 Third Street, SW., Suite 5850, Washington, DC 20024, (202) 205-3850.

Gilda Presley,

Administrative Officer, National Women's Business Council.

[FR Doc. 97-8199 Filed 3-27-97; 2:17 pm]

BILLING CODE 6820-AB-M

NUCLEAR REGULATORY COMMISSION

[IA 97-001]

Darryl D. McNeil; Order Prohibiting Involvement in NRC-Licensed Activities (Effective Immediately)

I

Darryl D. McNeil was employed by SBI as a Security Lieutenant at Florida Power Corporation's (FPC) Crystal River site. SBI is a contractor to FPC and provides security services for the site. FPC holds License No. DPR-72 for Crystal River Unit 3, issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to 10 CFR Part 50 on January 28, 1977. The license authorizes FPC to operate Crystal River Unit 3 in accordance with the conditions specified therein.

II

10 CFR 73.55(d) requires, in part, that nuclear power plant licensees control all points of personnel access into a protected area. 10 CFR 73.55(d)(5) requires that a numbered picture badge identification system be used for all individuals who are authorized access to protected areas without escort. The objective of the regulation is to provide high assurance that only individuals who require access and have been found to be trustworthy and reliable and do not constitute an unreasonable risk to the health and safety of the public are allowed to enter the protected area. The Crystal River Unit 3 Operating License

Section 2.D, Physical Security, requires FPC to maintain in effect all provisions of the Commission-approved Physical Security Plan. FPC's Physical Security Plan, Revision 6-9, Section 5.4.3 states: "When badges/key cards are allowed to leave the Protected Area, they will be under the observation and control of Security Force personnel. * * * Lost and missing badges/key cards are immediately removed from the Security Computer as soon as Security Supervision is made aware of the loss. Prior to removal from the Security Computer, an investigation is conducted to determine any unauthorized use."

On February 9, 1996, a Quality Assurance employee at Crystal River Unit 3 left the site while wearing his security badge. During the period of March 6, 1996, through December 13, 1996, the Nuclear Regulatory Commission (NRC) Office of Investigations (OI) conducted an investigation of the circumstances surrounding the loss of control of the security badge at the Crystal River site. From its investigation, the NRC concludes that contract security employees intentionally and deliberately conspired to cover up the loss of the security badge. Specifically, the evidence revealed that, prior to the return of the employee to the site, two security officers became aware that this event had occurred, and notified their supervisor, Darryl D. McNeil, of the event. Although Mr. McNeil admitted to the OI investigator that he was aware of the requirements to deactivate a missing badge in the security access computer, and to initiate an investigation upon being informed of the mistake, he did not comply with these requirements. Instead, he permitted the security officers: (1) to retrieve the individual's badge when he returned to the site later that day; (2) to card the badge out as if it had been processed properly upon the individual's exit from the plant; and (3) to return the badge to the badge rack.

On January 16, 1997, the NRC sent a certified letter to Mr. McNeil advising him that his actions appeared to have violated 10 CFR 50.5, Deliberate Misconduct, and offering him the opportunity to attend a predecisional enforcement conference. By letter dated February 10, 1997, Mr. McNeil provided a written response to the January 16, 1997, letter in lieu of participation in an enforcement conference. Mr. McNeil's letter indicated that he was aware an employee had left the facility with his badge and that he had been informed that the security officer planned to retrieve the badge and return it to the badge rack. Mr. McNeil stated that in his

judgement, these actions posed no security risk to the plant.

III

Based on the above, it appears that Mr. McNeil engaged in deliberate misconduct in that, although he was aware of badge security requirements, he deliberately allowed security officers to improperly retrieve, card out, and return a badge which had been taken off-site to the badge rack, and deliberately failed to remove the employee's badge from the security access computer or initiate an investigation of the incident. These actions were not authorized by plant procedures. Mr. McNeil's deliberate misconduct caused the Licensee to be in violation of Section 5.4.3 of its Physical Security Plan and is, therefore, a violation of 10 CFR 50.5(a)(1). The NRC must be able to rely on licensees, contractors and their employees to fully comply with NRC requirements. This is essential with respect to access authorization programs at nuclear power plants because the NRC relies on members of a nuclear facility's security force to ensure that all individuals who are allowed to access the facility meet high standards of trustworthiness and reliability. Mr. McNeil's deliberate misconduct raises serious doubt as to whether he can be relied upon to comply with NRC requirements.

Consequently, I lack the requisite reasonable assurance that licensed activities can be conducted in compliance with Commission requirements and that the health and safety of the public will be protected if Mr. McNeil were permitted at this time to be involved in NRC-licensed activities. Therefore, public health and safety and the public interest require that Mr. McNeil be prohibited from any involvement in NRC-licensed activities for a period of one year from the date of this Order and, if he is currently involved with another licensee in NRC-licensed activities, he must immediately cease such activities, and inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. Additionally, Mr. McNeil is required to notify the NRC of his first employment in NRC-licensed activities for one year following the prohibition period. Furthermore, pursuant to 10 CFR 2.202, I find that the significance of Mr. McNeil's conduct described above is such that the public health, safety and interest require that this Order be immediately effective.

IV

Accordingly, pursuant to sections 103, 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, 10 CFR 50.5 and 10 CFR 150.20, it is hereby ordered, effective immediately, that:

A. Mr. Darryl D. McNeil is prohibited for one year from the date of this Order from engaging in or exercising control over individuals engaged in NRC-licensed activities. If Mr. McNeil is currently involved in NRC licensed activities, he must immediately cease such activities, inform the NRC of the name, address and telephone number of the employer, and provide a copy of this Order to the employer. 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.

B. For a period of one year following the period of prohibition set forth in Paragraph IV.A. above, Mr. Darryl D. McNeil shall, within 20 days of his acceptance of his first employment offer involving NRC-licensed activities as defined in Paragraph IV.A above, provide notice to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555, of the name, address, and telephone number of the employer or the entity where he is, or will be, involved in NRC-licensed activities. The notice shall include a statement of his commitment to compliance with regulatory requirements and the basis why the Commission should have confidence that he will now comply with applicable NRC requirements.

The Director, Office of Enforcement, may relax or rescind, in writing, any of the above conditions upon demonstration by Mr. McNeil of good cause.

V

In accordance with 10 CFR 2.202, Mr. McNeil must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within 20 days of the date of this Order. 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, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically admit or deny each allegation or charge made in this

Order and shall set forth the matters of fact and law on which Mr. McNeil or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Section, Washington, DC 20555. Copies also shall be sent to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Hearings and Enforcement at the same address, and to the Regional Administrator, NRC Region II, 101 Marietta Street, NW, Suite 2900, Atlanta, Georgia 30323 and to Mr. McNeil if the answer or hearing request is by a person other than Mr. McNeil. If a person other than Mr. McNeil 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 Mr. McNeil or 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 Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), Mr. McNeil, or any other person 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 24th day of March 1997.

Edward L. Jordan,

Deputy Executive Director for Regulatory Effectiveness, Program Oversight, Investigations and Enforcement.

[FR Doc. 97-8053 Filed 3-28-97; 8:45 am]

BILLING CODE 7590-01-P

Privacy Act of 1974, as Amended: Establishment of a New System of Records

AGENCY: Nuclear Regulatory Commission.

ACTION: Establishment of a new system of records.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to establish a new Privacy Act System of Records, NRC-42, "Skills Assessment and Employee Profile Records—NRC."

EFFECTIVE DATE: The new system of records will become effective without further notice on May 12, 1997, unless comments received on or before that date cause a contrary decision. If changes are made based on NRC's review of comments received, NRC will publish a new final notice.

ADDRESSES: Send comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch. Hand deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. Federal workdays. Copies of comments may be examined, or copied for a fee, at the NRC Public Document Room at 2120 L Street, NW., Lower Level, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jona L. Souder, Freedom of Information/Local Public Document Room Branch, Office of Information Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-7170.

SUPPLEMENTARY INFORMATION: NRC is establishing a new System of Records, NRC-42, "Skills Assessment and Employee Profile Records—NRC," for the primary purpose of enabling the Chief Information Officer (CIO) to carry out the duties and responsibilities contained in section 5125(c)(3) of the National Defense Authorization Act for Fiscal Year 1996 which requires the CIO to, among other things, assess the requirements established for agency personnel regarding knowledge and skill in information resources management; assess the extent to which certain positions and personnel meet the requirements; and develop strategies and plans for hiring, training, and

professional development in order to rectify any deficiency in meeting the requirements.

The CIO may also use the new system of records to prepare skills profiles of employees reporting to the CIO, to assess the skills of the CIO staff in light of the functions performed by the CIO organization, to develop individual and organizational training and recruitment plans, and to assign personnel.

Other offices may maintain similar kinds of records relative to their specific duties, functions, and responsibilities.

A report on the proposed new system of records is being sent to the Office of Management and Budget (OMB), the Committee on Governmental Affairs of the U.S. Senate, and the Committee on Government Reform and Oversight of the U.S. House of Representatives as required by the Privacy Act and OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals."

Accordingly, the NRC proposes to add NRC-42 to read as follows:

NRC-42

SYSTEM NAME:

Skills Assessment and Employee Profile Records—NRC.

SYSTEM LOCATION:

Primary system—Chief Information Officer, NRC, 11545 Rockville Pike, Rockville, Maryland.

Duplicate systems—Duplicate systems may exist, in whole or in part, at the NRC's Headquarters, regional, and other offices listed in Addendum I, Parts 1 and 2. This system of records may contain some of the information contained in other systems of records. These other systems may include, but are not limited to:

NRC-11, General Personnel Records (Official Personnel Folder and Related Records)—NRC;

NRC-13, Incentive Awards Files—NRC;

NRC-19, Official Personnel Training Records Files—NRC;

NRC-22, Personnel Performance Appraisals—NRC; and

NRC-27, Recruiting, Examining, and Placement Records—NRC.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current, prospective, and former NRC employees, experts, consultants, contractors, and employees of other Federal agencies and State, local, and foreign governments and private entities.

CATEGORIES OF RECORDS IN THE SYSTEM:

Specific information maintained on individuals includes individual skills

assessments that identify the knowledge and skills possessed by the individual and the level of skills possessed, and may include a skills profile containing, but not limited to, their name; date of birth; social security number; service computation date; series and grade; address and phone number; education; training; work and skills experience; special qualifications; licenses and certificates held; honors and awards; career interests, goals and objectives; and availability for travel or geographic relocation. Individual training plans, when developed, may also be maintained in this system.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Pub. L. 104-106, National Defense Authorization Act for Fiscal Year 1996, sec. 5125, Agency Chief Information Officer, February 10, 1996; 5 U.S.C. 3396 (1988); 5 U.S.C. 4103 (1988); 42 U.S.C. 2201 (1988); Executive Order 9397, November 22, 1943; Executive Order 11348, February 20, 1967, as amended by Executive Order 12107, December 28, 1978.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The primary use of the records will be to assess the knowledge and skills needed to perform the functions assigned to individuals and their organizations. It will specifically be used by the Chief Information Officer (CIO) to carry out the provisions of section 5125(c)(3) of the National Defense Authorization Act for Fiscal Year 1996 which requires the CIO to, among other things, assess the requirements established for agency personnel regarding knowledge and skill in information resources management and the adequacy of the requirements for achieving performance goals established for information resources management; assess the extent to which certain positions and personnel meet the requirements; develop strategies and specific plans for hiring, training, and professional development to rectify deficiencies in meeting the requirements; and report to the head of the agency the progress made in improving information resources management.

Information in the system may be used by the CIO to prepare skills profiles of employees reporting to the CIO, including those in the Office of Information Resources Management; to assess the skills of the CIO staff in light of the functions performed by the CIO organization; to develop an organizational training plan/program; to prepare individual training plans; to