

contacts with the NRC reminding MTA of the need to transfer the gauge to an authorized recipient. If MTA had aggressively responded to the Notice of a Violation issued by the NRC on September 7, 1994, or the telephone call from Mr. Walt Pasciak on August 29, 1994, the security violation could have either been prevented, or corrected, or identified if the gauge was already missing.

MTA's failure to do so is considered particularly egregious. Even if MTA had not received a copy of the 1992 Order, it had several conversations with NRC staff regarding the status of the gauge between August 1992 and November 1994, and had received the September 7, 1994 Notice of Violation which provided prior opportunities to prevent or correct this violation. If MTA had promptly acted to locate and transfer the gauge to an authorized recipient at that time, the security violation and subsequent loss of the gauge might have been prevented. Therefore, no mitigation is warranted for these factors.

With respect to the duration factor, while MTA contends that its office is typically a secure location, and the gauge being out of its locked storage cabinet is not as risky a situation as it might seem, MTA's action to remove the gauge from its secure location without taking appropriate measures for an extended period, as the RSO recollects, provided an appropriate basis for escalating the penalty on this factor. Therefore, no mitigation of this factor is warranted.

Escalation of the penalty by 200% to emphasize the importance of maintaining a valid license is no longer warranted due to MTA's assertion that they do not intend to possess any NRC licensed material in the future. Therefore, the penalty is reduced to \$2,000.

Furthermore, notwithstanding MTA's contention, the NRC does not consider the penalty excessive, particularly given the fact that the security violation resulted in a loss or theft of radioactive material.

#### *NRC Conclusion*

The NRC has concluded that MTA did not provide an adequate basis for mitigation of the civil penalty to \$500. Given the significance of the failure to maintain security of radioactive materials, and the loss of the gauge that occurred in this case, a civil penalty in the amount of \$2,000 should be imposed.

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Generalized System of Preferences (GSP); Deadline for Submission of Petitions in the 1995 Annual GSP Review

**AGENCY:** Office of the United States  
Trade Representatives.

**ACTION:** Notice of the 1995 Annual GSP  
Review.

**SUMMARY:** The notice announces the deadline for the submission of petitions in the 1995 Annual GSP Review.

**FOR FURTHER INFORMATION CONTACT:**  
GSP Subcommittee, Office of the United States Trade Representative, 600 17th Street, NW., Room 518, Washington, DC 20506. The telephone number is (202) 395-6971.

#### SUPPLEMENTARY INFORMATION:

### I. Announcement of 1995 Annual GSP Review

The GSP regulations (15 CFR 2007.3 *et seq.*) provided for annual review, unless otherwise specified by **Federal Register** notice. Notice is hereby given that, in order to be considered in the 1995 Annual GSP Review, all petitions to modify the list of articles eligible for duty-free treatment under the GSP and requests to review the GSP status of any beneficiary developing country must be received by the GSP Subcommittee no later than 5 p.m., Wednesday, June 14, 1995. Petitions submitted after the deadline will not be considered for review and will be returned to the petitioner. The GSP provides for the duty-free importation of designated articles when imported from designated beneficiary developing countries. The GSP is authorized by Title V the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2461 *et seq.*), and was implemented by Executive Order 11888 of November 24, 1975, and modified by subsequent Executive Orders and Presidential Proclamations.

#### A. 1995 Annual GSP Review

Interested parties or foreign governments may submit petitions: (1) To designate additional articles as eligible for GSP; (2) to withdraw, suspend or limit GSP duty-free treatment accorded either to eligible articles under the GSP or to individual beneficiary developing countries with respect to specific GSP eligible articles; (3) to waive the competitive need limits for individual beneficiary developing countries with respect to specific GSP eligible articles; (4) to have the GSP status of any eligible beneficiary developing country reviewed with respect to any of the designation criteria listed in sections 502(b) or 502(c) of the Trade Act (19 U.S.C. 2462 (b) and (c)); and, (5) to otherwise modify GSP coverage.

#### B. Identification of Product Requests With Respect to the Harmonized Tariff Schedule of the United States

The Harmonized Tariff Schedule of the United States (HTS) was implemented by the United States on

January 1, 1989, and replaces the former Tariff Schedules of the United States nomenclature. All product petitions must include a detailed description of the product and the HTS subheading in which the product is classified.

#### C. Submission of Petitions and Requests

Petitions to modify GSP treatment should be addressed to GSP Subcommittee, Office of the U.S. Trade Representative, 600 17th Street, NW., Room 518, Washington, DC 20506. All such submissions must conform with the GSP regulations, which are set forth at 15 CFR 2007. These regulations were published in the **Federal Register** on Tuesday, February 11, 1986 (FR 5035). The regulations are printed in "A Guide to the U.S. Generalized System of Preferences (GSP)" (August 1991) ("GSP Guide"). Information submitted will be subject to public inspection by appointment only with the staff of the USTR Public Reading Room, except for information granted "business confidential" status pursuant to 15 CFR 2003.6 and other qualifying information submitted in confidence pursuant to 15 CFR 2007.7. An original and fourteen (14) copies of each petition must be submitted in English. If the petition contains business confidential information, an original and fourteen (14) copies of a nonconfidential version of the submission along with an original and fourteen (14) copies of the confidential version must be submitted. In addition, the submission containing confidential information should be clearly marked "confidential" at the top and bottom of each and every page of the submission. The version that does not contain business confidential information (the public version) should also be clearly marked at the top and bottom of each page (either "public version" or "nonconfidential").

Petitioners are strongly advised to review the GSP regulations. Petitioners are reminded that submissions that do not provide all information required by § 2007.1 of the GSP regulations will not be accepted for review except upon a detailed showing in the submission that the petitioner made a good faith effort to obtain the information required. These requirements will be strictly enforced. Petitions with respect to competitive need waivers must meet the informational requirements for product addition requests in § 2007.1(c). A model petition format is available from the GSP Subcommittee and is included in the GSP Guide. Petitioners are requested to use this model petition format so as to ensure that all informational requirements are met. Furthermore, interested parties