

provide notice to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, of the name, address, and telephone number of the employer or the entity where he is, or will be, involved in the NRC-licensed activities. In the first notification, Mr. Barnhart shall include a statement of his commitment to comply with NRC regulatory requirements and the basis for the Commission to have confidence that he will now comply with applicable NRC requirements.

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

**V**

In accordance with 10 CFR 2.202, Mr. Barnhart 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, D.C. 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. Barnhart 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, Rulemakings and Adjudications, 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, to the Regional Administrator, Region III, U. S. Nuclear Regulatory Commission, 801 Warrenville Road, Lisle, Illinois 60532-4351, and to Mr. Barnhart, if the answer or hearing request is by a person other than Mr. Barnhart. If a person other than Mr. Barnhart requests a hearing, that person shall set forth with particularity the manner in which his or her 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. Barnhart 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. Barnhart may, in addition to demanding a hearing, at the time that 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 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 a hearing shall not stay the immediate effectiveness of this order.

Dated at Rockville, Maryland this 23rd day of June 1997.

For the Nuclear Regulatory Commission.

**James Lieberman,**

*Director, Office of Enforcement.*

[FR Doc. 97-16995 Filed 6-27-97; 8:45 am]

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**NUCLEAR REGULATORY COMMISSION**

**Governors' Designees Receiving Advance Notification of Transportation of Nuclear Waste**

On January 6, 1982 (47 FR 596 and 47 FR 600), the Nuclear Regulatory Commission (NRC) published in the **Federal Register** final amendments to 10 CFR Parts 71 and 73 (effective July 6, 1982), that require advance notification to Governors or their designees by NRC licensees prior to transportation of certain shipments of nuclear waste and spent fuel. The advance notification covered in Part 73 is for spent nuclear reactor fuel shipments and the notification for Part 71 is for large quantity shipments of radioactive waste (and of spent nuclear reactor fuel not covered under the final amendment to 10 CFR Part 73).

The following list updates the names, addresses and telephone numbers of those individuals in each State who are responsible for receiving information on nuclear waste shipments. The list will be published annually in the **Federal Register** on or about June 30, to reflect any changes in information.

**INDIVIDUALS RECEIVING ADVANCE NOTIFICATION OF NUCLEAR WASTE SHIPMENTS**

| State            | Part 71  | Part 73 |
|------------------|--|---------|
| ALABAMA .....    | Col. L. N. Hagan, Director, Alabama Department of Public Safety, P.O. Box 1511, Montgomery, AL 36102-1511, (334) 242-4378.   | Same.   |
| ALASKA .....     | Doug Dasher, Alaska Department of Environmental Conservation, Northern Regional Office 610 University Avenue, Fairbanks, AK 99709-3643, (907) 451-2172.  | Same.   |
| ARIZONA .....    | Aubrey V. Godwin, Director, Arizona Radiation Regulatory Agency, 4814 South 40th Street, Phoenix, AZ 85040, (602) 255-4845, ext. 222, 24 hours: (602) 223-2212.  | Same.   |
| ARKANSAS .....   | David D. Snellings, Jr., Director, Division of Radiation Control and Emergency Management, Arkansas Department of Health, 4815 West Markham Street, Mail Slot #30, Little Rock, AR 72205-3867, (501) 661-2301, 24 hours: (501) 661-2136. | Same.   |
| CALIFORNIA ..... | Lt. Ray Wineinger, California Highway Patrol, P.O. Box 942898, Sacramento, CA 94298-0001, (916) 327-3310, 24 hours: (916) 445-2211.  | Same.   |
| COLORADO .....   | Captain Allan M. Turner, Hazardous Materials Section, Colorado State Patrol, 700 Kipling Street, Suite 1000, Denver, CO 80215-5865, (303) 239-4546, 24 hours: (303) 239-4501.  | Same.   |

## INDIVIDUALS RECEIVING ADVANCE NOTIFICATION OF NUCLEAR WASTE SHIPMENTS—Continued

| State               | Part 71   | Part 73   |
|---------------------|---|---|
| CONNECTICUT .....   | Commissioner Sidney J. Holbrook, Department of Environmental Protection, 79 Elm Street, Hartford, CT 06106-5127, (860) 424-3001, 24 hours: (860) 424-3333.  | Same.   |
| DELAWARE .....      | Karen L. Johnson, Secretary, Department of Public Safety, P.O. Box 818, Dover, DE 19903, (302) 739-4321, 24 hours: (302) 739-5851.  | Same.   |
| FLORIDA .....       | Harlan Keaton, Manager, Environmental Radiation Program, Office of Radiation Control, Department of Health and Rehabilitative Services, P.O. Box 680069, Orlando, FL 32868-0069, (407) 297-2095.                                | Same.   |
| GEORGIA .....       | Al Hatcher, Director, Transportation Division, Public Service Commission, 1007 Virginia Avenue, Suite 310, Hapeville, GA 30354, (404) 559-6600.   | Same.   |
| HAWAII .....        | Bruce S. Anderson, Ph.D., Deputy Director for Environmental Health, State of Hawaii, Department of Health, P.O. Box 3378, Honolulu, HI 96813, (808) 586-4424.   | Same.   |
| IDAHO .....         | Captain David C. Rich, Department of Law Enforcement, Idaho State Police, P.O. Box 700, Meridian, ID 83680-0700, (208) 884-7206, 24 hours: (208) 334-2900.  | Same.   |
| ILLINOIS .....      | Thomas W. Ortiger, Director, Illinois Department of Nuclear Safety, 1035 Outer Park Drive, 5th Floor, Springfield, IL 62704, (217) 785-9868, 24 Hours: (217) 785-9900.  | Same.   |
| INDIANA .....       | Melvin J. Carraway, Superintendent, Indiana State Police, Indiana Government Center North, 100 North Senate Avenue, Indianapolis, IN 46204, (317) 232-8248.   | Same.   |
| IOWA .....          | Ellen M. Gordon, Administrator, Emergency Management Division, Hoover State Office Building, Des Moines, IA 50319-0113, (515) 281-3231.   | Same.   |
| KANSAS .....        | Frank H. Moussa, M.S.A. Technological Hazards Administrator, Department of the Adjutant General, Division of Emergency Management, 2800 S.W. Topeka Boulevard, Topeka, KS 66611-1287, (913) 274-1409, 24 hours: (913) 296-3176. | Same.   |
| KENTUCKY .....      | John A. Volpe, Ph.D., Manager, Radiation and Toxic Agents Section, Cabinet for Human Resources, 275 East Main Street, Frankfort, KY 40621-0001, (502) 564-3700.   | Same.   |
| LOUISIANA .....     | Captain Joseph T. Booth, Louisiana State Police, 7901 Independence Boulevard, P.O. Box 66614 (#21), Baton Rouge, LA 70896-6614, (504) 925-6113.   | Same.   |
| MAINE .....         | Chief of the State Police, Maine Dept. of Public Safety, 36 Hospital Street, Augusta, ME 04333, (207) 624-7000.   | Same.   |
| MARYLAND .....      | First Sgt. Wellington Gray, Maryland State Police, Communication Services Division, 1201 Reisterstown Road, Pikesville, MD 21208, (410) 653-4208, 24 hours: (410) 653-4200.   | Same.   |
| MASSACHUSETTS ..... | Robert M. Hallisey, Director, Radiation Control Program, Massachusetts Department of Public Health, State Laboratory Institute, 305 South Street, 7th Floor, Jamaica Plain, MA 02130, (617) 727-6214.                           | Same.   |
| MICHIGAN .....      | Captain Stephen D. Madden, Commanding Officer, Special Operations Division, Michigan State Police, 714 S. Harrison Road, East Lansing, MI 48823, (517) 336-6263, 24 hours: (517) 336-6100.                                      | Same.   |
| MINNESOTA .....     | John R. Kerr, Assistant Director, Planning Branch, Division of Emergency Management, Department of Public Safety, B5—State Capitol, 75 Constitution Avenue, St. Paul, MN 55155, (612) 296-0481, 24 hours: (612) 649-5451.       | Same.   |
| MISSISSIPPI .....   | James E. Maher, Director, Emergency Management Agency, P.O. Box 4501, Fondren Station, Jackson, MS 39296-4501, (601) 352-9100.  | Same.   |
| MISSOURI .....      | Jerry B. Uhlmann, Director, Emergency Management Agency, 2302 Militia Drive, P.O. Box 116, Jefferson City, MO 65102, (573) 526-9101, 24 hours: (573) 751-2748.  | Same.   |
| MONTANA .....       | George Eicholtz, Coordinator, Radiation Control Section, DEQ/AQD, 1520 East Sixth Avenue, P.O. Box 200901, Helena, MT 59620-0901, (406) 444-5266.   | Jim Greene, Administrator, Disaster and Emergency Services, P.O. Box 4789, Helena, MT 59604 (406) 444-6911. |
| NEBRASKA .....      | Major Bryan J. Tuma, Nebraska State Patrol, P.O. Box 94907, Lincoln, NE 68509-4907, (402) 479-4950, 24 hours: (402) 471-4545.   | Same.   |
| NEVADA .....        | Stanley R. Marshall, Supervisor, Radiological Health Section, Bureau of Health Protection Services, Nevada Division of Health, 505 East King Street, Carson City, NV 89710, (702) 687-5394, 24 hours: (702)687-5300.            | Same.   |
| NEW HAMPSHIRE ..... | Richard M. Flynn, Commissioner, New Hampshire Dept. of Safety, James H. Hayes Building, 10 Hazen Drive, Concord, NH 03305, (603) 271-3903, (603) 271-3636 (24 hours).   | Same.   |

## INDIVIDUALS RECEIVING ADVANCE NOTIFICATION OF NUCLEAR WASTE SHIPMENTS—Continued

| State                | Part 71  | Part 73  |
|----------------------|--|--|
| NEW JERSEY .....     | Kent Tosch, Manager, Bureau of Nuclear Engineering, Department of Environmental Protection, CN 415, Trenton, NJ 08625-0415, (609) 984-7701.  | Same.  |
| NEW MEXICO .....     | Max D. Johnson, Bureau Chief, Technological Hazards Bureau, Department of Public Safety, P.O. Box 1628, Santa Fe, NM 87504-1628, (505) 476-9620, 24 hours: (505) 827-9126.   | Same.  |
| NEW YORK .....       | Edward F. Jacoby, Jr., Director, State Emergency Management Office, 1220 Washington Avenue, Building 22—Suite 101, Albany, NY 12226-2251, (518) 457-2222.  | Same.  |
| NORTH CAROLINA ..... | First Sgt. T.C. Stroud, Hazardous Materials Coordinator, North Carolina Highway Patrol Headquarters, 512 N. Salisbury St., P.O. Box 29590, Raleigh, NC 27626-0590, (919) 733-5282, After hours: (919) 733-3861.      | Same.  |
| NORTH DAKOTA .....   | Dana K. Mount, Director, Division of Environmental Engineering, North Dakota Department of Health, 1200 Missouri Avenue, Box 5520, Bismarck, ND 58506-5520, (701) 328-5188, After hours: (701) 328-2121.             | Same.  |
| OHIO .....           | James R. Williams, Chief of Staff, Ohio Emergency Management Agency, 2855 W. Dublin-Granville Road, Columbus, OH 43235-2206, (614) 889-7150.   | Same.  |
| OKLAHOMA .....       | Bob A. Ricks, Commissioner, Oklahoma Department of Public Safety, P.O. Box 11415, Oklahoma City, OK 73136-0145, (405) 425-2001, 24 hours: (405) 425-2424.  | Same.  |
| OREGON .....         | David Stewart-Smith, Administrator, Energy Resources Division, Oregon Office of Energy, 625 Marion Street, N.E., Salem, OR 97310, (503) 378-6469.  | Same.  |
| PENNSYLVANIA .....   | John Bahnweg, Director of Operations and Training, Pennsylvania Emergency Management Agency, P. O. Box 3321, Harrisburg, PA 17105-3321, (717) 651-2120.  | Same.  |
| RHODE ISLAND .....   | William A. Maloney, Associate Administrator, Motor Carriers Section, Division of Public Utilities and Carriers, 100 Orange Street, Providence, RI 02903, (401) 277-3500; ext. 150.                                   | Same.  |
| SOUTH CAROLINA ..... | Virgil R. Autry, Director, Division of Radioactive Waste Management, South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, SC 29201, (803) 896-4244, Emergency: (803) 253-6488. | Same.  |
| SOUTH DAKOTA .....   | Gary N. Whitney, Director, Division of Emergency Management, 500 E. Capitol Avenue, Pierre, SD 57501-5060, (605) 773-3231.   | Same.  |
| TENNESSEE .....      | John D. White, Jr., Director, Tennessee Emergency Management Agency, 3041 Sidco Drive, Nashville, TN 37204-1504, (615) 741-0001, After hours: (Inside TN) 1-800-262-3300, (Outside TN) 1-800-258-3300.               | Same.  |
| TEXAS .....          | Richard A. Ratliff, Chief, Bureau of Radiation Control, Texas Department of Health, 1100 West 49th Street, Austin, TX 78756, (512) 834-6688.   | Col. Dudley M. Thomas, Director Texas Department of Public Safety, Attn: EMS Tech. Hazards, P.O. Box 4087, Austin, TX 78773-0001, (512) 424-2429, (512) 424-2277 (24 hrs). |
| UTAH .....           | William J. Sinclair, Director, Division of Radiation Control, 168 North 1950 West P.O. Box 144850, Salt Lake City, UT 84114-4850, (801) 536-4250, After hours: (801) 536-4123.                                       | Same.  |
| VERMONT .....        | Glenn Gershaneck, Secretary, Vermont Transportation Agency, 133 State Street, Montpelier, VT 05633-5001, (802) 828-2657.   | Same.  |
| VIRGINIA .....       | L. Ralph Jones, Jr., Director, Technological Hazards Division, Department of Emergency Services, Commonwealth of Virginia 310 Turner Road, Richmond, VA 23225, (804) 674-2400.                                       | Same.  |
| WASHINGTON .....     | Lieutenant Gail R. Otto, Washington State Patrol, General Administration Building, P.O. Box 42600, Olympia, WA 98504-2600, (360) 753-0565.   | Same.  |
| WEST VIRGINIA .....  | Colonel Thomas L. Kirk, Superintendent, Division of Public Safety, West Virginia State Police, 725 Jefferson Road, South Charleston, WV 25309, (304) 746-2111.   | Same.  |
| WISCONSIN .....      | Steven D. Sell, Administrator, Wisconsin Division of Emergency Management, P.O. Box 7865, Madison, WI 53707-7865, (608) 242-3232.  | Same.  |
| WYOMING .....        | Captain L. S. Gerard, Motor Carrier Officer, Wyoming Highway Patrol, 5300 Bishop Boulevard, P.O. Box 1708, Cheyenne, WY 82003-1708, (307) 777-4317, 24 hours: (307) 777-4321.  | Same.  |

INDIVIDUALS RECEIVING ADVANCE NOTIFICATION OF NUCLEAR WASTE SHIPMENTS—Continued

| State   | Part 71   | Part 73 |
|---|---|---------|
| DISTRICT OF COLUMBIA .....                    | Norma J. Stewart, Program Manager, Pharmaceutical, Radiological, and Medical Devices Control Division, Department of Consumer and Regulatory Affairs, 614 H Street, NW., Washington, DC 20001, (202) 727-7218, After hours: (202) 727-6161. | Same.   |
| PUERTO RICO .....                             | Hector Russe Martinez, Chairman, Environmental Quality Board, P.O. Box 11488, San Juan, PR 00910, (787) 767-8056 or (787) 767-8181.   | Same.   |
| GUAM .....                                    | Jesus T. Salas, Administrator, Guam Environmental Protection Agency, P.O. Box 22439 GMF, Barrigada, Guam 96921, (671) 475-1658/9.   | Same.   |
| VIRGIN ISLANDS .....                          | Roy L. Schneider, Governor, Governor's Office, 21-22 Kongens Gade, St. Thomas, Virgin Islands 00802, (809) 774-0001.  | Same.   |
| AMERICAN SAMOA .....                          | Pati Faiai, Government Ecologist, Environmental Protection Agency, Office of the Governor, Pago Pago, American Samoa 96799, (684) 633-2304.   | Same.   |
| COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS. | Nicolas M. Leon Guerrero, Director, Department of Natural Resources, Commonwealth of Northern Mariana Islands Government, Capitol Hill, Saipan, MP 96950, (670) 322-9830 or (670) 322-9834.   | Same.   |

Questions regarding this matter should be directed to Spiros Droggitis, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, (INTERNET Address: SCD@NRC.GOV) or at (301) 415-2367.

Dated at Rockville, Maryland, this 17th day of June, 1997.

For the Nuclear Regulatory Commission.

**Richard L. Bangart,**

*Director, Office of State Programs.*

[FR Doc. 97-16997 Filed 6-27-97; 8:45 am]

BILLING CODE 7590-01-P

**NUCLEAR REGULATORY COMMISSION**

**Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses, Availability of NUREG**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability.

**SUMMARY:** The Nuclear Regulatory Commission is announcing the completion and availability of NUREG-1556, Vol. 1. "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," dated May 1997.

**ADDRESSES:** Copies of NUREG-1556, Vol. 1, may be obtained by writing to the Superintendent of Documents, U.S. Government Printing Office, P. O. Box 37082, Washington, DC 20402-9328. Copies are also available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161. A copy of the document is also available for inspection and/or copying for a fee in the NRC Public Document Room, 2120 L Street, NW.

(Lower Level), Washington, DC 20555-0001.

**FOR FURTHER INFORMATION CONTACT:** Ms. Patricia C. Vacca, Mail Stop TWFN 8-F5, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: 301-415-7908.

**SUPPLEMENTARY INFORMATION:** On October 3, 1996 (61 FR 51729), NRC announced the availability of draft NUREG-1556, Volume 1, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," dated September 1996 and requested comments on it. This draft NUREG report is the first program-specific guidance developed to support an improved materials licensing process. On December 6, 1996 (61 FR 64768), NRC requested volunteers to participate in a January 1997 pilot test to evaluate the document's content, format, and usefulness. Most of the public comments and those of the participants in the pilot test were positive. The NRC staff considered all of the comments, including constructive suggestions to improve the document, in the preparation of the final NUREG report.

The final version of NUREG-1556, Volume 1, is now available for use by applicants, licensees, NRC license reviewers, and other NRC staff. It supersedes the guidance for applicants and licensees previously found in Draft Regulatory Guide DG-0008, "Applications for the Use of Sealed Sources in Portable Gauging Devices," dated May 1995, and the guidance for licensing staff now found in Policy and Guidance Directive PG 2-07, "Standard Review Plan for Applications for the

Use of Sealed Sources in Portable Gauging Devices," dated September 1994.

The performance-based approach in NUREG-1556, Volume 1, gives portable gauge licensees greater flexibility than previously permitted under licenses based on applications prepared according to DG-0008. This permits licensees to make more changes in their radiation safety program without amending their licenses, thus reducing the regulatory burden on licensees and the NRC staff. Accordingly, existing portable gauge licensees have the option of submitting a complete application using NUREG-1556, Vol. 1, at the time they file an amendment request. Portable gauge licensees choosing this option should incorporate the requested change into the complete application, submit it with the appropriate amendment fee, and indicate that the complete application is an amendment request to take advantage of the new guidance. When the NRC staff has reviewed the request and resolved any outstanding issues, the NRC staff will amend the license in its entirety without changing the expiration date.

Portable gauge licensees wishing to renew their licenses should submit a complete application according to NUREG-1556, Vol. 1. The NRC staff's action will be similar to that described for amendments, but will include an extension of the license's expiration date. By following this procedure, the staff expects all existing portable gauge licenses to be converted to the more performance-based format within a few years.

**Electronic Access**

NUREG-1556, Volume 1, is also available electronically by visiting