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DEPARTMENT OF AGRICULTURE

Federal Crop Insurance Corporation

7 CFR Part 400

General Administrative Regulations; Reinsurance Agreement—Standards for Approval; Correction

AGENCY: Federal Crop Insurance Corporation.

ACTION: Correction to final regulations.

SUMMARY: This document contains a correction to the final regulations for the General Administrative Regulations which were published Tuesday, July 2, 1996 (61 FR 34367). The regulations related to obligations of participating reinsured companies with respect to the sale and service of crop insurance to eligible producers.

EFFECTIVE DATE: June 27, 1996.

FOR FURTHER INFORMATION CONTACT: Diana Moslak, Account Executive, Risk Management Agency, Insurance Services, Reinsurance Services Division, U.S. Department of Agriculture, Washington, D.C. 20250, telephone (202) 720-2832.

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction, supersede § 400.168, paragraph (c), to the extent that the final regulations make reference to a regulation (subpart U of part 400) that does not exist at this time. This erroneous reference may prove misleading to participating reinsured companies with respect to the sale and service of crop insurance to eligible producers.

Need for Correction

As published, the final regulations contain an error which may prove misleading and are in need of correction.

Correction of Publication

Accordingly, the publication on July 2, 1996 of the final regulations at 61 FR 34367 is corrected as follows:

§ 400.168 [Corrected]

On page 34368, in the second column, in § 400.168, paragraph (c), in the eighth and ninth lines, the words “in accordance with subpart U of part 400” are removed.

Signed in Washington, DC, on December 4, 1996.

Kenneth D. Ackerman,
Manager, Federal Crop Insurance Corporation.

[FR Doc. 96-31427 Filed 12-10-96; 8:45 am]

BILLING CODE 3410-FA-P

Rural Housing Service

Rural Business-Cooperative Service

Rural Utilities Service

Farm Service Agency

7 CFR Parts 1924, 1942, 1948, and 1980

RIN 0575-AB59

Planning and Performing Construction and Other Development

AGENCIES: Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service, and Farm Service Agency, USDA.

ACTION: Final rule.

SUMMARY: The Rural Housing Service (RHS), Rural Business-Cooperative Service (RBS), Rural Utilities Service (RUS) and Farm Service Agency (FSA) are amending their regulations regarding construction and other development for farm, housing, community and business programs. This action provides RHS, RBS, RUS and FSA borrowers, grant recipients and the public with rules for compliance with seismic safety requirements for new building construction using RHS, RBS, RUS and FSA loan, grant and guaranteed funds. This action is necessary to set forth the Agencies' policies and requirements to meet the implementation requirements of Executive Order 12699, “Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction,” 55 FR 835 (January 5, 1990). This Executive Order addresses compliance with the building safety

provisions of the Earthquake Hazards Reduction Act of 1977, as amended.

EFFECTIVE DATE: January 10, 1997.

FOR FURTHER INFORMATION CONTACT:

Samuel J. Hodges III, Architect, Program Support Staff, Rural Housing Service, U.S. Department of Agriculture, STOP 0761, 1400 Independence Ave., SW., Washington, DC 20250-0761, Telephone: (202) 720-9653.

SUPPLEMENTARY INFORMATION:

Classification

This rule has been determined to be not significant for the purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

Paperwork Reduction Act

The information collection requirements contained in these regulations have been previously approved by OMB under the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control numbers 0575-0042, 0575-0015, 0575-0130, and 0575-0024, in accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. 3507). This final rule does not revise or impose any new information collection or recordkeeping requirements from those approved by OMB.

Environmental Impact Statement

This document has been reviewed in accordance with 7 CFR part 1940, subpart G, “Environmental Program.” It is the determination of the issuing agencies that this action does not constitute a major Federal action significantly affecting the quality of the human environment, in accordance with the National Environmental Policy Act of 1969, Public Law 91-190, an Environmental Impact Statement is not required.

Regulatory Flexibility Act

Pursuant to section 605(b) of the Regulatory Flexibility Act, 5 U.S.C. 605(b), the head of the Agencies certify that this rule will not have a significant economic impact on a substantial number of small entities.

The undersigned have determined that this action will not have a significant economic impact on a substantial number of small entities because the regulatory changes affect processing of loans and eligibility for the programs.

Unfunded Mandate Reform Act of 1995

Title II of the Unfunded Mandate Reform Act of 1995 (UMRA), Public Law 104-4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, the affected Agencies generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires the affected Agencies to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector. Thus, today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Civil Justice Reform

This final rule has been reviewed under Executive Order 12778, Civil Justice Reform. In accordance with this rule: (1) All state and local laws and regulations that are in conflict with this rule will be preempted; (2) No retroactive effect will be given to this rule; and (3) Administrative proceedings in accordance with 7 CFR part 11 must be exhausted before bringing suit in court challenging action taken under this rule unless those regulations specifically allow bringing suit at an earlier time.

Intergovernmental Review

This action affects the following programs as listed in the Catalog of Federal Domestic Assistance:

- 10.405 Farm Labor Housing Loans and Grants
- 10.407 Farm Ownership Loans
- 10.410 Low Income Housing Loans
- 10.415 Rural Rental Housing Loans
- 10.420 Rural Self-Help Housing Technical Assistance
- 10.433 Housing Preservation Grants
- 10.766 Community Facilities Loans
- 10.767 Intermediary Relending Program
- 10.768 Business and Industrial Loans
- 10.770 Water and Waste Disposal Loans and Grants

All of the affected programs, except 10.410 Low Income Housing Loans, are subject to the provisions of Executive Order 12372 that requires

intergovernmental consultation with State and local officials.

Background

General

The affected Agencies make grants, loans, and loan guarantees for the planning and performing of construction and other development work in rural areas. The Agencies require borrowers and grant recipients to meet applicable requirements mandated by Federal statutes, regulations, and executive orders to obtain Agency financing. One such requirement is compliance with Executive Order 12699, which implements the building safety provisions of the Earthquake Hazards Reduction Act of 1977, as amended (42 U.S.C. 7701 *et seq.*).

Therefore, the Agencies are amending their regulations regarding construction and other development for farm credit housing, community facilities and business programs to address the requirements of Executive Order 12699. This action clarifies the seismic requirements applicable to RHS, RBS, RUS, and FSA programs; informs architects, engineers and contractors retained by borrowers and grant recipients of the seismic safety requirements applicable to new building construction projects; and facilitates understanding of and compliance with the requirements.

Seismic Introduction

The Earthquake Hazards Reduction Act of 1977 (the Act), as amended, was enacted to reduce risks to life and property from future earthquakes in the United States through establishment and maintenance of an effective earthquake hazards reduction program. The Act also directs the President "to establish and maintain an effective earthquake hazards reduction program" (the National Earthquake Hazards Reduction Program or NEHRP). The Federal Emergency Management Agency (FEMA) is the designated agency with primary responsibilities to plan and coordinate NEHRP. The objectives of NEHRP include the development of technologically and economically feasible design and construction methods to make structures earthquake resistant; the development and promotion of improved understanding and capability with respect to seismic risk; the education of the public as to earthquake phenomena; and other areas of seismic research.

Executive Order 12699 requires that measures to assure seismic safety be imposed on federally assisted new

building construction to the extent permitted by law. The Executive Order requires each Federal agency assisting in the financing through Federal grants or loans, or guaranteeing the financing through loan or mortgage insurance programs of newly constructed buildings to initiate a plan to assure appropriate consideration of seismic safety.

To support the implementation of Executive Order 12699, the Interagency Committee on Seismic Safety in Construction (ICSSC), composed of members representing Federal agencies involved with construction or responsible for governmental assistance for construction, recommends the use of seismic codes and standards which are substantially equivalent to the "NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings." This guideline that represents the state-of-the-art in seismic design, has been widely reviewed, and is currently incorporated into national standards and most model codes that can be adopted by state and local building codes.

Seismic Design

Unlike hurricanes, earthquakes cannot be predicted; they strike without warning with great destructive forces. Most casualties occur when ground shaking causes buildings and other structures to collapse and objects to fall upon people. For these reasons, buildings and other structures need to be designed to resist earthquake forces.

Structural performance in earthquakes indicates that severe damage to and collapse of buildings almost always are the consequence of inadequate design or construction. The successful performance of buildings designed and constructed in accordance with seismic standards shows that effects of severe earthquakes can be resisted economically.

In order to reduce hazards from earthquakes, buildings should be designed according to appropriate seismic standards and codes. Executive Order 12699 requires the use of and conformance to seismic standards and codes for all new federally assisted buildings to the extent permitted by law. The Federal government has established NEHRP to reduce the hazard due to earthquakes and ICSSC to assist Federal agencies with earthquake hazard reduction implementation measures. ICSSC has identified standards and model building codes that meet the requirements of the Executive Order and recommends their use. Therefore, the Agencies are *requiring* that new construction

financed by programs deriving their statutory from the Consolidated Farm and Rural Development Act, 7 U.S.C. 1921, *et seq.*, comply with the seismic requirements of these model building codes and *recommending* that the construction and housing under programs authorized by title V of the Housing Act of 1949, as amended, 42 U.S.C. 1491, *et seq.*, comply with the seismic requirements of these model building codes.

Discussion of Comments

A proposed rule was published in the Federal Register (60 FR 44283) on August 25, 1995, providing for a 60-day comment period. The rule proposed that RHS, RBS, RUS and FSA amend their regulations regarding construction and other development in order to meet the implementation requirements of Executive Order 12699.

Interested persons were afforded an opportunity to comment and participate in the making of this rule. Due consideration has been given to the 5 letters received commenting on the various aspects in the proposed rule.

Three comments suggested that development work be designed and constructed in accordance with the seismic requirements of the most recently adopted model building code. After review of the May 95 National Institute of Standards and Technology (NIST) report, Comparison of the Seismic Provisions of Model Building Codes and Standards to the 1991 NEHRP Recommended Provisions, this regulation provides for the use of the most recently adopted model building code in the final rule. The following editions of the model codes are referenced in the final rule as the baseline or minimum for providing a level of seismic safety substantially equivalent to that provided by NEHRP Recommended Provisions:

- 1991 ICBO Uniform Building Code
- 1993 BOCA National Building Code
- 1992 SBCCI Standard Building Code

One comment recommended the Agency recognize the Council of American Building Officials (CABO) One and Two Family Dwelling Code with amendments for the purpose of compliance with seismic requirements in addition to the three model building codes. Comparison of the CABO Code with the 1991 NEHRP provisions in the NIST report found that conventional light frame dwellings of two stories or 35 feet in height maximum, constructed under the 1992 CABO One and Two Family Dwelling Code provide the same level of seismic safety as those designed using the 1991 NEHRP provisions.

However, townhouses where the $A_v \geq 0.05$ will not meet the level of safety prescribed by the NEHRP provisions. Also, dwellings of masonry designed using the CABO One and Two Family Dwelling Code will not provide a similar level of seismic safety except where $A_v < 0.05$. The CABO seismic requirements for townhouses and masonry construction are not comparable to those in the NEHRP recommended provisions. Therefore, ICSSC recommendation of model codes appropriate for use does not include the CABO code.

The Agency recognizes that the CABO code is not completely in compliance with the NEHRP recommended provisions. However, section 509(a) of the Housing Act of 1949, 49 U.S.C. 1479(a), requires the Secretary to approve a residential building for financing under title V of the Housing Act of 1949 if the building is constructed in accordance with the standards contained in any of the voluntary national model building codes. The Housing Act of 1949 requires the Agency to finance decent, safe and sanitary housing, and section 4(b) of the Executive Order requires the Agency to amend its regulations to comply with NEHRP only "to the extent permitted by law" to reduce the hazards from earthquakes. The Agency cannot disregard the requirements contained in the Housing Act and must continue to finance dwellings constructed in accordance with CABO, even though present CABO standards do not comply with NEHRP. However, it is important to design buildings according to appropriate seismic standards and codes. Therefore, the Agency recommends, but cannot require, that all townhouses and masonry dwellings financed by the Rural Housing Service housing programs meet the seismic requirements of one of the voluntary national model codes that provide a level of safety substantially equivalent to that intended by the NEHRP recommended provisions. This will ensure that the Agency provides decent, safe and sanitary housing for its borrowers and meet the intent of the Executive Order.

The proposed rule contained the Agency's seismic requirements for single family housing in exhibit N, of 7 CFR part 1924, subpart A. This exhibit has been eliminated from the final rule and the single family housing seismic requirements are included in the body of 7 CFR part 1924, subpart A.

One comment suggested that regulations should reference the 1994 NEHRP Maps that delineate by counties geographic areas that are affected by the

A_v threshold criteria. The ICSSC recommendation of appropriate codes specifically states that codes which are substantially equivalent to the most recent or immediately preceding edition of the NEHRP recommended provisions may be considered adequate. The Agency used the 1991 NEHRP Maps for the proposed rule. However, for the final rule the Agency used the 1994 NEHRP Maps. There is no difference in the 1991 and 1994 A_v Maps.

One comment requested a definition of the term "earthquake resistant" in light of the 1994 NEHRP recommended provisions that state "prevention of damage even in an earthquake event with a reasonable probability of occurrence cannot be achieved economically for most buildings." The point of this statement is that the seismic safety provisions of our building codes are intended to prevent fatalities; they do not claim to be able to prevent property damage. A building constructed to meet modern code requirements is considered a success if, after the earthquake, no one has been killed by collapse or partial collapse of the building. The building will likely be damaged to some extent and may, in some cases, be so badly damaged that it is not economically feasible to repair. Therefore, in terms of earthquake resistance, the successful performance of buildings designed and constructed in accordance with seismic standards shows that the life-threatening effects of a severe earthquake can be resisted economically. The level of earthquake resistance provided by up-to-date seismic design codes and practices is intended to protect human life, not to prevent damage to the building.

Finally, one comment suggested that the proposed rule would drive up the cost of new construction in the face of dwindling development resources and make new construction more difficult to finance. This commenter also suggested an alternative, as he stated, "to dumping large sums of both private and public money into housing projects that could be shaken into rubble by an earthquake." This alternative suggestion would promote the development of housing that uses alternative building materials that are less expensive to replace and more durable than today's building materials. The Agency does not believe that this rule will drive up the cost of housing and therefore, did not change the final rule nor adopt the suggested alternative as a result of this comment.

List of Subjects

7 CFR Part 1924

Agriculture, Construction and repair, Construction management, Energy conservation, Housing, Loan programs—Agriculture, Low and moderate income housing.

7 CFR Part 1942

Community development, Community facilities, Loan programs—Housing and community development, Loan security, Rural areas, Waste treatment and disposal—Domestic, Water supply—Domestic.

7 CFR Part 1948

Business and Industry, Credit, Economic development, Rural areas.

7 CFR Part 1980

Loan programs—Agriculture, Loan programs—Business and industry—Rural development assistance, Loan programs—Housing and community development, Loan programs—Community programs—Rural development assistance.

Therefore, chapter XVIII, title 7, Code of Federal Regulations is amended as follows:

PART 1924—CONSTRUCTION AND REPAIR

1. The authority citation for part 1924 is revised to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C 1989; 42 U.S.C 1480.

Subpart A—Planning and Performing Construction And Other Development

2. Section 1924.5 is amended by adding paragraph (d)(4) to read as follows:

§ 1924.5 Planning development work.

* * * * *

(d) * * *

(4) Except as provided in paragraphs (d)(4)(i) through (iii) of this section, new building construction and additions shall be designed and constructed in accordance with the earthquake (seismic) requirements of the applicable Agency's development standard (building code). The analysis and design of structural systems and components shall be in accordance with applicable requirements of an acceptable model building code.

(i) Agricultural buildings that are not intended for human habitation are exempt from these earthquake (seismic) requirements.

(ii) Single family conventional light wood frame dwellings of two stories or 35 feet in height maximum shall be

designed and constructed in accordance with the 1992 Council of American Building Officials (CABO) One and Two Family Dwelling Code or the latest edition.

(iii) Single family housing of masonry design and townhouses of wood frame construction and additions financed (either directly or through a guarantee) under title V of the Housing Act of 1949 are recommended to be designed and constructed in accordance with the earthquake (seismic) requirements of one of the building codes that provides an equivalent level of safety to that contained in the latest edition of the National Earthquake Hazard Reduction Program's (NEHRP) Recommended Provisions for the Development of Seismic Regulations for New Building (NEHRP Provisions).

(iv) Acknowledgment of compliance with the applicable seismic safety requirements for new construction will be contained in the certification of final plans and specification on the appropriate Agency Form.

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PART 1942—ASSOCIATIONS

3. The authority citation for part 1942 is revised to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 16 U.S.C. 1005.

Subpart A—Community Facility Loans

4. Section 1942.18 is amended by adding paragraph (d)(17) to read as follows:

§ 1942.18 Community Facilities—Planning, Bidding, Contracting, Constructing.

* * * * *

(d) * * *

(17) *Seismic safety.* (i) All new building construction shall be designed and constructed in accordance with the seismic provisions of one of the following model building codes or the latest edition of that code providing an equivalent level of safety to that contained in latest edition of the National Earthquake Hazard Reduction Program's (NEHRP) Recommended Provisions for the Development of Seismic Regulations for New Building (NEHRP Provisions):

(A) 1991 International Conference of Building Officials (ICBO) Uniform Building Code;

(B) 1993 Building Officials and Code Administrators International, Inc. (BOCA) National Building Code; or

(C) 1992 Amendments to the Southern Building Code Congress International (SBCCI) Standard Building Code.

(ii) The date, signature, and seal of a registered architect or engineer and the

identification and date of the model building code on the plans and specifications will be evidence of compliance with the seismic requirements of the appropriate building code.

* * * * *

PART 1948—RURAL DEVELOPMENT

5. The authority citation for part 1948 is revised to read as follows:

Authority: 7 U.S.C. 1989.

Subpart C—Intermediary Relending Program (IRP)

6. Section 1948.117 is amended by adding paragraph (d) to read as follows:

§ 1948.117 Other regulatory requirements.

* * * * *

(d) *Seismic safety of new building construction.* (1) The Intermediary Relending Program is subject to the provisions of Executive Order 12699 that requires each Federal agency assisting in the financing, through Federal grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of newly constructed buildings to assure appropriate consideration of seismic safety.

(2) All new buildings shall be designed and constructed in accordance with the seismic provisions of one of the following model building codes or the latest edition of that code providing an equivalent level of safety to that contained in the latest edition of the National Earthquake Hazard Reduction Program's (NEHRP) Recommended Provisions for the Development of Seismic Regulations for New Building (NEHRP Provisions):

(i) 1991 International Conference of Building Officials (ICBO) Uniform Building Code;

(ii) 1993 Building Officials and Code Administrators International, Inc. (BOCA) National Building Code; or

(iii) 1992 Amendments to the Southern Building Code Congress International (SBCCI) Standard Building Code.

(3) The date, signature, and seal of a registered architect or engineer and the identification and date of the model building code on the plans and specifications will be evidence of compliance with the seismic requirements of the appropriate building code.

PART 1980—GENERAL

7. The authority citation for part 1980 is revised to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 7 U.S.C. 4201 note; 42 U.S.C. 1480.

Subpart A—General

8. Section 1980.48 is added to read as follows:

§ 1980.48 Seismic safety of new building construction.

(a) The guaranteed loan programs are subject to the provisions of Executive Order 12699 which requires each Federal agency assisting in the financing, through Federal grants or loans, or guaranteeing the financing, through loan or mortgage insurance programs, of newly constructed buildings to assure appropriate consideration of seismic safety.

(b) All new buildings shall be designed and constructed in accordance with the seismic provisions of one of the following model building codes or the latest edition of that code providing an equivalent level of safety to that contained in the latest edition of the National Earthquake Hazard Reduction Program's (NEHRP) Recommended Provisions for the Development of Seismic Regulations for New Building (NEHRP Provisions):

(1) 1991 International Conference of Building Officials (ICBO) Uniform Building Code;

(2) 1993 Building Officials and Code Administrators International, Inc. (BOCA) National Building Code; or

(3) 1992 Amendments to the Southern Building Code Congress International (SBCCI) Standard Building Code.

(c) The date, signature, and seal of a registered architect or engineer and the identification and date of the model building code on the plans and specifications will be evidence of compliance with the seismic requirements of the appropriate building code.

Dated: October 21, 1996.

Jill Long Thompson,
Under Secretary, Rural Development.

Dated: October 15, 1996.

Eugene Moos,
Under Secretary, Farm and Foreign Agricultural Services.

[FR Doc. 96-31426 Filed 12-10-96; 8:45 am]

BILLING CODE 3410-XV-U

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 21, 50, 52, 54 and 100

RIN 3150-AD93

Reactor Site Criteria Including Seismic and Earthquake Engineering Criteria for Nuclear Power Plants

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to update the criteria used in decisions regarding power reactor siting, including geologic, seismic, and earthquake engineering considerations for future nuclear power plants. The rule allows NRC to benefit from experience gained in the application of the procedures and methods set forth in the current regulation and to incorporate the rapid advancements in the earth sciences and earthquake engineering. This rule primarily consists of two separate changes, namely, the source term and dose considerations, and the seismic and earthquake engineering considerations of reactor siting. The Commission also is denying the remaining issue in petition (PRM-50-20) filed by Free Environment, Inc. et al.

EFFECTIVE DATE: January 10, 1997.

FOR FURTHER INFORMATION CONTACT: Dr. Andrew J. Murphy, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6010, concerning the seismic and earthquake engineering aspects and Mr. Charles E. Ader, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-5622, concerning other siting aspects.

SUPPLEMENTARY INFORMATION:

- I. Background.
- II. Objectives.
- III. Genesis.
- IV. Alternatives.
- V. Major Changes.
 - A. Reactor Siting Criteria (Nonseismic).
 - B. Seismic and Earthquake Engineering Criteria.
- VI. Related Regulatory Guides and Standard Review Plan Sections.
- VII. Future Regulatory Action.
- VIII. Referenced Documents.
- IX. Summary of Comments on the Proposed Regulations.
 - A. Reactor Siting Criteria (Nonseismic).

B. Seismic and Earthquake Engineering Criteria.

X. Small Business Regulatory Enforcement Fairness Act

XI. Finding of No Significant Environmental Impact: Availability.

XII. Paperwork Reduction Act Statement.

XIII. Regulatory Analysis.

XIV. Regulatory Flexibility Certification.

XV. Backfit Analysis.

I. Background

The present regulation regarding reactor site criteria (10 CFR Part 100) was promulgated April 12, 1962 (27 FR 3509). NRC staff guidance on exclusion area and low population zone sizes as well as population density was issued in Regulatory Guide 4.7, "General Site Suitability Criteria for Nuclear Power Stations," published for comment in September 1974. Revision 1 to this guide was issued in November 1975. On June 1, 1976, the Public Interest Research Group (PIRG) filed a petition for rulemaking (PRM-100-2) requesting that the NRC incorporate minimum exclusion area and low population zone distances and population density limits into the regulations. On April 28, 1977, Free Environment, Inc. et al., filed a petition for rulemaking (PRM-50-20). The remaining issue of this petition requests that the central Iowa nuclear project and other reactors be sited at least 40 miles from major population centers. In August 1978, the Commission directed the NRC staff to develop a general policy statement on nuclear power reactor siting. The "Report of the Siting Policy Task Force" (NUREG-0625) was issued in August 1979 and provided recommendations regarding siting of future nuclear power reactors. In the 1980 Authorization Act for the NRC, the Congress directed the NRC to decouple siting from design and to specify demographic criteria for siting. On July 29, 1980 (45 FR 50350), the NRC issued an Advance Notice of Proposed Rulemaking (ANPRM) regarding revision of the reactor site criteria, which discussed the recommendations of the Siting Policy Task Force and sought public comments. The proposed rulemaking was deferred by the Commission in December 1981 to await development of a Safety Goal and improved research on accident source terms. On August 4, 1986 (51 FR 23044), the NRC issued its Policy Statement on Safety Goals that stated quantitative health objectives with regard to both prompt and latent cancer fatality risks. On December 14, 1988 (53 FR 50232), the NRC denied PRM-100-2 on the basis that it would unnecessarily restrict NRC's regulatory siting policies and would not result in a substantial increase in the overall