

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 31, 32, 170, and 171

Notice of Availability of Staff Draft Proposed Rule Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of availability.

SUMMARY: The NRC is making available a staff draft rulemaking to amend its regulations governing the use of byproduct material in certain measuring, gauging, or controlling devices. The proposed revision includes the addition of explicit requirements for a registration process that the NRC plans to initiate through an earlier proposed rule. This action would propose to add to the regulations the specific criteria for inclusion in the registration program and details about the information required; it would also add a registration fee. The amendments would also modify the quarterly transfer reporting, recordkeeping, and labeling requirements for specific licensees who distribute certain generally licensed devices and clarify which provisions of the regulations apply to all general licenses for byproduct material. The draft proposed rule is intended to allow the NRC to better track certain general licensees, so that they can be contacted or inspected; to track generally licensed devices so that the devices can be identified even if lost or damaged; and to further ensure that general licensees are aware of and understand the requirements for the possession of devices containing byproduct material. Greater awareness helps to ensure that general licensees will properly handle and dispose of generally licensed devices and reduce the potential for incidents that could result in unnecessary radiation exposure to the public and contamination of property.

DATES: Comments received on the staff draft by February 5, 1999, will be

considered by the staff prior to Commission review. Comments received after this date will be considered if it is practical to do so. When the Commission has approved a proposed rule, it will be published in the **Federal Register** for formal public comment.

ADDRESSES: A copy of the staff draft proposed rule can be obtained electronically at the NRC Technical Conference Forum Website under the topic "Staff Draft Proposed Rule for Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material" at <http://techconf.llnl.gov/cgi-bin/topics> or from the NRC's Public Document Room, 2120 L Street, NW., (Lower Level), Washington, DC 20555; telephone 202-634-3273; fax 202-634-3343. To view the working paper at the Website, select "Staff Draft Proposed Rule for Requirements for Certain Generally Licensed Industrial Devices Containing Byproduct Material."

Comments may be posted electronically on the NRC Technical Conference Forum Website mentioned above. Comments submitted electronically can also be viewed at that Website. Comments may also be mailed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: Catherine R. Mattsen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6264; e-mail crm@nrc.gov.

Dated at Rockville, Maryland this 21st day of December, 1998.

For the Nuclear Regulatory Commission.

Frederick C. Combs,

Acting Director, Division of Industrial and Medical Nuclear Safety, NMSS.

[FR Doc. 98-34577 Filed 12-30-98; 8:45 am]

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FEDERAL RESERVE SYSTEM

12 CFR Part 229

[Regulation CC; Docket No. R-1027]

Availability of Funds and Collection of Checks

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: The Board of Governors of the Federal Reserve System (Board) is extending the comment period on its proposal to amend Regulation CC to allow banks that consummate a merger on or after July 1, 1998, and before June 1, 1999, greater time to implement software changes related to the merger. The Secretary of the Board, acting pursuant to delegated authority, has extended the comment period from January 4, 1999 to February 1, 1999, to provide additional time for public comment.

DATES: Comments must be received by February 1, 1999.

ADDRESSES: Comments, which should refer to Docket No. R-1027, may be mailed to Ms. Jennifer Johnson, Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets, N.W., Washington, D.C. 20551. Comments addressed to Ms. Johnson may also be delivered to the Board's mail room between 8:45 a.m. and 5:15 p.m., and to the security control room at all other times. Both the mail room and the security control room are accessible from the courtyard entrance on 20th Street between Constitution Avenue and C Street, N.W. Comments may be inspected in room MP-500, pursuant to § 261.12 of the Board's Rules Regarding Availability of Information, between 9:00 a.m. and 5:00 p.m., except as provided in § 261.14 of those same Rules. (12 CFR 261.12 and 261.14)

FOR FURTHER INFORMATION CONTACT: Jean Anderson, Staff Attorney, Legal Division (202/452-3707). For the hearing impaired only, Telecommunications Device for the Deaf (TDD), Diane Jenkins (202/452-3544).

SUPPLEMENTARY INFORMATION: On December 2, 1998, the Board requested comment in response to a notice of proposed rulemaking on amendments to Regulation CC (63 FR 66499). Under the proposal, comments were due by January 4, 1999. In order to allow affected parties additional time to respond to the proposal the Board is extending the comment period to February 1, 1999. This extension will not delay the Board in providing its report to the Congress.

By order of the Secretary of the Board, acting pursuant to delegated authority for the

Board of Governors of the Federal Reserve System, December 23, 1998.

Jennifer J. Johnson,

Secretary of the Board.

[FR Doc. 98-34495 Filed 12-30-98; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Chapter II

[Release Nos. 33-7618, 34-40828, 35-26958, 39-2371, IC-23621, IA-1777; File No. S7-32-98]

List of Rules To Be Reviewed Pursuant to the Regulatory Flexibility Act

AGENCY: Securities and Exchange Commission.

ACTION: Publication of list of rules scheduled for review.

SUMMARY: The Securities and Exchange Commission is today publishing a list of rules to be reviewed pursuant to Section 610 of the Regulatory Flexibility Act. The list is published to provide the public with notice that these rules are scheduled for review by the agency and to invite public comment on them.

DATES: Public comments are due by February 15, 1999.

ADDRESSES: Persons wishing to submit written comments should file three copies with Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Room 6184, Stop 6-9, Washington, D.C. 20549. All submissions should refer to File No. S7-32-98, and will be available for public inspection and copying at the Commission's Public Reference Room, Room 1026, at the same address.

FOR FURTHER INFORMATION CONTACT: Anne H. Sullivan, Office of the General Counsel, Securities and Exchange Commission 202-942-0954.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act ("RFA") codified at 5 U.S.C. 600-611 requires agencies to review rules which have a significant economic impact upon a substantial number of small entities every ten years. The purpose of the review is "to determine whether such rules should be continued without change, or should be amended or rescinded * * * to minimize any significant economic impact of the rules upon a substantial number of such small entities" (5 U.S.C. 610(a)).

The RFA sets forth specific considerations that must be addressed in the review of each rule:

- The continued need for the rule;

- The nature of complaints or comments received concerning the rule from the public;

- The complexity of the rule;
- The extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and
- The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule (5 U.S.C. 610(c)).

The Securities and Exchange Commission, as a matter of policy, reviews all rules which it publishes for notice and comment to assess their continued compliance with the RFA. Pursuant to the RFA, the rules and forms listed below are scheduled for review by staff of the Commission during the next twelve months. The rules are grouped according to which Division or Office of the Commission will review each rule:

Rules To Be Reviewed by the Office of the Chief Accountant

Title: Article 6 of Regulation S-X (Financial Statements of Registered Investment Companies)

Citation: 17 CFR 210.6

Authority: 15 U.S.C. 77f, 77g, 77s(a), 77aa(25) to (26), 78l, 78m, 78o(d), 78w(a), 79e(b), 79n, 79t(a), 80a-8, and 80a-29

Title: Article 6A of Regulation S-X (Financial Statements of Employee Stock Purchase, Savings, and Similar Plans)

Citation: 17 CFR 210.6A

Authority: 15 U.S.C. 77f, 77g, 77s(a), 77aa(25) to (26), 78l, 78m, 78o(d), 78w(a), 79e(b), 79n, 79t(a), 80a-8, and 80a-29

Rules To Be Reviewed by the Division of Market Regulation

Title: Rule 15c2-6 (Sales Practice Requirement for Certain Low-priced Securities)

[The rule was amended and redesignated as Rule 15g-9 in 1993]

Citation: 17 CFR 240.15g-9

Authority: 15 U.S.C. 78w, 78c, 78j, and 78o

Title: Rule 3a12-10 (Exemption of Certain Securities Issued by the Resolution Funding Corporation)

Citation: 17 CFR 240.3a12-10

Authority: 15 U.S.C. 78w, 78b, and 78c

Title: Rule 15a-6 (Exemption of Certain Foreign Brokers or Dealers)

Citation: 17 CFR 240.15a-6

Authority: 15 U.S.C. 78a, 78c, 78j, 78o, and 78g

Title: Rule 15c2-12 (Municipal Securities Disclosure)

Citation: 17 CFR 240.15c2-12

Authority: 15 U.S.C. 78w, 78b, 78c, 78j, 78o, 78o-4, and 78g

Title: Rule 19c-5 (Governing the Multiple Listing of Options on National Securities Exchanges)

Citation: 17 CFR 240.19c-5

Authority: 15 U.S.C. 78w, 78f, 78k-1, and 78s

Rules and Forms To Be Reviewed by the Division of Investment Management

Title: Public Utility Holding Company Act ("PUHCA") Rule 80 (Definitions of terms used in rules under Section 13)

Citation: 17 CFR 250.80

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 81 (Exempted transactions)

Citation: 17 CFR 250.81

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 82 (Temporary exemption from Section 13)

Citation: 17 CFR 250.82

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 84 (Prohibition of unauthorized transactions by registered holding companies)

Citation: 17 CFR 250.84

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 85 (Service, sales, and construction by registered holding companies)

Citation: 17 CFR 250.85

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 86 (Prohibition of unauthorized transactions by subsidiaries)

Citation: 17 CFR 250.86

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 88 (Approval of mutual service companies; organization and conduct of business or subsidiary service companies)

Citation: 17 CFR 250.88

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 89 (Termination of contracts)

Citation: 17 CFR 250.89

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 90 (Transactions limited to cost)

Citation: 17 CFR 250.90

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 91 (Determination of cost)

Citation: 17 CFR 250.91

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 92 (Sales of goods produced by seller)

Citation: 17 CFR 250.92

Authority: 15 U.S.C. 79m

Title: PUHCA Rule 93 (Accounts and records of mutual and subsidiary service companies)

Citation: 17 CFR 250.93