and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portions of such counties.

The amendment imposes certain further restrictions necessary to prevent the interstate spread of hog cholera and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of June 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71-8324 Filed 6-11-71;8:55 am]

[Docket No. 71-570]

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects:

1. In § 76.2, the reference to the State of Massachusetts in the introductory portion of paragraph (e) and paragraph (e)(2) relating to the State of Massachusetts are deleted.

2. In § 76.2, in paragraph (e)(4) relating to the State of North Carolina, subdivision (i) relating to Bertie County is deleted, and a new subdivision (i) relating to Guilford County is added to read:

(4) *North Carolina.* (i) That portion of Guilford County bounded by a line beginning at the junction of State Highway 6 and U.S. Highway 29, 70, 421; thence, following U.S. Highway 29, 70, 421 in a northeasterly direction to Secondary Road 3000; thence, following Secondary Road 3000 in an easterly direction to Secondary Road 3006; thence, following Secondary Road 3006 in a northerly direction to U.S. Highway 70A; thence, following U.S. Highway 70A in a northeasterly direction to Secondary Road 2851; thence, following Secondary Road 2851 in a northerly direction to Secondary Road 2821; thence, following Secondary Road 2821 in a northeasterly direction to Secondary Road 2819; thence, following Secondary Road 2819 in a southeasterly direction to Secondary Road 2752; thence, following Secondary Road 2752 in a southeasterly direction to Secondary Road 2814; thence, following Secondary Road 2814 in a southeasterly direction to U.S. Highway 70A; thence, following U.S. Highway 70A in a southeasterly direction to Secondary Road 3053; thence, following Secondary Road 3053 in a southwesterly direction to Secondary Road 3124; thence, following Secondary Road 3124 in a southwesterly direction to Secondary Road 3045; thence, following Secondary Road 3045 in a southeasterly direction to Secondary Road 3072; thence, following Secondary Road 3072 in a westerly direction to Secondary Road 3048; thence, following Secondary Road 3048 in a northwesterly direction to Secondary Road 3078; thence, following Secondary Road 3078 in a southwesterly direction to Secondary Road 3029; thence, following Secondary Road 3029 in a northwesterly direction to Secondary Road 3036; thence, following Secondary Road 3036 in a northwesterly direction to Secondary Road 3038; thence, following Secondary Road 3038 in a northwesterly direction to State Highway 6; thence, following State Highway 6 in a northwesterly direction to its junction with U.S. Highway 29, 70, 421.

3. In § 76.2, paragraph (e)(5) relating to the State of Texas is amended to read:

(5) *Texas.* (i) All of Callahan, Eastland, Galveston, Harris, Montgomery, and Tom Green Counties.

(ii) That portion of the State of Texas comprised of all of Bell, Bosque, Ellis, Hill, Johnson, McLennan, and Williamson Counties and portions of Coryell and Tarrant Counties, and bounded by a line beginning at the junction of the Tarrant-Dallas-Ellis County lines; thence, following the Dallas-Ellis-County line in an easterly direction to the junction of the Dallas-Ellis-Kaufman County lines; thence, following the Kaufman-Ellis County line in a southeasterly direction to the junction of the Kaufman-Ellis-Henderson County lines; thence, following the Ellis-Henderson County line in a southeasterly direction to the junction of the Ellis-Henderson-Navarro County lines; thence, following the Ellis-Navarro County line in a southwesterly direction to the junction of the Ellis-Navarro-Hill County lines; thence, following the Navarro-Hill County line in a southeasterly direction to the junction of the Hill-Navarro-Limestone County lines; thence, following the Limestone-Hill County line in a southwesterly direction to the junction of the McLennan-Hill-Limestone County lines; thence, following the McLennan-Limestone County line in a southeasterly direction to the junction of the Limestone-Falls-McLennan County lines; thence, following the Falls-McLennan County line in a southwesterly direction to the junction of the Falls-McLennan-Bell County lines; thence, following the Falls-Bell County line in a southeasterly direction to its junction with the Bell-Milam-Falls County lines; thence, following the Bell-Milam County line in a southwesterly direction to the junction of the Bell-Milam-Williamson County lines; thence, following the Williamson-Milam County line in a southeasterly direction to the junction of the Williamson-Milam-Lee County lines; thence, following the Williamson-Lee County line in a southwesterly direction to the junction of the Williamson-Lee-Bastrop County lines; thence, following the Williamson-Bastrop County line in a generally northwesterly direction to the junction of the Williamson - Bastrop - Travis County lines; thence, following the Williamson-Travis County line in a generally northwesterly direction to the junction of the Williamson-Bastrop-Travis County thence, following the Williamson-Burnet County line in a northeasterly direction to the junction of the Williamson-Burnet-Bell County lines; thence, following the Bell-Burnet County line in a northwesterly direction to the junction of the Bell-Burnet-Lampasas County lines; thence, following the Bell-Lampasas County line in a northerly direction to the junction of the Bell-Lampasas-Coryell County lines; thence, following the Bell-Coryell County line in a northeasterly direction to State Highway 36 in Bell County; thence following State Highway 36 in a northwesterly direction to U.S. Highway 84 in Coryell County; thence, following U.S. Highway 84 in a northwesterly direction to the Coryell-Hamilton County line; thence, following the Coryell-Hamilton County line in a northeasterly direction to the junction of the Coryell-Hamilton-Bosque County lines; thence, following the Hamilton-Bosque County line in a northwesterly direction to the junction of the Hamilton-Bosque-Erath County lines; thence, following the Bosque-Erath County line in a northeasterly direction to the junction of the Bosque-Erath-Somervell County lines; thence, following the Bosque-Somervell County line in a northeasterly direction to the junction of the Bosque-Somervell-Johnson County lines; thence, following the Somervell-Johnson County line in a northerly direction to the junction of the Somervell-Johnson-Hood County lines; thence, following the Johnson-Hood County line in a northerly direction to the junction of the Johnson-Hood-Parker County lines; thence, following the Parker-Johnson County line in an easterly direction to the junction of the Parker-Johnson-Tarrant County lines; thence, following the Johnson-Tarrant County line in an easterly direction to Interstate Highway 35W in Tarrant County; thence, following Interstate Highway 35W in a northerly direction to State Highway 121; thence, following State Highway 121 in a northeasterly direction to the junction of the Denton-Tarrant-Dallas County lines; thence, following the Tarrant-Dallas County line in a southerly direction to its junction with the Ellis County line.

(iii) That portion of Potter County bounded by a line beginning at the junction of the Potter-Oldham County line

and the south bank of the Canadian River; thence, following the south bank of the Canadian River in a generally northeasterly direction to the south bank of Lake Meredith; thence, following the south bank of Lake Meredith, in a generally northeasterly direction the Potter-Moore County line; thence, following the Potter-Moore County line in an easterly direction to the junction of the Potter-Moore-Carson County lines; thence, following the Potter-Carson County line in a southerly direction to the junction of the Potter-Carson-Armstrong-Randall County lines; thence, following the Potter-Randall County line in a westerly direction to the junction of the Potter-Randall-Oldham County lines; thence, following the Potter-Oldham County line in a northerly direction to its junction with the south bank of the Canadian River.

(Secs. 4–7, 23 Stat. 32, as amended, secs. 1 and 2, 32 Stat. 791–792, as amended, secs. 1–4, 33 Stat. 1264–1265, as amended, sec. 1, 75 Stat. 481, secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111–113, 114g, 115, 117, 120, 121, 123–126, 134b, 134f; 29 F.R. 16210, as amended)

Effective date. The foregoing amendments shall become effective upon issuance.

The amendments quarantine a portion of Guilford County, North Carolina because of the existence of hog cholera. The restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will apply to the quarantined portion of such county.

The amendments also exclude a portion of Worcester County, Mass.; a portion of Bertie County, N.C.; all of Collin, Comanche, Erath, Hood, and Somervell Counties and portions of Tarrant, Brown, Hamilton, Limestone, Mills, Navarro, and Stephens Counties in Texas, from the areas quarantined because of hog cholera. Therefore, the restrictions pertaining to the interstate movement of swine and swine products from or through quarantined areas as contained in 9 CFR Part 76, as amended, will not apply to the excluded areas, but will continue to apply to the quarantined areas described in § 76.2(e). Further, the restrictions pertaining to the interstate movement of swine and swine products from nonquarantined areas contained in said Part 76 will apply to the areas excluded from quarantine. No areas in Bertie County, N.C.; Collin, Comanche, Erath, Hood, Somervell, Brown, Hamilton, Limestone, Mills, Navarro, and Stephens Counties in Texas, or in Massachusetts remain under the quarantine.

Insofar as the amendments impose certain further restrictions necessary to prevent the interstate spread of hog cholera, they must be made effective immediately to accomplish their purpose in the public interest. Insofar as they relieve restrictions, they should be made effectively promptly in order to be of maximum benefit to affected persons. It does not appear that public participation in this rule making proceeding would make additional relevant information available to this Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of June 1971.

F. J. MULHERN,
Acting Administrator,
Agricultural Research Service.

[FR Doc.71-8325 Filed 6-11-71;8:55 am]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 115—PROCEDURES FOR REVIEW OF CERTAIN NUCLEAR REACTORS EXEMPTED FROM LICENSING REQUIREMENTS

Codes and Standards for Nuclear Power Plants

On November 25, 1969, the Atomic Energy Commission published in the FEDERAL REGISTER (34 F.R. 18822) proposed amendments of its regulations in 10 CFR Part 50, "Licensing of Production and Utilization Facilities," and 10 CFR Part 115, "Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Requirements," which would establish minimum quality standards for the design, fabrication, erection, construction, testing, and inspection of certain systems and components of boiling and pressurized water-cooled nuclear power reactor plants by requiring conformance with appropriate editions of published industry codes and standards.

All interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 60 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. Upon consideration of the comments received and other factors involved, the Commission has adopted the amendments set out below. These amendments have been changed substantially to reflect consideration of the comments received and to minimize interference with the established equipment procurement practices of the nuclear power industry. Some of the more significant changes from the proposed rule are:

a. The rule as rewritten requires that the determination of which code revisions are applicable be based on component order date rather than construction permit date. To prevent abuse of this provision and to minimize the use of outdated codes, the revised rule requires compliance with more recent codes than those in effect on the order date if the components are ordered more than a specified number of months before issuance of the construction permit.

b. The rule has been changed to make its provisions apply to future code revisions on the date they become effective unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary.

c. The definition of reactor coolant pressure boundary has been revised.

d. The date for compliance with the more recent industry codes has been changed from April 1, 1970, to January 1, 1971.

The Commission believes these changes adopted will eliminate most of the concerns expressed, will help to simplify and stabilize the facility licensing process, and will provide an equivalent increase in protection of the health and safety of the public to that which would be provided in the proposed rule.

Criterion 1 of the "General Design Criteria for Nuclear Power Plants" (Appendix A of Part 50) requires that structures, systems, and components of nuclear powerplants which are important to safety be designed, fabricated, erected, and tested to quality standards that reflect the importance of the safety functions to be performed. It has been generally recognized that, for boiling and pressurized water-cooled reactors, pressure vessels, piping, pumps, and valves which are part of the reactor coolant pressure boundary should, as a minimum, be designed, fabricated, inspected, and tested in accordance with the requirements of the applicable American Society of Mechanical Engineers (ASME) codes in effect at the time the equipment is purchased, and that protection systems (electrical and mechanical sensors and associated circuitry) should, as a minimum, be designed to meet the criteria developed by the Institute of Electrical and Electronics Engineers (IEEE).

Because of the safety significance of uniform early compliance by the nuclear industry with the requirements of these ASME and IEEE codes and published code revisions, the Commission has adopted the following amendments to Parts 50 and 115, which require that certain components and systems of water-cooled reactors important to safety comply with these codes and appropriate revisions to the codes at the earliest feasible time. However, use of the ASME Code N-symbol is not required and inspection and survey systems other than those specified by ASME may be used if they provide an acceptable level of quality and safety. AEC quality assurance requirements are set forth in Appendix B to Part 50. The inspection and survey systems required by the amendments

which follow may be used in partial fulfillment of these requirements to the extent that they are shown by the description of the quality assurance program required by § 50.34(a)(7) to satisfy the applicable requirements of Appendix B.

In cases where compliance with specified code requirements, or portions thereof, would result in hardships or unusual difficulties without a compensating increase in the level of safety, the Commission may grant exemptions under § 50.55a(b)(1). Section 50.55a(b)(2) provides a basis for the authorization of alternatives to the requirements of the specified codes and standards if it can be shown that an acceptable level of safety and quality will be provided.

The Commission considers that a significant improvement in the level of quality in design, fabrication, and testing of systems and components important to safety of water-cooled reactors will be afforded by compliance with the requirements of more recent versions of the codes than those specified in the amendments, or portions thereof, and encourages such compliance whenever practicable, regardless of the date of purchase of equipment or the provisions of these amendments.

Compliance with the provisions of the amendments and the referenced codes is intended to insure a basic, sound quality level. It may be that the special safety significance of a particular system or component will call for supplementary measures. If analysis of the system shows that such is the case, appropriate supplementary measures are expected to be adopted by applicants and licensees, or will be required by the Commission.

Pursuant to the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 50 and 115 are published as a document subject to codification to be effective 30 days after publication in the FEDERAL REGISTER.

1. A new paragraph (v) is added to § 50.2 to read as follows:

§ 50.2 Definitions.

As used in this part:

* * * * *

(v) "Reactor coolant pressure boundary" means all those pressure-containing components of boiling and pressurized water-cooled nuclear power reactors, such as pressure vessels, piping, pumps, and valves, which are:

(1) Part of the reactor coolant system, or

(2) Connected to the reactor coolant system, up to and including any and all of the following:

(i) The outermost containment isolation valve in system piping which penetrates primary reactor containment,

(ii) The second of two valves normally closed during normal reactor operation in system piping which does not penetrate primary reactor containment,

(iii) The reactor coolant system safety and relief valves.

For nuclear power reactors of the direct cycle boiling water type, the reactor coolant system extends to and includes the outermost containment isolation valve in the main steam and feedwater piping.

2. Paragraph (c) of § 50.55 is amended to read as follows:

§ 50.55 Conditions of construction permits.

Each construction permit shall be subject to the following terms and conditions:

* * * * *

(c) Except as modified by this section and § 50.55a, the construction permit shall be subject to the same conditions to which a license is subject.

3. A new § 50.55a is added to 10 CFR Part 50 to read as follows:

§ 50.55a Codes and standards.

Each construction permit for a utilization facility shall be subject to the following conditions, in addition to those specified in § 50.55:

(a) Structures, systems, and components shall be designed, fabricated, erected, constructed, tested, and inspected to quality standards commensurate with the importance of the safety function to be performed.

(b) As a minimum, the systems and components of boiling and pressurized water-cooled nuclear power reactors specified in paragraphs (c), (d), (e), (f), and (g) of this section shall meet the requirements described in those paragraphs, except that the American Society of Mechanical Engineers (hereinafter referred to as ASME) Code N-symbol need not be applied, and the protection systems of nuclear power reactors of all types shall meet the requirements described in paragraph (h) of this section, except as authorized by the Commission upon demonstration by the applicant for or holder of a construction permit that:

(1) Design, fabrication, installation, testing, or inspection of the specified system or component is, to the maximum extent practical, in accordance with generally recognized codes and standards, and compliance with the requirements described in paragraphs (c) through (h) of this section or portions thereof would result in hardships or unusual difficulties without a compensating increase in the level of quality and safety; or

(2) Proposed alternatives to the described requirements or portions thereof will provide an acceptable level of quality and safety. For example, the use of inspection or survey systems other than those required by the specified ASME Codes and Addenda may be authorized under this subparagraph provided that an acceptable level of quality and safety in design, fabrication, installation, and testing is achieved.

(c) Pressure vessels:

(1) For construction permits issued before January 1, 1971, for reactors not licensed for operation, pressure vessels which are part of the reactor coolant pressure boundary[1] shall meet the requirements for Class A vessels set forth in section III of the ASME Boiler and Pressure Vessel Code, applicable Code Cases, and Addenda[2] in effect[3] on the date of order[4] of the vessel. The pressure vessels may meet the requirements set forth in editions of this Code, applicable Code Cases, and Addenda which have become effective after the date of vessel order, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pressure vessels.

(2) For construction permits issued on or after January 1, 1971, pressure vessels which are part of the reactor coolant pressure boundary[1] shall meet the requirements for Class A vessels set forth in section III of the ASME Boiler and Pressure Vessel Code and Addenda[5] in effect[3] on the date of order[4] of the pressure vessel, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such pressure vessels: *Provided, however,* That if the pressure vessel is ordered more than 18 months prior to the date of issuance of the construction permit, compliance with the requirements for Class A vessels set forth in section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 18 months prior to the date of issuance of the construction permit is required. The pressure vessels may meet the requirements set forth in editions of

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[1] Components which are connected to the reactor coolant system and are part of the reactor coolant pressure boundary defined in § 50.2(v) need not meet these requirements, provided:

(a) In the event of postulated failure of the component during normal reactor operation, the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system only, or

(b) the component is or can be isolated from the reactor coolant system by two valves (both closed, both open, or one closed and the other open). Each open valve must be capable of automatic actuation and, assuming the other valve is open, its closure time must be such that, in the event of postulated failure of the component during normal reactor operation, each valve remains operable and the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system only.

[2] Copies may be obtained from the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017. Copies are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

[3] ASME and United States of America Standard Code Addenda are considered "in effect" 6 months after their date of issuance.

[4] The Code issue applicable to a component is governed by the order or contract date for the component, not the contract date for the nuclear energy system.

[5] The use of specific Code Cases may be authorized by the Commission upon request pursuant to § 50.55a(b)(2).

this Code and Addenda which have become effective after the date of vessel order or after 18 months prior to the date of issuance of the construction permit unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pressure vessels.

(d) *Piping:*

(1) For construction permits issued before January 1, 1971, for reactors not licensed for operation, piping which is part of the reactor coolant pressure boundary [1] shall meet the requirements set forth in:

(i) The American Standard Code for Pressure Piping (ASA B31.1), Addenda, and applicable Code Cases [2] or the USA Standard Code for Pressure Piping (USAS B31.1.0), Addenda, and applicable Code Cases [2] or the Class I Section of the USA Standard Code for Pressure Piping (USAS B31.7) [2] in effect [3] on the date of order [4] of the piping and

(ii) The nondestructive examination and acceptance standards of ASA B31.1 Code Cases N7, N9, and N10, except that the acceptance standards of Class I piping of the USA Standard Code for Pressure Piping (USAS B31.7) may be applied.

The piping may meet the requirements set forth in editions of ASA B31.1, USAS B31.1.0, and USAS B31.7, Addenda, and Code Cases which became effective after the date of order of the piping unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such piping.

(2) For construction permits issued on or after January 1, 1971, piping which is part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I piping set forth in the USA Standard Code for Pressure Piping (USAS B31.7) and Addenda [5] in effect [3] on the date of order [4] of the piping and the requirements applicable to piping of articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda [5] in effect on the date of order of the piping unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such piping: *Provided, however,* That if the piping is ordered more than 6 months prior to the date of issuance of the construction permit, compliance with the requirements for Class I piping set forth in USAS B31.7 and Addenda [5] in effect 6 months prior to the date of issuance of the construction permit is required. The piping may meet the requirements set forth in editions of these Codes and Addenda [5] which have become effective after the date of piping order or after 6 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such piping.

(e) Pumps:

(1) For construction permits issued before January 1, 1971, for reactors not licensed for operation, pumps which are part of the reactor coolant pressure boundary [1] shall meet—

(i) The requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases [2] in effect [3] on the date of order [4] of the pumps, or

(ii) The nondestructive examination and acceptance standards set forth in ASA B31.1 Code Cases N7, N9, and N10, except that the acceptance standards for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda in effect on the date of order of the pumps may be applied.

The pumps may meet the requirements set forth in editions of the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases which became effective after the date of order of the pumps, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pumps.

(2) For construction permits issued on or after January 1, 1971, pumps which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] in effect [3] on the date of order [4] of the pumps and the requirements applicable to pumps set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect on the date of order of the pumps, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such pumps: *Provided, however,* That if the pumps are ordered more than 12 months prior to the date of issuance of the construction permit, compliance with the requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] and the requirements applicable to pumps set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 12 months prior to the date of issuance of the construction permit is required. The pumps may meet the requirements set forth in editions of these Codes or Addenda which have become effective after the date of pump order or after 12 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pumps.

(f) Valves:

(1) For construction permits issued before January 1, 1971, for reactors not licensed for operation, valves which are part of the reactor coolant pressure boundary [1] shall meet the requirements set forth in

(i) The American Standard Code for Pressure Piping (ASA B31.1), Addenda, and applicable Code Cases, or the USA Standard Code for Pressure Piping (USAS B31.1.0), Addenda, and applicable Code Cases, in effect [3] on the date of order [4] of the valves or the Class I section of the Draft ASME Code for Pumps and Valves for Nuclear Power, [2] Addenda, and Code Cases in effect on the date of order of the valves or

(ii) The nondestructive examination and acceptance standards of ASA B31.1 Code Cases N2, N7, N9, and N10, except that the acceptance standards for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda in effect on the date of order of the valves may be applied.

The valves may meet the requirements set forth in editions of ASA B31.1, USAS B31.1.0, and the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases, which became effective after the date of order of the valves, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such valves.

(2) For construction permits issued on or after January 1, 1971, valves which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] in effect [3] on the date of order [4] of the valves and the requirements applicable to valves set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda [5] in effect on the date of order of the valves, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such valves: *Provided, however,* That if the valves are ordered more than 12 months prior to the date of issuance of the construction permit, compliance with the requirements for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] and the requirements applicable to valves set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 12 months prior to the date of issuance of the construction permit is required. The valves may meet the requirements set forth in editions of these Codes or Addenda which have become effective after the date of valve order or after 12 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such valves.

(g) Inservice inspection requirements: For construction permits issued on or after January 1, 1971, systems and components shall meet the requirements set

forth in section XI of the ASME Boiler and Pressure Vessel Code and Addenda [2] [5] in effect 6 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such systems and components. Systems and components may meet the requirements set forth in editions of this Code and Addenda which have become effective after 6 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such systems and components.

(h) Protection systems: For construction permits issued after January 1, 1971, protection systems shall meet the requirements set forth in the Institute of Electrical and Electronics Engineers Criteria for Nuclear Power Plant Protection Systems (IEEE 279) in effect [6] 12 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such protection systems. Protection systems may meet the requirements set forth in later editions or revisions of IEEE 279 which have become effective after 12 months prior to the date of issuance of the construction permit, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such protection systems.

(i) Power reactors for which a notice of hearing on an application for a provisional construction permit or a construction permit has been published on or before December 31, 1970, may meet the requirements of paragraphs (c)(1), (d)(1), (e)(1), and (f)(1) of this section instead of paragraphs (c)(2), (d)(2), (e)(2), and (f)(2) of this section, respectively.

4. A new paragraph (n) is added to § 115.3 to read as follows:

§ 115.3 Definitions.

As used in this part:

* * * * *

(n) "Reactor coolant pressure boundary" means all those pressure-containing components of boiling and pressurized water-cooled nuclear power reactors, such as pressure vessels, piping, pumps, and valves, which are:

(1) Part of the reactor coolant system, or

(2) Connected to the reactor coolant system, up to and including any and all of the following:

(i) The outermost containment isolation valve in system piping which penetrates primary reactor containment,

(ii) The second of two valves normally closed during normal reactor operation in system piping which does not penetrate primary reactor containment,

(iii) The reactor coolant system safety and relief valves.

For nuclear power reactors of the direct cycle boiling water type, the reactor coolant system extends to and includes the outermost containment isolation valve in the main steam and feedwater piping.

5. Paragraph (a) of § 115.43 is amended to read as follows:

§ 115.43 Conditions of construction authorizations.

Each construction authorization shall be subject to the following terms and conditions:

(a) Except as modified by this section and § 115.43a, the construction authorization shall be subject to the same conditions to which an operating authorization is subject.

* * * * *

6. A new § 115.43a is added to 10 CFR Part 115 to read as follows:

§ 115.43a Codes and standards.

Each construction authorization shall be subject to the following conditions, in addition to those specified in § 115.43:

(a) Structures, systems, and components shall be designed, fabricated, erected, constructed, tested, and inspected to quality standards commensurate with the importance of the safety function to be performed.

(b) As a minimum, the systems and components of boiling and pressurized water-cooled nuclear power reactors specified in paragraphs (c), (d), (e), (f), and (g) of this section shall meet the requirements described in those paragraphs, except that the American Society of Mechanical Engineers (hereinafter referred to as ASME) Code N-symbol need not be applied, and the protection systems of nuclear power reactors of all types shall meet the requirements described in paragraph (h) of this section, except as authorized by the Commission upon demonstration by the applicant for or holder of a construction authorization that:

(1) Design, fabrication, installation, testing, or inspection of the specified system or component is, to the maximum extent practical, in accordance with generally recognized codes and standards, and compliance with the requirements described in paragraphs (c) through (h) of this section or portions thereof would result in hardships or unusual difficulties without a compensating increase in the level of quality and safety; or

(2) Proposed alternatives to the described requirements or portions thereof will provide an acceptable level of quality and safety. For example, the use of inspection and survey systems other than those required by the specified ASME Codes and Addenda may be authorized under this subparagraph provided that an acceptable level of quality and safety in design, fabrication, installation, and testing is achieved.

(c) Pressure vessels:

(1) For construction authorizations issued before January 1, 1971, for reactors not authorized for operation, pressure vessels which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class A vessels set forth in section III of the ASME Boiler and Pressure Vessel Code, applicable Code Cases, and Addenda [2] in effect [3] on the date of order [4] of the vessel. The pressure vessels may meet the requirements set forth in editions of this Code, applicable Code Cases and Addenda which have become effective after the date of vessel order, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pressure vessels.

(2) For construction authorizations issued on or after January 1, 1971, pressure vessels which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class A vessels set forth in section III of the ASME

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[6] For purposes of this regulation, the proposed IEEE 279 became "in effect" on Aug. 30, 1968, and future IEEE 279 editions or revisions will become "in effect" on the effective date printed on the document. Copies may be obtained from the Institute of Electrical and Electronics Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017. A copy is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

[1] Components which are connected to the reactor coolant system and are part of the reactor coolant pressure boundary defined in § 115.3(n) need not meet these requirements, provided;

(a) In the event of postulated failure of the component during normal reactor operation, the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system only, or

(b) the component is or can be isolated from the reactor coolant system by two valves (both closed, both open, or one closed and the other open). Each open valve must be capable of automatic actuation and, assuming the other valve is open, its closure time must be such that, in the event of postulated failure of the component during normal reactor operation, each valve remains operable and the reactor can be shut down and cooled down in an orderly manner, assuming makeup is provided by the reactor coolant makeup system only.

[2] Copies may be obtained from the American Society of Mechanical Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017. Copies are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

[3] ASME and United States of America Standard Code Addenda are considered "in effect" 6 months after their date of issuance.

[4] The Code issue applicable to a component is governed by the order or contract date for the component, not the contract date for the nuclear energy system.

Boiler and Pressure Vessel Code and Addenda [5] in effect [3] on the date of order [4] of the pressure vessel, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such pressure vessels: *Provided, however,* That if the pressure vessel is ordered more than 18 months prior to the date of issuance of the construction authorization, compliance with the requirements for Class A vessels set forth in section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 18 months prior to the date of issuance of the construction authorization is required. The pressure vessels may meet the requirements set forth in editions of this Code and Addenda which have become effective after the date of vessel order or after 18 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pressure vessels.

(d) Piping:

(1) For construction authorizations issued before January 1, 1971, for reactors not authorized for operation, piping which is part of the reactor coolant pressure boundary [1] shall meet the requirements set forth in

(i) The American Standard Code for Pressure Piping (ASA B31.1), Addenda, and applicable Code Cases,[2] or the USA Standard Code for Pressure Piping (USAS B31.1.0), Addenda, and applicable Code Cases [2] or the Class I Section of the USA Standard Code for Pressure Piping (USAS B31.7) [2] in effect [3] on the date of order [4] of the piping and

(ii) The nondestructive examination and acceptance standards of ASA B31.1 Code Cases N7, N9, and N10, except that the acceptance standards of Class I piping of the USA Standard Code for Pressure Piping (USAS B31.7) may be applied.

The piping may meet the requirements set forth in editions of ASA B31.1, USAS B31.1.0, and USAS B31.7, Addenda, and Code Cases which became effective after the date of order of the piping, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such piping.

(2) For construction authorizations issued on or after January 1, 1971, piping which is part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I piping set forth in the USA Standard Code for Pressure Piping (USAS B31.7) and Addenda [5] in effect [3] on the date of order [4] of the piping and the requirements applicable to piping of articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda [5] in effect on the date of order of the piping, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such piping: *Provided, however,* That if the piping is ordered more than 6 months prior to the date of issuance of the construction authorization, compliance with the requirements for Class I piping set forth USAS B31.7 and Addenda [5] in effect 6 months prior to the date of issuance of the construction authorization is required. The piping may meet the requirements set forth in editions of these Codes and Addenda [5] which have become effective after the date of piping order or after 6 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such piping.

(e) Pumps:

(1) For construction authorizations issued before January 1, 1971, for reactors not authorized for operation, pumps which are part of the reactor coolant pressure boundary [1] shall meet

(i) The requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases in effect on the date of order of the pumps, or

(ii) The nondestructive examination and acceptance standards set forth in ASA B31.1 Code Cases N7, N9, and N10, except that the acceptance standards for Class I Pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5], in effect [3] on the date of order [4] of the pumps may be applied.

The pumps may meet the requirements set forth in editions of the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases which became effective after the date of order of the pumps, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pumps.

(2) For construction authorizations issued on or after January 1, 1971, pumps which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] in effect [3] on the date of order [4] of the pumps and the requirements applicable to pumps set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect on the date of order of the pumps, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such pumps: *Provided, however,* That if the pumps are ordered more than 12 months prior to the date of issuance of the construction authorization, compliance with the requirements for Class I pumps set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] and the requirements applicable to pumps set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 12 months prior to the date of issuance of the construction authorization is required. The pumps may meet the requirements set forth in editions of these Codes or Addenda which have become effective after the date of pump order or after 12 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such pumps.

(f) Valves:

(1) For construction authorizations issued before January 1, 1971, for reactors not authorized for operation, valves which are part of the reactor coolant pressure boundary [1] shall meet the requirements set forth in

(i) The American Standard Code for Pressure Piping (ASA B31.1), Addenda, and applicable Code Cases, or the USA Standard Code for Pressure Piping (USAS B31.1.0), Addenda, and applicable Code Cases in effect [3] on the date of order [4] of the valves or the Class I Section of the Draft ASME Code for Pumps and Valves for Nuclear Power,[2] Addenda, and Code Cases in effect on the date of order of the valves or

(ii) The nondestructive examination and acceptance standards of ASA B31.1 Code Cases N2, N7, N9, and N10, except that the acceptance standards for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda in effect on the date of order of the valves may be applied.

The valves may meet the requirements set forth in editions of ASA B31.1, USAS B31.1.0, and the Draft ASME Code for Pumps and Valves for Nuclear Power, Addenda, and Code Cases, which became effective after the date of order of the valves, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such valves.

(2) For construction authorizations issued on or after January 1, 1971, valves which are part of the reactor coolant pressure boundary [1] shall meet the requirements for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda [5] in effect [3] on the date of order [4] of the valves and the requirements applicable to valves set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda [5] in effect on the date of order of the valves, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such valves: *Provided, however,* That if the valves are ordered more than 12 months prior to the date of issuance of the construction authorization, compliance with the requirements

[2] The use of specific Code Cases may be authorized by the Commission upon request pursuant to § 115.43a(b)(2).

for Class I valves set forth in the Draft ASME Code for Pumps and Valves for Nuclear Power and Addenda[6] and the requirements applicable to valves set forth in articles 1 and 8 of section III of the ASME Boiler and Pressure Vessel Code and Addenda in effect 12 months prior to the date of issuance of the construction authorization is required. The valves may meet the requirements set forth in editions of these Codes or Addenda which have become effective after the date of valve order or after 12 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such valves.

(g) Inservice inspection requirements: For construction authorizations issued on or after January 1, 1971, systems and components shall meet the requirements set forth in section XI of the ASME Boiler and Pressure Vessel Code and Addenda[2,5] in effect 6 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such systems and components. Systems and components may meet the requirements set forth in editions of this Code and Addenda which have become effective after 6 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such systems and components.

(h) Protection systems: For construction authorizations issued after January 1, 1971, protection systems shall meet the requirements set forth in the Institute of Electrical and Electronics Engineers Criteria for Nuclear Power Plant Protection Systems (IEEE 279) in effect[6] 12 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable or unnecessary for such protection systems. Protection systems may meet the requirements set forth in later editions or revisions of IEEE 279 which have become effective after 12 months prior to the date of issuance of the construction authorization, unless the Commission has published a notice in the FEDERAL REGISTER that compliance with such requirements or any part thereof is unacceptable for such protection systems.

(Secs. 103, 104, 1611, 183, 68 Stat. 936, 937, 948, 954, as amended; 42 U.S.C. 2133, 2134, 2201(i), 2233)

Dated at Washington, D.C., this 2d day of June 1971.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary of the Commission.

[FR Doc.71-8254 Filed 6-11-71;8:49 am]

[6] For purposes of this regulation, the proposed IEEE 279 became "in effect" on August 30, 1968, and future IEEE 279 editions or revisions will become "in effect" on the effective date printed on the document. Copies may be obtained from the Institute of Electrical and Electronics Engineers, United Engineering Center, 345 East 47th Street, New York, NY 10017. A copy is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. 71-461]

PART 563—OPERATIONS

Participation Loan Transactions

Correction

In F.R. 71-7628 appearing at page 10724 in the issue for Wednesday, June 2, 1971, in amendatory paragraph 2 the reference to "§ 2563.9-2" should read "§ 563.9-2".

Chapter VI—Farm Credit Administration

SUBCHAPTER F—BANKS FOR COOPERATIVES

PART 672—CENTRAL BANK FOR COOPERATIVES DEBENTURES

PART 673—BANKS FOR COOPERATIVES CONSOLIDATED DEBENTURES

Miscellaneous Amendments

Part 672 is deleted from Chapter VI of Title 12 of the Code of Federal Regulations, and Part 673 thereof is amended by revising §§ 673.2 and 673.3 to read as follows:

§ 673.2 Custodian and Acting Custodian.

(a) The Collateral Officer, Accounting, Budget and Data Management Division, Farm Credit Administration, shall serve, ex officio, as Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures. Any Assistant Collateral Officer of said Division shall serve, ex officio, as Acting Custodian of collateral pledged by the Central Bank for Cooperatives for consolidated debentures, in the event the said Custodian is unable to serve for any reason.

(b) The Farm Loan Registrar in each farm credit district shall serve, ex officio, as Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures; and the Deputy Registrar and any Acting Deputy Registrar in each farm credit district shall serve, ex officio, as Acting Custodian of collateral pledged by the bank for cooperatives of the district for consolidated debentures, in the event the said Custodian is unable to serve for any reason. The operating title of the Farm Loan Registrar when so serving shall be Custodian. The operating title of the Deputy Registrar and any Acting Deputy Registrar when so serving shall be Acting Custodian.

§ 673.3 Bonding of Custodian and Acting Custodian.

Each Custodian shall be covered under a fidelity bond with a corporate surety on the approved list of the Treasury Department in the amount of $50,000 to insure the faithful performance of his duties and provide against financial loss. Each Acting Custodian of collateral for the Central Bank for Cooperatives shall likewise be covered in the amount of $50,000, but like coverage for Acting Custodians of collateral for district banks for cooperatives shall be in the amount of $25,000.

(Sec. 37, 48 Stat. 263, as amended; 12 U.S.C. 1134m)

E. A. JAENKE,
Governor,
Farm Credit Administration.

[FR Doc.71-8294 Filed 6-11-71;8:52 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airworthiness Docket No. 68-WE-20-AD; Amdt. 39-1228]

PART 39—AIRWORTHINESS DIRECTIVES

Boeing Model 727 Series Airplanes

Amendment 39-635 (33 F.R. 11714), AD-68-17-1, provides for inspection and replacement of the main landing gear actuator beam support link in accordance with the manufacturer's Service Bulletin 32-90. The repetitive inspections required in Amendment 39-635 were no longer required when the links were replaced with 65-19657-11 or -13 links. After issuing Amendment 39-635, due to service experience, the Agency has determined that the 65-19657-13 link requires repeat inspections. Therefore, the AD is being amended to provide a repeat inspection for the 65-19657-13 link when installed, and to delete the -13 link as a terminating action.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-635 (33 F.R. 11714), AD 68-17-1, is amended as follows: