

protection standards and provides no protections to radiation workers.

The petitioners also determined that issuing a license to each source material general licensee would involve more expense than amending the regulations and would be unworkable because these types of licensees often go in and out of business. Also, the petitioners believe it would be inappropriate to apply conditions to each source material general licensee absent a rulemaking process and that the NRC would not be able to easily determine the scope of activities for each licensee. Lastly, the petitioners determined that removing the exemption in 10 CFR 40.22(b) for all source material general licensees would be inappropriate because many of these licensees use only small quantities of source material and pose very minimal risks to employees and the public.

The Petitioner's Conclusions

The petitioners conclude that 10 CFR 40.22(b) provides a blanket exemption for source material general licensees from the radiation protection and worker notification and instruction requirements contained in 10 CFR parts 19 and 20. The petitioners also conclude that no basis for this exemption exists because it allows these licensees to exceed currently specified dose limits, create areas where individuals may be exposed to significant levels of radiation, and dispose of radioactive waste in ways that are not permitted for other licensees. The petitioners request that the exemption in 10 CFR 40.22(b) be restricted as detailed in their petition for rulemaking to exclude source material general licensees who could exceed public dose limits or dose equivalent limits for an embryo/fetus or would require personnel monitoring or posting of a radiation area.

Dated at Rockville, Maryland, this 29th day of June, 1999.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 99-17190 Filed 7-6-99; 8:45 am]

BILLING CODE 7590-01-P

SMALL BUSINESS ADMINISTRATION

13 CFR Part 123

Pre-Disaster Mitigation Loans

AGENCY: Small Business Administration (SBA).

ACTION: Proposed rule.

SUMMARY: SBA proposes to amend its disaster loan program regulations to implement a pilot program authorized

by Congress in 1999. The authorization covers 5 fiscal years (from 2000 to 2004) and will allow SBA to make low interest, fixed rate loans to small businesses to use mitigation measures in support of Project Impact, a formal mitigation program established by the Federal Emergency Management Agency (FEMA).

DATES: Submit comments on or before August 6, 1999.

ADDRESSES: Comments should be mailed to Bernard Kulik, Associate Administrator, Office of Disaster Assistance, Small Business Administration, 409 Third Street, S.W., Washington, DC 20416.

FOR FURTHER INFORMATION CONTACT: Bernard Kulik, 202-205-6734.

SUPPLEMENTARY INFORMATION: SBA proposes to amend part 123 of its regulations regarding disaster loans. The proposed amendments would allow small businesses to obtain low interest, fixed rate loans to use mitigation measures in support of Project Impact. In response to the problems of increasing costs and personal devastation caused by disasters, Congress has authorized a pilot program for 5 fiscal years from 2000 through 2004. The Administration has launched an approach to emergency management that moves away from the current reliance on response and recovery to an approach that emphasizes preparedness. SBA supports this approach and proposes offering pre-disaster mitigation loans to assist with disaster preparedness. SBA proposes to provide such loans to small businesses within Project Impact communities identified by FEMA. Currently, SBA disaster loans may be used only to repair or replace what was destroyed or damaged by disaster and provide an additional 20 percent for mitigation measures. Therefore, to promote preparedness, SBA proposes to amend this section of its regulations to provide pre-disaster mitigation loans for small businesses. Such pre-disaster mitigation loans will allow small businesses to install mitigation devices that may prevent future damage.

Compliance With Executive Orders 12612, 12988, and 12866, the Regulatory Flexibility Act (5 U.S.C. 601-612), and the Paperwork Reduction Act (44 U.S.C. Ch. 35)

SBA certifies that this proposed rule is not a significant rule within the meaning of Executive Order 12866, since it is not likely to have an annual economic effect of \$100 million or more, result in a major increase in costs or prices, or have a significant adverse

effect on competition or the U.S. economy.

SBA certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601-612.

SBA certifies that this proposed rule does not impose any additional reporting or recordkeeping requirements under the Paperwork Reduction Act, 44 U.S.C., chapter 35.

For purposes of Executive Order 12612, SBA certifies that this proposed rule has no federalism implications warranting preparation of a Federalism Assessment.

For purposes of Executive Order 12988, SBA certifies that this proposed rule is drafted, to the extent practicable, to accord with the standards set forth in paragraph 2 of that Order.

List of Subjects in 13 CFR Part 123

Disaster assistance, Loan programs-business, Reporting and recordkeeping requirements, Small businesses.

For the reasons stated in the preamble, the Small Business Administration proposes to amend 13 CFR part 123 as follows:

PART 123—DISASTER LOAN PROGRAM

1. The authority citation for part 123 continues to read as follows:

Authority: 15 U.S.C. 634(b)(6), 636(b), 636(c) and 636(f); Pub. L. 102-395, 106 Stat. 1828, 1864; and Pub. L. 103-75, 107 Stat. 739.

2. Revise § 123.107 to read as follows:

§ 123.107 What is mitigation?

Mitigation means specific measures taken by you to protect against recurring damage in similar future disasters. Examples include retaining walls, sea walls, grading and contouring land, relocating utilities and modifying structures. Pre-disaster mitigation is addressed in §§ 123.400 through 123.407. The money that you can borrow for mitigation is limited to the lesser of the cost of mitigation, or 20 percent of your loan to repair or replace your damaged primary residence and personal property. SBA will not accept a request for a loan increase for mitigation filed after final disbursement of your original loan unless you can show that your request was late because of substantial reasons beyond your control.

3. Add an undesignated centerheading and §§ 123.400 through 123.407 to read as follows:

Pre-disaster Mitigation Loans

Sec.

- 123.400 What is a pre-disaster mitigation loan?
- 123.401 What types of mitigating measures are eligible for a pre-disaster mitigation loan?
- 123.402 Is my business eligible to apply for a pre-disaster mitigation loan?
- 123.403 When would my business not be eligible to apply for a pre-disaster mitigation loan?
- 123.404 How much can my business borrow with a pre-disaster mitigation loan?
- 123.405 What is the interest rate on a pre-disaster mitigation loan?
- 123.406 How do I apply for a pre-disaster mitigation loan and which loans will be funded?
- 123.407 What happens if my pre-disaster mitigation loan application is denied or withdrawn?

Pre-disaster Mitigation Loans**§ 123.400 What is a pre-disaster mitigation loan?**

Congress has authorized a pilot program for 5 fiscal years from 2000 through 2004 for SBA to make low interest, fixed rate loans to small businesses to use mitigation measures in support of Project Impact, a formal mitigation program established by the Federal Emergency Management Agency (FEMA).

§ 123.401 What types of mitigating measures are eligible for a pre-disaster mitigation loan?

Mitigation means specific measures taken by you to protect your real property or leasehold improvements from future disasters in Project Impact communities. If you are a landlord, the measures must be for protection of commercial rather than residential real property. Additionally, SBA will consider providing a pre-disaster mitigation loan for relocation if your commercial real property is located in a SFHA (Special Flood Hazard Area) and you relocate outside the SFHA but remain in the same Project Impact community. If the mitigation measures involved a flood hazard, the applicant small business must be located in an existing structure in a SFHA. The local Project Impact coordinator will confirm that your proposed project is in accordance with specific Project Impact priorities and goals of that community. SBA will verify each project to determine if the project will accomplish the desired mitigation results.

§ 123.402 Is my business eligible to apply for a pre-disaster mitigation loan?

Most small business concerns located in a FEMA Project Impact community are eligible to apply for a pre-disaster mitigation loan. Your small business

may be a sole proprietorship, partnership, corporation, limited liability company, or other legal entity recognized under State law. Your small business must have been in existence for at least one year prior to submitting an application for this loan.

§ 123.403 When would my business not be eligible to apply for a pre-disaster mitigation loan?

Your business is not eligible for a pre-disaster mitigation loan if it fits into any of the categories in § 123.101, § 123.201, and § 123.301. Your business (together with its affiliates) must be small (as defined in part 121 of this chapter) and SBA must determine that the business and its owners do not have the financial resources to fund the mitigation measures without undue hardship.

§ 123.404 How much can my business borrow with a pre-disaster mitigation loan?

Pre-disaster mitigation loans are limited to \$50,000 for each borrower together with its affiliates. Program funds will be allocated on a first come, first served filing basis. SBA will consider mitigation measures in excess of \$50,000 if the business can show that the excess cost can be funded from other sources.

§ 123.405 What is the interest rate on a pre-disaster mitigation loan?

Your pre-disaster mitigation loan will have an interest rate of 4 percent per annum or less.

§ 123.406 How do I apply for a pre-disaster mitigation loan and which loans will be funded?

(a) Each State, the District of Columbia, Puerto Rico, and the Virgin Islands have at least one Project Impact community. Only those small businesses located in the Project Impact communities are eligible to apply for a pre-disaster mitigation loan. At the beginning of each fiscal year, SBA will publish a notice of the pre-disaster mitigation declaration in the **Federal Register** identifying the type of assistance available, the application filing deadline and locations for obtaining and filing loan applications. Additionally, SBA will use FEMA and the local media to inform potential loan applicants where to obtain loan applications. SBA will not accept any applications after the announced deadline unless SBA reopens the application filing period.

(b) Complete an SBA pre-disaster mitigation loan application package and attach a written statement from the local Project Impact coordinator that the project is in accordance with the specific priorities and goals of the local

community. SBA will have a 30-day application filing period of November 1 through November 30 of each fiscal year. Additional application periods may be announced each year depending on availability of funds.

(c) Upon acceptance of a completed application package by the SBA Disaster Area Office, that office will notify the Office of Disaster Assistance (ODA) of the acceptance. Each application will be processed (approval, decline, or withdrawal) by the Area Office and that office will notify ODA of the action. ODA will then notify each Area Office of which completed approval actions to fund based on the date the completed application package was received and availability of loan funds.

§ 123.407 What happens if my pre-disaster mitigation loan application is denied or withdrawn?

(a) If your loan application is denied refer to § 123.13. Additionally, if your application is accepted for reconsideration or appeal, SBA will reflect the date of reconsideration or appeal as the date the application was received.

(b) If your loan application is withdrawn, the date of reacceptance will be considered as the date the application was received.

Dated: June 29, 1999.

Aida Alvarez,
Administrator.

[FR Doc. 99-16999 Filed 7-6-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 39**

[Docket No. 98-CE-87-AD]

RIN 2120-AA64

Airworthiness Directives; Precise Flight, Inc. Model SVS III Standby Vacuum Systems

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to all U.S. owners and operators of aircraft equipped with Precise Flight, Inc. Model SVS III standby vacuum systems installed in accordance with the applicable supplemental type certificate (STC) or through field approval. The proposed AD would require