

give interested parties adequate time to prepare their comments on this draft guide. DG-0005 is the Second Proposed Revision 2 to Regulatory Guide 10.5, which was issued in October 1994 (noticed at 10 CFR 55141). This guide is being revised to provide guidance on the type and extent of information needed by the NRC staff to evaluate applications for a specific license of broad scope for byproduct material.

Comments received after March 31, 1995, will be considered if it is practical to do so, but the NRC can assure consideration only for comments received by this date. Comments should be accompanied by supporting data. Written comments may be submitted to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Comments may be submitted electronically, in either ASCII text or Wordperfect format (version 5.1 or later), by calling the NRC Electronic Bulletin Board on FedWorld. The bulletin board may be accessed using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet. Background documents on the rulemaking are also available for downloading and viewing on the bulletin board.

If using a personal computer and modem, the NRC subsystem on FedWorld can be accessed directly by dialing the toll free number: 1-800-303-9672.

Communication software parameters should be set as follows: parity to none, data bits to 8, and stop bits to 1 (N,8,1). Using ANSI or VT-100 terminal emulation, the NRC NUREGs and RegGuides for Comment subsystem can then be accessed by selecting the "Rules Menu" option from the "NRC Main Menu." For further information about options available for NRC at FedWorld, consult the "Help/Information Center" from the "NRC Main Menu." Users will find the "FedWorld Online User's Guides" particularly helpful. Many NRC subsystems and databases also have a "Help/Information Center" option that is tailored to the particular subsystem.

The NRC subsystem FedWorld can also be accessed by a direct dial phone number for the main FedWorld BBS: 703-321-8020; Telnet via Internet: fedworld.gov (192.239.93.3); File Transfer Protocol (FTP) via Internet: ftp.fedworld.gov (192.239.92.205); and World Wide Web using: http://www.fedworld.gov (this is the Uniform Resource Locator (URL)).

If using a method other than the toll free number to contact FedWorld, the NRC subsystem will be accessed from the main FedWorld menu by selecting the "F—Regulatory, Government Administration and State Systems," then selecting "A—Regulatory Information Mall." At that point, a menu will be displayed that has an option "A—U.S. Nuclear Regulatory Commission" that will take you to the NRC Online main menu. You can also go directly to the NRC Online area by typing "/go nrc" at a FedWorld command line. If you access NRC from FedWorld's main menu, you may return to FedWorld by selecting the "Return to FedWorld" option from the NRC Online Main Menu. However, if you access NRC at FedWorld by using NRC's toll-free number, you will have full access to all NRC systems but you will not have access to the main FedWorld system. For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-5780; e-mail AXD3@nrc.gov.

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(5 U.S.C. 552(a))

Dated at Rockville, Md, this 14th day of February 1995.

For the Nuclear Regulatory Commission.

Bill M. Morris,

*Director, Division of Regulatory Applications,
Office of Nuclear Regulatory Research.*

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[Docket No. 030-31252; License No. 35-26996-01; EA 95-018]

Blackhawk Engineering, Inc., and Maria Hollingsworth (dba Blackhawk Engineering, Inc.) Tulsa, OK; Order to Cease and Desist Use and Possession of Regulated Byproduct Material

I

Blackhawk Engineering, Inc. (Blackhawk) was issued Byproduct Material License 35-26996-01 by the Nuclear Regulatory Commission (NRC or Commission) on August 22, 1989. The license authorized the possession and use of cesium-137 and americium-241 in gauges, in accordance with the conditions specified therein. The license expired on August 31, 1994, and the licensee did not submit a renewal application 30 days prior to the expiration date, as required by 10 CFR 30.37. Furthermore, the NRC has determined that Blackhawk Engineering, Inc., has not been recognized as a corporation in the state of Oklahoma since February 20, 1987, when the State of Oklahoma suspended Blackhawk's corporate status. Thus, although Blackhawk has been doing business as Blackhawk Engineering, Inc., it was not a legal corporation recognized by the State of Oklahoma or the NRC. The president of Blackhawk is Maria Hollingsworth.

II

On August 30, 1994, an NRC Region IV employee placed a phone call to Maria Hollingsworth, the president of Blackhawk, to discuss the August 31, 1994 license expiration. Records of that phone call indicate that Ms. Hollingsworth said she had received a renewal package from NRC and that she planned to send a renewal application within 30 days. No renewal application was received. Ms. Hollingsworth has stated in a recent interview with an NRC investigator on January 12, 1995, that she had apparently confused payment of an NRC annual fee with license renewal at the time of the August 1994 call, and stated "I had no idea I had to submit another application."

On November 3, 1994, an NRC Region IV employee again called Ms. Hollingsworth and discussed the fact that Blackhawk's NRC license had expired and, therefore, in accordance with 10 CFR 30.36(c)(1)(i), Blackhawk was no longer authorized to use NRC-regulated gauges listed on the license, i.e., gauges containing sealed sources of radioactive material. During this call, the NRC instructed Ms. Hollingsworth to secure these gauges and maintain them in storage, and confirmed her