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DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 6

Import Quotas and Fees

AGENCY: Office of the Secretary, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (USDA) is deleting three subparts on Section 22 import fees, reentry of cotton into the United States, and calculation of market stabilization price, since they are obsolete.

EFFECTIVE DATES: This final rule will be effective June 6, 1996.

FOR FURTHER INFORMATION CONTACT: Diana Wanamaker, Import Programs Group, Import Policies and Programs Division, Foreign Agricultural Service, U.S. Department of Agriculture, AG BOX 1021 Washington, D.C. 20250-1021, or telephone (202) 720-2916.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This rule is issued in conformance with Executive Order 12866. It has been determined to be not significant for the purposes of E.O. 12866 and, therefore, has not been reviewed by the Office of Management and Budget (OMB).

Regulatory Flexibility Act

It has been determined that the Regulatory Act is not applicable to this rule since the Office of the Secretary is not required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Executive Order 12372

This program is not subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. See notice related to 7 CFR

part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Environmental Evaluation

It has been determined by an environmental evaluation that this action will not have a significant impact on the quality of the human environment. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

Executive Order 12778

This rule has been reviewed under Executive Order 12778. The provisions of this rule would have preemptive effect with respect to any state or local laws, regulations, or policies which conflict with such provisions or which otherwise impede their full implementation. The rule would not have retroactive effect.

Background

In response to the President's Regulatory Reform Initiative, USDA is amending Title 7 Part 6 of the Code of Federal Regulations to delete certain subparts which are obsolete as the result of the subsequent enactment of legislation or the elimination of their purpose.

Reasons for Removal

USDA is deleting these subparts for the following reasons:

Subpart—Section 22 Imports Fees (§§ 6.50–6.59)

This subpart provided for the licensing of sugar imports used in the production of polyhydric alcohol for non-food uses and exempted them from the Section 22 import fees. One of the fees was suspended in 1985 and both were eliminated on January 1, 1995 as a result of the Uruguay Round Agreements Act (P.L. 103-465). Further imports of sugar for this purpose have been licensed under a different program since 1990 (7 CFR 1550). The provision of this subpart are therefore obsolete.

Subpart—Reentry of Cotton Into the United States (§§ 6.71–6.75)

Under the former Section 22 import regime, there was a zero quota on the reentry of cotton into the United States. This subpart implemented the prohibition of imports of such cotton and cotton waste. Since the Section 22 zero quota was replaced by a tariff-rate

quota under the Uruguay Round Agreements Act, the provisions of this subpart are now obsolete.

Subpart—Calculation of Market Stabilization Price (§§ 6.100–6.102)

This subpart provided a mechanism by which the Secretary of Agriculture could calculate and publish a market stabilization price (MSP) for sugar, for the purpose of establishing a basis amount for liquidated damages under the Sugar Re-export Program. Its use for that purpose was eliminated in the 1990 revision of the Sugar Re-export regulations. The MSP has not been announced since 1989. The provisions of this subpart were not required by any statute, and do not serve any function, therefore, this subpart is obsolete.

List of Subjects in 7 CFR Part 6

Agricultural commodities, Cheese, Dairy products, Imports, Reporting and recordkeeping requirements.

Final rule

For the reasons set out above, 7 CFR Part 6 is amended as follows:

1. The authority citation for part 6 continues to read:

Authority: Sec. 8, 65 Stat. 75; 19 U.S.C. 1365.

2. The following subparts are removed: Subpart—Section 22 Import Fees (§§ 6.50–6.59); Subpart—Reentry of Cotton Into the United States (§§ 6.71–6.75); and Subpart—Calculation of Market Stabilization Price (§§ 6.100–6.102).

Signed at Washington, D.C. on May 13, 1996.

Dan Glickman,
Secretary of Agriculture.

[FR Doc. 96-13604 Filed 6-5-96; 8:45 am]

BILLING CODE 3410-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 71

RIN 3150-AC41

Compatibility With the International Atomic Energy Agency; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Correcting amendments.

SUMMARY: This document presents corrections to a final rule that was published September 28, 1995 (60 FR 50248). This action is necessary to correct printing errors in three tables, an inadvertent error in an equation, an incorrect cross-reference, and the inadvertent use of a specialized term.

EFFECTIVE DATE: The final rule became effective April 1, 1996.

FOR FURTHER INFORMATION CONTACT: John R. Cook, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Telephone (301) 415-8521.

SUPPLEMENTARY INFORMATION: On September 28, 1995 (60 FR 50248), the NRC published a final rule that revised NRC regulations in 10 CFR Part 71 governing the transportation of radioactive material, to make them compatible with those of the International Atomic Energy Agency.

This document corrects the use of a specialized term in paragraphs (2)(ii) and (3)(i) of the definition of *Low Specific Activity (LSA) material* in 10 CFR 71.4. This document also corrects Tables A-2 and A-3 of Appendix A to Part 71 to remove an extra "x" in the presentation of exponents throughout

the tables and the isotope of uranium referenced in footnote 1 to Table A-3.

In addition, this document corrects a typographical error in the Minimum Transport Index equation in 10 CFR 71.18, an incorrect cross-reference in 10 CFR 71.55, and a number of typographical errors in Table A-1 of Appendix A to Part 71.

Each of the errors being corrected in this document was inadvertently included in the final rule for publication in the Federal Register.

List of Subjects in 10 CFR Part 71

Criminal penalties, Hazardous materials transportation, Nuclear materials, Packaging and containers, Reporting and recordkeeping requirements.

Accordingly, 10 CFR Part 71 is corrected by making the following correcting amendments:

PART 71—PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

1. The authority citation for Part 71 continues to read as follows:

Authority: Secs. 53, 57, 62, 63, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended, Sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2077, 2092, 2093, 2111, 2201, 2232, 2233, 2297f); Secs.

201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 71.97 also issued under Sec. 301, Pub. L. 96-295, 94 Stat. 789-790.

2. In 10 CFR 71.4, paragraphs (2)(ii) and (3)(i) of the definition of *Low Specific Activity (LSA) material* are revised to read as follows:

§ 71.4 Definitions.

* * * * *

Low Specific Activity (LSA) material.

* * *

(2) * * *

(ii) Material in which the radioactive material is distributed throughout, and the average specific activity does not exceed 10^{-4} A₂/g for solids and gases, and 10^{-5} A₂/g for liquids.

(3) * * *

(i) The radioactive material is distributed throughout a solid or a collection of solid objects, or is essentially uniformly distributed in a solid compact binding agent (such as concrete, bitumen, ceramic, etc.); and

* * * * *

§ 71.18 [Amended]

3. In 10 CFR 71.18(d)(1), the equation for the Minimum Transportation Index is revised to read as follows:

$$\text{MinimumTransport Index} = (0.40x + 0.67y + z) \left(1 - \frac{15}{(x + y + z)} \right)$$

§ 71.55 [Amended]

4. In 10 CFR 71.55(d)(3), the cross-reference to "§ 71.59(b)(1)" is revised to read "10 CFR 71.59(a)(1)."

Appendix A to Part 71 [Amended]

5. Table A-1 of Appendix A to Part 71 is amended as follows:

- a. For the entry "Ag-110m," Column (TBq/g) is revised to read "1.8×10²."
- b. For the entry "Am-242m," Column (Ci/g) is revised to read "1.0×10¹."
- c. For the entry "Ar-39," Column (TBq/g) is revised to read "1.3."
- d. For the entry "Br-82," Column A₁ (Ci) is revised to read "10.8."
- e. For the entry "C-11," Column A₁ (Ci) is revised to read "27."
- f. For the entry "Cd-113m," Column (TBq/g) is revised to read "8.3."

- g. For the entry "Cm-244," Column A₁ (Ci) is revised to read "108" and Column (Ci/g) is revised to read "8.1×10¹."
- h. For the entry "Es-253," Column A₁ (TBq) is revised to read "200," Column A₁ (Ci) is revised to read "5400," Column A₂ (TBq) is revised to read "2×10⁻²," and Column A₂ (Ci) is revised to read "5.41×10⁻¹."
- i. For the entry "Eu-150," Column (Ci/g) is revised to read "1.6×10⁶."
- j. For the entry "Eu-155," Column (Ci/g) is revised to read "4.9×10²."
- k. For the entry "F-18," Column (TBq/g) is revised to read "3.5×10⁶."
- l. For the entry "Fe-59," Column (Ci/g) is revised to read "5.0×10⁴."
- m. For the entry "Fm-257," Column A₁ (TBq) is revised to read "10,"

- Column A₁ (Ci) is revised to read "270," Column A₂ (TBq) is revised to read "8×10⁻³," and Column A₂ (Ci) is revised to read "2.16×10⁻¹."
- n. For the entry "Gd-148," Column (TBq/g) is revised to read "1.2" and Column (Ci/g) is revised to read "3.2×10¹."
- o. The entry for MFP is corrected to read "For mixed fission products, use formula for mixtures or table A-2."
- p. For the entry "Pt-197m," Column (TBq/g) is revised to read "3.7×10⁵."
- 5. In Appendix A to Part 71, Tables A-2 and A-3 are revised to read as follows:
Appendix A to Part 71—Determination of A₁ and A₂
* * * * *

TABLE A-2.—GENERAL VALUES FOR A₁ and A₂

Contents	A ₁	(Ci)	A ₂	
	(TBq)		(TBq)	(Ci)
Only beta- or gamma-emitting nuclides are known to be present	0.2	5	0.02	0.5

TABLE A-2.—GENERAL VALUES FOR A₁ and A₂—Continued

Contents	A ₁	(Ci)	A ₂	
	(TBq)		(TBq)	(Ci)
Alpha-emitting nuclides are known to be present, or no relevant data are available	0.10	2.70	2x10 ⁻⁵	5.41x10 ⁻⁴

TABLE A-3.—ACTIVITY-MASS RELATIONSHIPS FOR URANIUM

Uranium Enrichment ¹ wt % U-235 present	Specific Activity	
	TBq/g	Ci/g
0.45	1.8x10 ⁻⁸	5.0x10 ⁻⁷
0.72	2.6x10 ⁻⁸	7.1x10 ⁻⁷
1.0	2.8x10 ⁻⁸	7.6x10 ⁻⁷
1.5	3.7x10 ⁻⁸	1.0x10 ⁻⁶
5.0	1.0x10 ⁻⁷	2.7x10 ⁻⁶
10.0	1.8x10 ⁻⁷	4.8x10 ⁻⁶
20.0	3.7x10 ⁻⁷	1.0x10 ⁻⁵
35.0	7.4x10 ⁻⁷	2.0x10 ⁻⁵
50.0	9.3x10 ⁻⁷	2.5x10 ⁻⁵
90.0	2.2x10 ⁻⁶	5.8x10 ⁻⁵
93.0	2.6x10 ⁻⁶	7.0x10 ⁻⁵
95.0	3.4x10 ⁻⁶	9.1x10 ⁻⁵

¹The figures for uranium include representative values for the activity of the uranium-234 that is concentrated during the enrichment process.

Dated at Rockville, MD this 29th day of May 1996.
 For the Nuclear Regulatory Commission.
 James M. Taylor,
Executive Director for Operations.
 [FR Doc. 96-14045 Filed 6-5-96; 8:45 am]
 BILLING CODE 7590-01-P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

10 CFR Part 1703

FOIA Fee Schedule

AGENCY: Defense Nuclear Facilities Safety Board.

ACTION: Update of FOIA Fee Schedule.

SUMMARY: The Defense Nuclear Facilities Safety Board is publishing its annual update to the Freedom of Information Act (FOIA) Fee Schedule pursuant to 10 CFR § 1703.107(b)(6) of the Board's regulations.

EFFECTIVE DATE: June 1, 1996.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Pusateri, General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW, Suite 700, Washington, DC 20004-2901, (202) 208-6447.

SUPPLEMENTARY INFORMATION: The FOIA requires each Federal agency covered by the Act to specify a schedule of fees applicable to processing of requests for agency records. 5 U.S.C. 552(a)(4)(i). On March 15, 1991 the Board published for comment in the Federal Register its proposed FOIA Fee Schedule. 56 FR

11114. No comments were received in response to that notice and the Board issued a final Fee Schedule on May 6, 1991.

Pursuant to 10 CFR § 1703.107(b)(6) of the Board's regulations, the Board's General Manager will update the FOIA Fee Schedule once every 12 months. Previous Fee Schedule updates were published in the Federal Register and went into effect, most recently, on May 1, 1995. 59 FR 20887.

Board Action

Accordingly, the Board issues the following schedule of updated fees for services performed in response to FOIA requests:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD SCHEDULE OF FEES FOR FOIA SERVICES
 [Implementing 10 CFR § 1703.107(b)(6)]

Search or Review Charge.	\$45 per hour.
Copy Charge (paper).	\$.05 per page or generally available commercial rate (approximately \$.10 per page).
Copy Charge (3.5" diskette).	\$5.00 per diskette.
Copy Charge (audio cassette).	\$3.00 per cassette.
Duplication of Video.	\$25.00 per video, \$16.50 for each additional video.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD SCHEDULE OF FEES FOR FOIA SERVICES—Continued
 [Implementing 10 CFR § 1703.107(b)(6)]

Copy Charge for large documents (e.g., maps, diagrams).	Actual commercial rates.

Dated: May 31, 1996.
 Kenneth M. Pusateri,
General Manager.
 [FR Doc. 96-14243 Filed 6-5-96; 8:45 am]
 BILLING CODE 3670-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 336

RIN 3064-AB43

Minimum Standards of Fitness for Employment With the Federal Deposit Insurance Corporation

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Final rule.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is publishing a final regulation to implement the requirements contained in section 19 of the Resolution Trust Corporation Completion Act, which amended the Federal Deposit Insurance Act to prohibit certain persons from