(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on June 25, 1971.

[SEAL] MORRIE S. HILL,
Acting Secretary, Federal Crop Insurance Corporation.

Approved on June 30, 1971.

CLARENCE D. PALMBY,
Acting Secretary.

[FR Doc.71-9514 Filed 7-6-71;8:47 am]

[Amdt. No. 3]

PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

Subpart—Regulations for the 1967 and Succeeding Crop Years

ARIZONA-DESERT VALLEY CITRUS

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1971 crop year in the following respect:

Subsection 14(b) of the Application and Policy shown in § 409.25 is amended effective beginning with the 1971 crop year to read as follows:

(b) Losses shall be adjusted separately for each unit. The amount of loss with respect to any unit shall be determined by multiplying the amount of insurance for the unit (determined in accordance with subsection 7(c)) by the average percent of damage (determined in accordance with subsection (c) of this section) in excess of 20 percent.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on June 25, 1971.

[SEAL] MORRIE S. HILL,
Acting Secretary, Federal Crop Insurance Corporation.

Approved on June 30, 1971.

CLARENCE D. PALMBY,
Acting Secretary.

[FR Doc.71-9513 Filed 7-6-71;8:47 am]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 2]

PART 717—HOLDING OF REFERENDA

Miscellaneous Amendments

On pages 9251 and 9252 of the FEDERAL REGISTER of May 21, 1971 (36 F.R. 9251) was published a notice of proposed rule making to amend the regulation governing the holding of referenda.

Interested persons were given 30 days after publication of the notice in which to submit written data, views, or recommendations with respect to the proposed amendments.

After consideration of the views and recommendations received, the proposed amendments, as issued in the notice, are adopted with the following additions:

1. A basis and purpose paragraph is added preceding the amendments.

2. An authority clause is added immediately following the amendments.

3. An effective date provision is added immediately following the authority clause.

Effective date: Thirty days after publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on June 29, 1971.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

Bases and purpose. The amendments herein are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended.

The purpose of these amendments is to (1) delete provisions previously applicable only to upland cotton and wheat, (2) designate certain provisions as applicable to extra long staple cotton, (3) extend voting eligibility, in cases where the commodity on a farm was not actually planted but was regarded as planted under applicable regulations, to persons on the farm who would have had an interest in the commodity as a producer if the commodity had actually been planted (Under present regulations, only the owner and operator are eligible to vote under these circumstances.), (4) clarify the manner of voting by mail ballot with respect to voting by proxy, and (5) change the reference to "county office manager", in every instance where it appears in this part, to read "county executive director".

It is proposed that Part 717—Holding of Referenda (33 F.R. 18345), as amended, is amended as follows:

1. Section 717.3 is amended by deleting paragraphs (a) (5) and (7) and (d) and (h) thereof.

2. Section 717.3 is further amended by inserting the words "extra long staple" immediately preceding the word "cotton" in the first sentence of paragraph (b) thereof and by revising paragraph (a)(6), the second sentence of paragraph (b), and paragraph (i) to read as follows:

§ 717.3 Voting eligibility.

(a) * * *

(6) *Extra long staple cotton quotas.* Not later than December 15 following the proclamation of a national quota for extra long staple cotton there shall be a referendum under section 343 of the Act, of farmers engaged in the production of extra long staple cotton in the calendar year in which the referendum is held to determine whether such farmers are in favor of or opposed to the quota for the next marketing year. If more than one-third of the farmers voting in the referendum oppose the quota, such quota shall not be in effect.

* * * * *

(b) * * * In addition, the phrase "farmers engaged in the production of a commodity" also includes each person who it is determined would have had an interest as a producer in the commodity on a farm for which a farm allotment for the crop of the commodity was established and no acreage of the crop was planted but an acreage of the crop was regarded as planted for history acreage purposes under the applicable commodity regulations.

* * * * *

(i) *Interpretation.* In the case of any commodity on a farm where no acreage of the commodity is actually planted but an acreage of the commodity is regarded as planted under applicable regulations of the Department, persons on the farm who it is determined would have had an interest in the commodity as a producer if an acreage of the commodity had been actually planted shall be eligible to vote in the referendum.

3. Section 717.6 is amended by revising the last sentence thereof to read as follows:

§ 717.6 Place of balloting.

* * * Subject to the provisions of § 717.9(c) for absentee ballots, a farmer or producer eligible to vote, shall vote only at a polling place designated for the referendum community in which he was engaged in the production of the commodity for which the referendum is held.

4. Section 717.19 is revised to read as follows:

§ 717.19 Manner of voting.

(a) *Voting procedure.* Each person to whom a ballot is issued by mail or in person may vote in the referendum by marking the ballot so as to indicate clearly how he votes, placing the ballot in a plain envelope, sealing the plain envelope, inserting it in a postage paid envelope which shall be marked clearly with the voter's name and return address, signing the certification on such envelope or making his mark thereto (which mark shall be witnessed), sealing the postage paid envelope, and delivering or mailing it to the office of the county committee for the county in which he is eligible to vote.

(b) *Voting by proxy prohibited.* There shall be no voting by proxy or agent except as provided in § 717.3.

5. The reference to "county office manager", in each instance where it appears in this part, is changed to read "county executive director."

(Secs. 312(c), 317 (c) and (d), 336, 343, 354(b), 358(b), 375(b), 52 Stat. 46, as amended, 79 Stat. 66, 52 Stat. 55, as amended, 56, as amended, 52 Stat. 61, as amended, 55 Stat. 38, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1312(c), 1314c (c) and (d), 1336, 1343, 1354(b), 1358(b), 1375(b))

[FR Doc.71-9517 Filed 7-6-71;8:47 am]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL

PART 40—LICENSING OF SOURCE MATERIAL

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

PART 70—SPECIAL NUCLEAR MATERIAL

Miscellaneous Amendments

On December 4, 1970, the Atomic Energy Commission published in the FEDERAL REGISTER amendments to a revision of Appendix D of 10 CFR Part 50, a statement of general policy and procedure that indicates how the Commission will exercise its responsibilities under the National Environmental Policy Act of 1969, Public Law 91-190, with respect to the licensing of power reactors and fuel reprocessing plants (35 F.R. 18469). The revision reflected, among other things (1) the guidance of the Council on Environmental Quality and (2) the enactment of the Water Quality Improvement Act of 1970. Although the revision was published in effective form, comments and suggestions were invited to be submitted within 30 days of publication.

On April 23, 1971, the Council on Environmental Quality published new guidelines on "Statements on Proposed Federal Actions Affecting the Environment" required by section 102(2)(C) of the National Environmental Policy Act of 1969.

The Commission has adopted the amendments to Appendix D set out below to reflect the new guidelines published by the Council on Environmental Quality, to make changes suggested by comments submitted on the revision of Appendix D published on December 4, 1970, and to make certain other changes. Amendments to Parts 30, 40, 50, and 70 to reference Appendix D have also been adopted. Since the amendments are of a minor or clarifying nature, the Commission has found that good cause exists for omitting notice of proposed rule making and public procedure thereon as unnecessary and for making the amendments effective without the customary 30-day notice.

Pursuant to the National Environmental Policy Act of 1969, the Atomic Energy Act of 1954, as amended, and sections 552 and 553 of title 5 of the United States Code, the following amendments of title 10, Chapter 1, Code of Federal Regulations, Parts 30, 40, 50, and 70 are published as a document subject to codification, to be effective on publication in the FEDERAL REGISTER.

1. A new paragraph (f) is added to § 30.32 of 10 CFR Part 30 to read as follows:

§ 30.32 Applications for specific licenses.

* * * * *

(f) An application for a license to possess and use byproduct material to conduct an activity which will significantly affect the quality of the human environment shall be accompanied by any environmental report required pursuant to Appendix D of Part 50 of this chapter.

2. In § 30.33(a) of 10 CFR Part 30, the word "and" at the end of subparagraph (3) is deleted, a semicolon and the word "and" substituted for the period at the end of subparagraph (4) and a new subparagraph (5) is added to read as follows:

§ 30.33 General requirements for issuance of specific licenses.

(a) An application for a specific license will be approved if:

* * * * *

(5) The applicant satisfies any applicable requirements contained in Appendix D of Part 50 of this chapter.

3. A new paragraph (f) is added to § 40.31 of 10 CFR Part 40 to read as follows:

§ 40.31 Applications for specific licenses.

* * * * *

(f) An application for a license to possess and use source material to conduct an activity which will significantly affect the quality of the human environment shall be accompanied by any environmental report required pursuant to Appendix D of Part 50 of this chapter.

4. In § 40.32 of 10 CFR Part 40, a semicolon and the word "and" are substituted for the period at the end of paragraph (d) and a new paragraph (e) is added to read as follows:

§ 40.32 Requirements for issuance of specific licenses.

An application for a specific license for purposes other than export will be approved if:

* * * * *

(e) The applicant satisfies any applicable requirements contained in Appendix D of Part 50 of this chapter.

5. A new paragraph (f) is added to 50.30 of 10 CFR Part 50 to read as follows:

§ 50.30 Filing of applications for licenses; oath or affirmation.

* * * * *

(f) *Environmental report.* An application for a construction permit or an operating license for a nuclear power reactor or a fuel reprocessing plant shall be accompanied by any environmental report required pursuant to Appendix D.

6. A new paragraph (d) is added to § 50.40 of 10 CFR Part 50 to read as follows:

§ 50.40 Common standards.

In determining that a license will be issued to an applicant, the Commission will be guided by the following considerations:

* * * * *

(d) Any applicable requirements of Appendix D have been satisfied.

7. The fourth paragraph of the introductory material in Appendix D of 10 CFR Part 50 is amended to read as follows:

APPENDIX D—STATEMENT OF GENERAL POLICY AND PROCEDURE: IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 (PUBLIC LAW 91-190)

* * * * *

Since the enactment of the National Environmental Policy Act of 1969, the President has issued Executive Order 11514, dated March 5, 1970, in furtherance of the purpose and policy of that Act, and the Council on Environmental Quality established by title II of that Act has issued guidelines to Federal departments, agencies and establishments for the preparation of the detailed statements on environmental considerations (35 F.R. 7390, 36 F.R. 7724).

8. In paragraph 1. of Appendix D of 10 CFR Part 50, the words "three hundred (300) copies" are substituted for the words "one hundred and fifty (150) copies, including one reproducible copy" where they appear, and a footnote is added after the word "applicant" in the first sentence to read as follows:

[1] Where the "applicant" as used in this appendix is a Federal agency, different arrangements for implementing the National Environmental Policy Act may be made, pursuant to the guidelines established by the Council on Environmental Quality.

9. Paragraph 2 of Appendix D of 10 CFR Part 50 is amended to read as follows:

2. Each applicant for a license to operate a nuclear power reactor or a fuel reprocessing plant shall submit with his application three hundred (300) copies of a separate document, to be entitled "Applicant's Environmental Report—Operating License Stage," which discusses the same environmental considerations described in paragraph 1, but only to the extent that they differ significantly from those discussed in the Applicant's Environmental Report previously submitted in accordance with paragraph 1. The "Applicant's Environmental Report—Operating License Stage" may incorporate by reference any information contained in the Applicant's Environmental Report previously submitted in accordance with paragraph 1. With respect to the operation of nuclear power reactors, the applicant, unless otherwise required by the Commission, shall submit the "Applicant's Environmental Report—Operating License Stage" only in connection with the first licensing action that would authorize full-power operation of the facility.[2]

10. Paragraphs 3, 4, and 5 of Appendix D of 10 CFR Part 50 are amended to read as follows:

3. After receipt of any Applicant's Environmental Report, the Director of Regulation or his designee will cause to be published in the FEDERAL REGISTER a summary

[2] This report is in addition to the report required at the construction permit stage.

notice of the availability of the report, and the report will be placed in the AEC's Public Document Rooms at 1717 H Street NW., Washington, DC, and in the vicinity of the proposed site, and will be made available to the public at the appropriate State, regional, and metropolitan clearinghouses.[3] The Director of Regulation or his designee will analyze the report and prepare a draft Detailed Statement of environmental considerations which may consist, in whole or in part, of the comments of the Director of Regulation or his designee on the Applicant's Environmental Report. (Where a cost-benefit analysis of the proposed action has been prepared, the analysis will be attached to both draft Detailed Statements and final Detailed Statements referred to in paragraph 5.) The Commission will then transmit a copy of the report and of the draft Detailed Statement to such Federal agencies designated by the Council on Environmental Quality as having "jurisdiction by law or special expertise with respect to any environmental impact involved" or as "authorized to develop and enforce environmental standards" as the Commission determines are appropriate,[4] and to the Governor or appropriate State and local officials, who are authorized to develop and enforce environmental standards, of any affected State with a request for comment on the report and the draft Detailed Statement within forty-five (45) days[5] in the case of Federal agencies and seventy-five (75) days in the case of State and local officials, or within such longer time as the Commission may deem appropriate. (In accordance with § 2.101(b) of Part 2, the Commission will also send a copy of the application to the Governor or other appropriate official of the State in which the facility is to be located and will publish in the FEDERAL REGISTER a notice of receipt of the application, stating the purpose of the application and specifying the location at which the proposed activity will be conducted.) Comments on an "Applicant's Environmental Report—Operating License Stage" and on the draft Detailed Statement prepared in connection therewith will be requested only as to environmental matters that differ significantly from those previously considered at the construction permit stage. If any such Federal agency or State or local official fails to provide the Commission with comments within the time specified by the Commission, it will be presumed that the agency or official has no comment to make, unless a specific extension of time has been requested.

4. In addition, upon preparation of a draft Detailed Statement, the Commission will cause to be published in the FEDERAL REGISTER a summary notice of the availability of the Applicant's Environmental Report and the draft Detailed Statement. The summary notice to be published pursuant to this paragraph will request, within seventy-five (75) days or such longer period as the Commission may determine to be practicable, comment from interested persons on the proposed action and on the draft Statement. The summary notice will also contain a statement to the effect that the comments of Federal agencies and State and local officials thereon will be available when received.[6]

5. After receipt of the comments requested pursuant to paragraphs 3 and 4, the Director of Regulation or his designee will prepare a final Detailed Statement on the environmental considerations specified in paragraph 1, including, where appropriate, a discussion of problems and objections raised by Federal, State, and local agencies or officials and private organizations and individuals and the disposition thereof. In preparing the Detailed Statement, the Director of Regulation or his designee may rely, in whole or in part, on, and may incorporate by reference, the appropriate Applicant's Enviromental Report, and the comments submitted pursuant to paragraphs 3 and 4, as well as the regulatory staff's radiological safety evaluation.[7] The Detailed Statement will relate primarily to the environmental effects of the facility that is subject to the licensing action involved.

Detailed Statements prepared in connection with an application for an operating license will cover only those environmental considerations which differ significantly from those discussed in the Detailed Statement previously prepared in connection with the application for a construction permit and may incorporate by reference any information contained in the Detailed Statement previously prepared in connection with the application for a construction permit. With respect to the operation of nuclear power reactors, it is expected that in most cases the Detailed Statement will be prepared only in connection with the first licensing action that authorizes full-power operation of the facility.[8]

11. Footnote 4 in paragraph 6 of Appendix D of 10 CFR Part 50 is renumbered footnote 9.

12. Paragraph 7 of Appendix D of 10 CFR Part 50 is amended to read as follows:

7. The Commission will transmit to the Council on Environmental Quality copies of (a) each Applicant's Environmental Report, (b) each draft Detailed Statement, (c) comments thereon received from Federal, State, and local agencies and officials and private organizations and individuals,[10] and (d) each Detailed Statement prepared pursuant to paragraph 5. Copies of such reports, draft Statements, comments and Statements will be made available to the public as provided in this appendix and as provided by section 552 of title 5 of the United States Code, and will accompany the application through the Commission's review processes. After each Detailed Statement becomes available, a notice of its availability will be published in the FEDERAL REGISTER, and copies will be made available to appropriate Federal, State, and local agencies and State, regional, and metropolitan clearinghouses.[3] No construction permit or operating license in connection with which a Detailed Statement is required by this appendix will be issued until ninety (90) days after the draft Detailed Statement therefor has been circulated for comment, furnished to the Council on Environmental Quality, and made available to the public, and until thirty (30) days after the final Detailed Statement therefor has been made available to the Council and the public. If the final Detailed Statement is filed within ninety (90) days after a draft Statement has been circulated for comment, furnished to the Council and made available to the public, the thirty (30) day period and ninety (90) day period may run concurrently to the extent that they overlap.

13. Footnote 5 in paragraph 9 of Appendix D of 10 CFR Part 50 is renumbered footnote 11.

14. Paragraph 11(a) of Appendix D of 10 CFR Part 50 is amended to read as follows:

11. (a) Any party to a proceeding for the issuance of a construction permit or an operating license for a nuclear power reactor or a fuel reprocessing plant may raise as an issue in the proceeding whether the issuance of the permit or license would be likely to result in a significant, adverse effect on the environment. If such a result were indicated, in accordance with the declaration of national policy expressed in the National Environmental Policy Act of 1969, consideration will be given to the need for the imposition of requirements for the preservation of environmental values consistent with other essential considerations of national policy, including the need to meet on a timely basis the requirements for electric power in the affected region.

The above-described issues shall not be construed as including (a) radiological effects, since radiological effects are considered pursuant to other provisions of this part or (b) matters of water quality covered by section 21(b) of the Federal Water Pollution Control Act. This paragraph applies only to proceedings in which the notice of hearing in the proceeding is published on or after March 4, 1971, and, with respect to a proceeding for the issuance of an operating license, only in connection with the licensing action for which a Detailed Statement has been prepared.

15. A new paragraph (f) is added to § 70.21 of 10 CFR Part 70 to read as follows:

§ 70.21 Filing.

* * * * *

(f) An application for a license to possess and use special nuclear material to conduct an activity which will significantly affect the quality of the human environment shall be accompanied by any Environmental Report required under Appendix D of Part 50 of this chapter.

16. A new paragraph (h) is added to § 70.23 of 10 CFR Part 70 to read as follows:

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[3] Such clearinghouses have been established pursuant to Office of Management and Budget Circular A-95 to provide liaison and coordination between Federal and State, regional or local agencies with respect to Federal programs having an impact on the environment. The documents will be made available at appropriate State, regional, and metropolitan clearinghouses only with respect to proceedings in which the draft Detailed Statement is circulated after June 30, 1971.

[4] The Commission transmits all Environmental Reports and draft Detailed Statements to the Environmental Protection Agency, whose comments may include comments with respect to water quality aspects of the proposed action for which a certification pursuant to section 21(b) of the Federal Water Pollution Control Act has been issued, and with respect to aspects of the proposed action to which section 309 of the Clean Air Act is applicable.

[5] A draft Detailed Statement will not be prepared in cases where the Applicant's Environmental Report has been transmitted to the cognizant agencies for comments prior to Dec. 4, 1970.

[6] This paragraph applies only with respect to proceedings in which the draft Detailed Statement is circulated after June 30, 1971.

[7] Final detailed statements will include a discussion of problems and objections raised by private organizations and individuals, and may incorporate by reference comments submitted by such persons, only in proceedings in which the draft Detailed Statement is circulated after June 30, 1971.

[8] This Statement is in addition to the Statement prepared at the construction permit stage.

[10] Comments from private organizations and individuals will be transmitted to the Council on Environmental Quality only in proceedings in which the draft Detailed Statement is circulated after June 30, 1971.

§ 70.23 Requirements for the approval of applications.

An application for a license, other than a license for export, will be approved if the Commission determines that

* * * * *

(h) The applicant has satisfied any applicable requirements contained in Appendix D of Part 50 of this chapter.

(Sec. 102, 83 Stat. 853; 33 U.S.C.A. 4332)

Dated at Germantown, Md., this 1st day of July 1971.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc.71-9611 Filed 7-6-71;8:52 am]

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

General Design Criteria for Nuclear Power Plants

On February 20, 1971, the Atomic Energy Commission published in the Federal Register (36 F.R. 3255) an amendment to its regulation in 10 CFR Part 50 which adds an Appendix A "General Design Criteria for Nuclear Power Plants." The amendment became effective May 21, 1971.

The Commission has adopted amendments to Appendix A of Part 50 to clarify the intent of the Commission with respect to several of the criteria.

Because these amendments related solely to correction and clarification, the Commission has found that good cause exists for omitting notice of proposed rule making and public procedure thereon as unnecessary. The Commission has also found that since the amendments correct and clarify a previous amendment which became effective on May 21, 1971, good cause exists for making the amendments effective without the customary 30-day notice.

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 1, Code of Federal Regulations, Part 50 are published as a document subject to codification to be effective upon publication.

1. Appendix A of 10 CFR Part 50 is amended as follows:

(a) The Table of Contents, definition of Nuclear Power Unit, definition of Single Failure including footnote 2, and Criteria 18, 33, 34, 35, 38, 41, and 44 are amended by substituting the word "electric" for "electrical" where it appears.

(b) Criterion 5 is revised to read as follows:

Criterion 5—Sharing of structures, systems, and components. Structures, systems, and components important to safety shall not be shared among nuclear power units unless it can be shown that such sharing will not significantly impair their ability to perform their safety functions, including, in the event of an accident in one unit, an orderly shutdown and cooldown of the remaining units.

(c) Criterion 13 is revised to read as follows:

Criterion 13—Instrumentation and control. Instrumentation shall be provided to monitor variables and systems over their anticipated ranges for normal operation, for anticipated operational occurrences, and for accident conditions as appropriate to assure adequate safety, including those variables and systems that can affect the fission process, the integrity of the reactor core, the reactor coolant pressure boundary, and the containment and its associated systems. Appropriate controls shall be provided to maintain these variables and systems within prescribed operating ranges.

(d) Criterion 17 is revised to read as follows:

Criterion 17—Electric power systems. An onsite electric power system and an offsite electric power system shall be provided to permit functioning of structures, systems, and components important to safety. The safety function for each system (assuming the other system is not functioning) shall be to provide sufficient capacity and capability to assure that (1) specified acceptable fuel design limits and design conditions of the reactor coolant pressure boundary are not exceeded as a result of anticipated operational occurrences and (2) the core is cooled and containment integrity and other vital functions are maintained in the event of postulated accidents.

The onsite electric power supplies, including the batteries, and the onsite electric distribution system, shall have sufficient independence, redundancy, and testability to perform their safety functions assuming a single failure.

Electric power from the transmission network to the onsite electric distribution system shall be supplied by two physically independent circuits (not necessarily on separate rights of way) designed and located so as to minimize to the extent practical the likelihood of their simultaneous failure under operating and postulated accident and environmental conditions. A switchyard common to both circuits is acceptable. Each of these circuits shall be designed to be available in sufficient time following a loss of all onsite alternating current power supplies and the other offsite electric power circuit, to assure that specified acceptable fuel design limits and design conditions of the reactor coolant pressure boundary are not exceeded. One of these circuits shall be designed to be available within a few seconds following a loss-of-coolant accident to assure that core cooling, containment integrity, and other vital safety functions are maintained.

Provisions shall be included to minimize the probability of losing electric power from any of the remaining supplies as a result of, or coincident with, the loss of power generated by the nuclear power unit, the loss of power from the transmission network, or the loss of power from the onsite electric power supplies.

(e) Criteria 18, 36, 39, 42, and 45 are amended by inserting the word "appropriate" between the words "permit" and "periodic" where they appear.

(f) Criterion 25 is amended by deleting the phrase "or unplanned dilution of soluble poison."

(g) Criterion 26 is revised to read as follows:

Criterion 26—Reactivity control system redundancy and capability. Two independent reactivity control systems of different design principles shall be provided. One of the systems shall use control rods, preferably including a positive means for inserting the rods, and shall be capable of reliably controlling reactivity changes to assure that under conditions of normal operation, including anticipated operational occurrences, and with appropriate margin for malfunctions such as stuck rods, specified acceptable fuel design limits are not exceeded. The second reactivity control system shall be capable of reliably controlling the rate of reactivity changes resulting from planned, normal power changes (including xenon burnout) to assure acceptable fuel design limits are not exceeded. One of the systems shall be capable of holding the reactor core subcritical under cold conditions.

(h) Criterion 35 is amended (1) by inserting the word "reactor" between the words "of" and "coolant" and (2) by deleting the word "accident."

(i) Criterion 53 is amended by inserting the words "appropriate periodic" between the number "(1)" and the word "inspection."

(j) Criterion 61 is amended by inserting the words "appropriate periodic" between the words "permit" and "inspection."

(Secs. 161, 182, 68 Stat. 948, 953; 42 U.S.C. 2201, 2232)

Dated at Germantown, Md., this 2d day of July 1971.

For the Atomic Energy Commission.

W. B. McCool,
Secretary of the Commission.

[FR Doc.71-9620 Filed 7-6-71;8:52 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 71-EA-94; Amdt. 39-1240]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

The Federal Aviation Administration is amending § 39.12 of Part 39 of the Federal Aviation Regulations so as to issue AD 63-26-3, applicable to Piper PA-23 type aircraft.

Subsequent to the publication of AD 63-26-3 it was determined that the visual inspection of the subject castings should be corroborated at periodic intervals by a dye penetrant inspection. The proposed amendment does concern a deficiency which affects the airworthiness of the subject type aircraft. In view of the foregoing, notice and public procedure hereon are impractical and the amendment may be made effective in less than 30 days.

Therefore, in consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of

Part 39 of the Federal Aviation Regulations is amended by amending AD 63-26-3, as follows:

Applies to Piper Models PA-23 and PA-23-160 Aircraft, Serial Nos. 23-1 through 23-1267, inclusive.

Compliance required as indicated:

(a) Within the next 50 hours in service after the effective date of this AD, unless already accomplished within the last 50 hours in service, and thereafter at intervals not to exceed 100 hours in service from the last inspection, visually inspect for cracks each of the castings listed herein. When any casting is replaced by the respective forging listed herein, the repetitive inspections of this paragraph and paragraph (b) are no longer required for that forging.

Name	Casting part No.	Forging
Elevator torque tube bracket.	17033-00 and 17033-01.	19407-00.
Front stabilizer attachment.	17049-00 and 19253-00.	19409-02.
Rudder torque tube horn	17060-00	19405-00.
Elevator torque tube horn	17066-00	19404-00.
Rudder torque tube bracket.	17062-00	19408-00.
Fin attachment bracket	17072-00	19406-00 or 19406-02.

(b) For airplanes having 1,000 or more hours in service, remove the subject castings from the aircraft, clean thoroughly removing all paint, and perform a dye penetrant inspection for cracks, within the next 100 hours in service, after the effective date of this AD, unless already accomplished within the last 400 hours in service, and thereafter at intervals not to exceed 500 hours in service from the last inspection. Prior to reinstallation of castings without cracks, clean thoroughly, and apply zinc chromate primer.

(c) Replace cracked castings before further flight with a replacement forged or cast part.

(d) Inspection and reassembly shall be accomplished in accordance with Piper Service Bulletin No. 155B, dated October 28, 1963, or FAA-approved equivalent.

NOTE: For paragraph (a), it is necessary to remove the tail cone, covers, and fairings to gain access to most of the parts to be inspected. However, parts need not be disassembled and/or removed from the aircraft to accomplish this inspection. All of the forged parts listed herein have integral raised digit forging numbers. Therefore, the absence of raised digits will serve to identify the part as a casting.

This amendment is effective July 13, 1971.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on June 28, 1971.

LOUIS J. CARDINALI,
Acting Director, Eastern Region.

[FR Doc.71-9510 Filed 7-6-71;8:46 am]

[Airspace Docket No. 71-SO-124]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Rocky Mount, N.C., transition area.

The Rocky Mount transition area is described in § 71.181 (36 F.R. 2140). In the description, an extension predicated on Rocky Mount VORTAC 083° radial has a designated width of 4.5 miles and length of 8.5 miles.

U.S. Standards for Terminal Instrument Procedures (TERPs), issued after extensive consideration and discussion with government agencies concerned and affected industry groups, are now being applied to update the criteria for instrument approach procedures. The criteria for the designation of controlled airspace protection for these procedures were revised to conform to TERPs and achieve increased and efficient utilization of airspace.

Because of this revised criteria, it is necessary to alter the description by increasing the extension predicated on Rocky Mount VORTAC 083° radial 1 mile in width and 3 miles in length.

In consideration of the foregoing, notice and public procedure hereon are unnecessary and Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the Rocky Mount, N.C., transition area is amended to read:

ROCKY MOUNT, N.C.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Rocky Mount Municipal Airport (lat. 35°58'00" N., long. 77°47'35" W.); within 5 miles each side of Rocky Mount VORTAC 083° radial, extending from the 7-mile-radius area to 11.5 miles east of the VORTAC; within an 8.5-mile radius of Rocky Mount-Wilson Airport (lat. 35°51'15" N., long. 77°53'40" W.).

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348(a), sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in East Point, Ga., on June 25, 1971.

JAMES G. ROGERS,
Director, Southern Region.

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Title 21—FOOD AND DRUGS

Chapter II—Bureau of Narcotics and Dangerous Drugs, Department of Justice

PART 301—REGISTRATION OF MANUFACTURERS, DISTRIBUTORS, AND DISPENSERS OF CONTROLLED SUBSTANCES

PART 308—SCHEDULES OF CONTROLLED SUBSTANCES

Amphetamine, Methamphetamine, and Optical Isomers

A notice was published in the FEDERAL REGISTER of May 26, 1971 (36 F.R. 9563) proposing the transfer of amphetamine and methamphetamine and their salts, optical isomers, and salts of their optical isomers from Schedule III to Schedule II of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Public Law 91-513), with certain exceptions. All interested persons were given 30 days after publication to submit their objections, comments, or requests for hearing.

No objections nor requests presenting reasonable grounds for a hearing regarding the proposed order in its entirety were received. However, the following objections and requests for hearing were received as to specific combination products:

(1) Smith Kline & French Laboratories requested a hearing on the transfer of Eskatrol Spansule Capsules, a combination product containing 15 mg. of dextroamphetamine sulfate and 7.5 mg. of prochlorperazine, from Schedule III to Schedule II.

(2) Mission Pharmacal Co. requested a hearing on the transfer of Fetamin, a combination product containing 5 mg. of d-methamphetamine hydrochloride and 20 mg. of sodium pentobarbital with vitamins and minerals, from Schedule III to Schedule II.

(3) Pennwalt Corp. requested a hearing on the transfer of Biphetamine, a resin complex of d-and d,l-amphetamine, and Biphetamine-T, a resin complex of d-and d,l-amphetamine and methaqualone, from Schedule III to Schedule II.

The following comments were also submitted regarding the proposed order:

(1) The National Wholesale Druggists Association expressed concern over the Schedule II security requirements at the wholesale level for amphetamine and methamphetamine.

(2) The Minnesota State Board of Pharmacy also expressed concern over the Schedule II security requirements at the pharmacy level for amphetamine and methamphetamine. The Board further suggested that a major educational effort be instituted to inform prescribing practitioners of the Schedule II prescription refill limitations and the emergency prescription procedures. Finally, the Board suggested that the Schedule III recordkeeping requirements be deemed adequate for amphetamine and methamphetamine after their placement in Schedule II.

(3) The U.S. Pharmacopeial Convention, Inc., expressed concern as to, and requested exemption from, the increased Schedule II requirements for distribution of amphetamine and methamphetamine as U.S.P. Reference Standards.

(4) The National Association of Chain Drug Stores, Inc. (NACDS), requested sufficient time for compliance with the Schedule II security, prescription refill and order form requirements. NACDS also raised questions as to whether an additional inventory must be taken for amphetamine and methamphetamine products and whether State or Federal laws and regulations apply where a conflict exists as to the maintenance of prescription records. Lastly,