

**NATIONAL SCIENCE FOUNDATION****Agency Information Collection  
Activities: Comment Request****ACTION:** Notice.

**SUMMARY:** Under the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)), and as part of its continuing effort to reduce paperwork and respondent burden, the National Science Foundation invites the general public and other Federal agencies to take this opportunity to comment on this information collection.

**DATES:** Written comments should be received by May 11, 2010 to be assured of consideration. Comments received after that date will be considered to the extent practicable.

**ADDRESSES:** Written comments regarding the information collection and requests for copies of the proposed information collection request should be addressed to Suzanne Plimpton, Reports Clearance Officer, National Science Foundation, 4201 Wilson Blvd., Rm. 295, Arlington, VA 22230, or by e-mail to [splimpto@nsf.gov](mailto:splimpto@nsf.gov).

For additional information or comments: Contact Suzanne Plimpton, the NSF Reports Clearance Officer, phone (703) 292–7556, or send e-mail to [splimpto@nsf.gov](mailto:splimpto@nsf.gov). Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339, which is accessible 24

hours a day, 7 days a week, 365 days a year (including federal holidays).

**SUPPLEMENTARY INFORMATION:**

*Title:* Generic Clearance for the Evaluation of National Science Foundation's East Asia and Pacific Summer Institutes and International Research Fellowship Program.

*OMB Approval Number:* 3145–NEW.

*Expiration Date of Approval:* Not applicable.

*Abstract:* This is a request that the Office of Management and Budget (OMB) approve, under the Paperwork Reduction Act of 1995, a three year clearance for Abt Associates Inc. to conduct data collection efforts for an outcome evaluation of the National Science Foundation's East Asia and Pacific Summer Institutes (EAPSI) and International Research Fellowship (IRFP) Program.

These two programs offer early career researchers an opportunity to forge collaborative relationships with foreign scientists and engineers, albeit through different interventions. Launched in 1999, EAPSI provides \$5,000 of support to US graduate students to spend the summer (two months) conducting research in seven countries in East Asia and the Pacific region. The program is designed to immerse US scholars into the scientific and social culture of the host location. IRFP, established in 1992, provides support to post-graduate scientists (generally a year or two after the receipt of a doctoral degree), for a research experience abroad lasting from 9 to 24 months, with no restriction on

geographical area. Awards range from \$57,000 to \$200,000, depending on the location, cost and duration of the project, and the applicants' family status.

To assess the program effectiveness, NSF has plans to collect data that are designed to explore the fellowship experiences and educational and career outcomes of EAPSI and IRFP fellows as well as the influence of the programs on host scientists and their institutions and on US scientists and their institutions. The primary methods of data collection will include analyses of NSF program records and surveys of fellows, unfunded applicants, US advisors of fellows, and foreign hosts.

*Expected Respondents:* Include EAPSI and IRFP fellows; EAPSI and IRFP unfunded applicants (individuals who submitted an application, but did not receive an award); EAPSI and IRFP foreign hosts (individuals with whom EAPSI and IRFP fellows conduct research in foreign countries); and EAPSI US advisors (graduate advisors of EAPSI students).

*Use of the Information:* The purpose of these studies is to provide NSF with outcome data on the EAPSI and IRFP programs. These data would be used for internal program management and for reporting to stakeholders within and outside of NSF.

*Burden on the Public:* NSF estimates that a total reporting and recordkeeping burden of 3,125.5 hours will result from activities to implement the surveys. The calculation is shown in Table 1:

TABLE 1—NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, AND ANNUAL HOUR BURDEN

Respondent type	Number of respondents	Time per response (hours)	Number of responses #	Total time burden (hours)
EAPSI Fellows .....	1,434	0.5	1,075	537.5
EAPSI Unfunded Applicants .....	1,401	0.5	1,050	525
EAPSI US Advisors .....	*1,434	0.5	1,075	537.5
EAPSI Foreign Hosts .....	*1,434	0.5	1,075	537.5
IRFP Fellows .....	567	0.5	425	212.5
IRFP Unfunded Applicants .....	1,502	0.5	1,126	563
IRFP Foreign Hosts .....	*567	0.5	425	212.5
Total .....	*8,339	N/A	6,251	3,125.5

# Assume a 75% response rate.

\* Or fewer. We assume that some foreign hosts for both programs have accepted more than one fellow; that some EAPSI fellows and applicants had the same graduate advisor; and that some EAPSI fellows participated in IRFP. The numbers in the table are therefore overestimates for these groups.

*Comments:* Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information shall have practical utility; (b) the accuracy of the Agency's estimate of the burden of the proposed

collection of information; (c) ways to enhance the quality, utility, and clarity of the information on respondents, including through the use of automated collection techniques or other forms of information technology; and (d) ways to minimize the burden of the collection of information on those who are to

respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this

information collection; they also will become a matter of public record.

Dated: March 9, 2010.

**Suzanne Plimpton,**

*Reports Clearance Officer, National Science Foundation.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 030-03732, License No. 05-03166-05, EA-09-142, NRC-2010-0098]

### In the Matter of U.S. Department of Commerce, National Institute of Standards and Technology; Confirmatory Order Modifying License (Effective Immediately)

#### I

The U.S. Department of Commerce's National Institute of Standards and Technology (NIST or Licensee) is the holder of Nuclear Regulatory Commission (NRC or Commission) Materials License 05-03166-05 issued pursuant to 10 CFR Part 30 on December 19, 1966, and amended to include 10 CFR Parts 40 and 70 on April 19, 2007. The license authorizes the operation of the NIST-Boulder facility in accordance with conditions specified therein. The facility is located on the Licensee's site in Boulder, Colorado.

This Confirmatory Order is the result of an agreement reached during an alternative dispute resolution (ADR) mediation session conducted on January 5, 2010.

#### II

On July 22, 2008, the NRC's Office of Investigations began an investigation (Office of Investigations' Case No. 4-2008-062) into the circumstances surrounding the June 9, 2008, plutonium contamination event at NIST-Boulder. A special inspection of the contamination event was initiated on June 11, 2008. Based on the evidence developed during its investigation and associated inspection, 10 apparent violations were identified (summarized in Section III below). In addition, the NRC was concerned that willfulness may have been associated with one of those apparent violations. The results of the investigation and inspection were sent to NIST in a letter dated November 2, 2009. In response to NRC's November 2, 2009, letter, NIST requested ADR to resolve these issues.

On January 5, 2010, the NRC and NIST met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on

Conflict Resolution. Alternative dispute resolution is a process in which a neutral mediator with no decision-making authority assists the parties in reaching an agreement on resolving any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the ADR process.

#### III

In response to the NRC's offer, NIST requested use of the NRC ADR process to resolve issues associated with the 10 apparent violations identified by the NRC. During that ADR session, a preliminary settlement agreement was reached. The elements of the agreement consisted of the following:

Pursuant to the NRC Office of Enforcement's ADR program, the following are the terms and conditions agreed upon in principle by the U.S. Department of Commerce, NIST, and the NRC relating to NRC Inspection Report 030-03732/2008-001 issued by the NRC to NIST on November 2, 2009.

Whereas, the NRC's inspection and investigation conducted between June 11, 2008, and November 2, 2009, identified ten apparent violations of NRC requirements;

Whereas, the ten apparent violations involved were:

- (1) The failure to provide complete and accurate information to the Commission;
- (2) The failure to control and maintain constant surveillance of licensed material in a controlled area and not in storage;
- (3) The failure to secure from unauthorized removal or limit access to licensed materials stored in a controlled area;
- (4) The failure to provide radiation safety training for all applicable individuals;
- (5) The failure to have a radiation safety program sufficient to ensure that occupational doses and doses to members of the public were as low as reasonably achievable;
- (6) The failure to periodically audit the radiation safety program content and implementation;
- (7) The failure to demonstrate that the total effective dose equivalent to individuals would not exceed the annual dose limit for members of the public;
- (8) The failure to monitor the occupational intake of plutonium by radiation workers;
- (9) The failure to limit receipt, possession, and use of radioactive material authorized on the NRC license; and

(10) The failure to assure that servicing involving radioactive material of a device was performed by a person authorized to perform this activity.

Whereas, the NRC is concerned that willfulness may be associated with one apparent violation above;

Whereas, NRC acknowledges the extensive corrective actions NIST has already implemented associated with the apparent violations, which include:

- (1) Completing extensive, successful decontamination of the NIST-Boulder facility;
- (2) Designating a new radiation safety officer at NIST-Boulder;
- (3) Designating a new radiation safety officer at NIST-Gaithersburg;
- (4) Establishing and filling a senior-level safety-executive position to oversee the NIST central safety organization;
- (5) Reorganizing the central safety organization so that both NIST-Boulder and NIST-Gaithersburg report to the safety executive;
- (6) Providing additional resources to the NIST central safety organization, including resources for additional staff and equipment for health physics;
- (7) Establishing and filling a senior safety-management position to oversee the safety organization at NIST-Boulder;
- (8) Establishing and filling a senior-level research-director position at NIST-Boulder with local line-management responsibility for the safety of all laboratory activities at NIST-Boulder;
- (9) Establishing and filling a new executive-level site-manager position at NIST-Boulder to coordinate safety, emergency preparedness, and security for the entire Department of Commerce's Boulder site and to help ensure that the safety functions needed by NIST-Boulder are provided effectively and efficiently by the safety office in Boulder;
- (10) Improving the safety culture of NIST by communicating individual and management responsibility for safety, providing staff with the tools needed to understand how to protect themselves and those around them, and creating safer workplaces;
- (11) Establishing and implementing a new NIST-wide policy on hazard analysis and control, including requirements related to emergency planning; and
- (12) Undertaking additional efforts to further evaluate and improve the safety culture at NIST.

Whereas, the NRC acknowledges NIST took the following additional actions to address issues identified by the city of Boulder, Colorado:

- (1) Updating the inventory of and properly disposing of unused chemicals;