

Presidential Documents

Title 3—

Proclamation 4839 of December 29, 1981

The President

Staged Reduction of Rates of Duty on Certain Products To Carry Out a Trade Agreement With Japan, and Technical Corrections in the Tariff Schedules of the United States

By the President of the United States of America

A Proclamation

1. I have determined, pursuant to section 124(a) of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2134(a)) that certain existing duties of the United States are unduly burdening and restricting the foreign trade of the United States and that one or more of the purposes of the Trade Act would be promoted by entering into the trade agreement with Japan identified in the third recital of this proclamation.

2. Sections 131(a), 132, 133, 134, 135, and 161(b) of the Trade Act (19 U.S.C. 2151(a), 2152, 2153, 2154, 2155, and 2211(b)) and section 4(c) of Executive Order No. 11846 of March 27, 1975 (3 CFR 1971-1975 Comp. 974) have been complied with.

3. Pursuant to Title I of the Trade Act (19 U.S.C. 2111 *et seq.*), I have, through my duly empowered representative, on September 30, 1981, entered into a trade agreement with Japan pursuant to which United States rates of duty on certain products would be modified as hereinafter proclaimed and as provided for in Annexes I and II to this proclamation, in exchange for certain measures which will benefit United States interests.

4. Pursuant to the Trade Act, I determine that the modifications or continuance of existing duties hereinafter proclaimed are required or appropriate to carry out the trade agreement identified in the third recital of this proclamation.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes, including but not limited to sections 124 and 604 of the Trade Act (19 U.S.C. 2134 and 2483), do proclaim that:

- (1) The TSUS is hereby modified as provided in Annex I to this proclamation;
- (2) Annexes II and III to Presidential Proclamation 4707 of December 11, 1979, are amended as provided in Annex II to this proclamation;
- (3) Annex IV of Proclamation 4707 of December 11, 1979, is superseded to the extent inconsistent with this proclamation.
- (4) Whenever the column 1 rate of duty in the TSUS for any item specified in Annex I to this proclamation is reduced to the same level as, or to a lower level than, the corresponding rate of duty inserted in the column entitled "LDDC" by Annex I of this proclamation, the rate of duty in the column entitled "LDDC" for such item shall be deleted from the TSUS.

(5) Each of the modifications made by this proclamation shall be effective as to articles entered, or withdrawn from warehouse for consumption, on and after January 1, 1982.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of December, in the year of our Lord nineteen hundred and eighty-one, and of the Independence of the United States of America the two hundred and sixth.

Ronald Reagan

Annex I

MODIFICATIONS OF THE TARIFF SCHEDULES OF THE UNITED STATES

Notes:

1. Bracketed matter is included to assist in the understanding of ordered modifications.
2. The following items, with or without preceding superior descriptions, supersede matter now in the Tariff Schedules of the United States (TSUS). The items and superior descriptions are set forth in columnar form, and material in such columns is inserted in the columns of the TSUS designated "Item", "Articles", "Rates of Duty 1", "Rates of Duty LDDC", and "Rates of Duty 2", respectively.

Subject to the above notes the TSUS is modified as follows:

Items 687.65, 687.70, 687.75, and 687.76 and their superior heading are superseded by:

[Electronic...:]

[Other:]

"687.66	Electronic tubes, except cathode-ray tubes.....	[See Annex II]	4.2% ad val.	35% ad val.
	Transistors and other related electronic crystal components; mounted piezo-electric crystals:			
687.70	Transistors.....	[See Annex II]	4.2% ad val.	35% ad val.
687.72	Diodes and rectifiers.....	[See Annex II]	4.2% ad val.	35% ad val.
687.74	Monolithic integrated circuits.....	[See Annex II]	4.2% ad val.	35% ad val.
687.77	Other integrated circuits....	[See Annex II]	4.2% ad val.	35% ad val.
687.79	Mounted piezo-electric crystals.....	[See Annex II]	4.2% ad val.	35% ad val.
687.81	Other.....	[See Annex II]	4.2% ad val.	35% ad val.
	Other, including parts not specially provided for:			
687.83	Parts of electronic tubes....	[See Annex II]	4.2% ad val.	35% ad val.
687.85	Parts of semiconductors.....	[See Annex II]	4.2% ad val.	35% ad val.
687.87	Other.....	[See Annex II]	4.2% ad val.	35% ad val.
687.89	Any article described in the foregoing items 687.66 to 687.87, inclusive, if Canadian article and original motor-vehicle equipment (see headnote 2, part 6B, schedule 6).....	Free".		

Annex II

Annex III, Section A to Presidential Proclamation No. 4707 of December 11, 1979, is amended--

1. by deleting in the column entitled "Item in TSUS as modified by Annex II", the TSUS item number "321.25" and substituting "351.25" in lieu thereof;

2. by deleting, in the column entitled "1987" as to TSUS item 722.42, the rate of duty of "2%" and substituting "2.2%" in lieu thereof;

3. by deleting, in the column entitled "1982" as to TSUS item 730.63, the rate of duty of "13.3%" and substituting "11.3%" in lieu thereof;

4. by deleting the following TSUS item numbers with their corresponding rates of duty and footnotes:

687.58	687.70	708.85
687.65	687.75	709.40; and

5. by inserting the following TSUS item numbers in numerical sequence, with their corresponding rates of duty and footnotes, as follows:

Item in TSUS as modified by Annex II	Rate from which staged	Rates of duty, effective with respect to articles entered on and after January 1,--							
		1980	1981	1982	1983	1984	1985	1986	1987
687.58 2/	6% ad val.	5.8%	5.6% 2/	2/	2/	2/	2/	2/	2/
687.65 2/	6% ad val.	5.8% 2/	5.6% 2/	2/	2/	2/	2/	2/	2/
687.66 2/	6% ad val.	5.8% 2/	5.6% 2/	5.3%	5.1%	4.9%	4.7%	4.4%	4.2%
687.70 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.72 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.74 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.75 2/	6% ad val.	5.8% 2/	5.6% 2/	2/	2/	2/	2/	2/	2/
687.77 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.79 2/	6% ad val.	5.8% 2/	5.6% 2/	5.3%	5.1%	4.9%	4.7%	4.4%	4.2%
687.81 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.83 2/	6% ad val.	5.8% 2/	5.6% 2/	5.3%	5.1%	4.9%	4.7%	4.4%	4.2%
687.85 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
687.87 2/	6% ad val.	5.8% 2/	5.6% 2/	4.24%	4.2%	4.2%	4.2%	4.2%	4.2%
708.85	12.5% ad val.	11.8%	11%	9.6%	8.8%	8.1%	7.3%	6.6%	6.6%
709.40	6% ad val.	5.8%	5.6%	5.1%	4.9%	4.7%	4.4%	4.2%	4.2%

Footnote 2 for items 687.58, 687.65, 687.66, 687.70, 687.72, 687.74, 687.75, 687.77, 687.79, 687.81, 687.83, 687.85, and 687.87:

2/ Item 687.58 discontinued effective March 31, 1981, and superseded by items 687.65, 687.70, and 687.75. Item 687.65 is renumbered as item 687.72 and item 687.75 is discontinued and is superseded by items 687.66, 687.74, 687.77, 687.79, 687.81, 687.83, 687.85, and 687.87, effective January 1, 1982.

Rules and Regulations

Federal Register

Vol. 47, No. 1

Monday, January 4, 1982

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Part 2

Revision of Delegations of Authority

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This document revises the delegations of authority from the Secretary of Agriculture and the Under Secretary for Small Community and Rural Development to reflect the establishment of the Office of Rural Development Policy. This action is necessary to ensure effective and efficient implementation of the rural development responsibilities mandated by the Rural Development Act of 1972 and the Rural Development Policy Act of 1980.

EFFECTIVE DATE: January 4, 1982.

FOR FURTHER INFORMATION CONTACT: Robert L. Siegler, Deputy Assistant General Counsel, Office of the General Counsel, U.S. Department of Agriculture, 14th and Independence Avenue SW., Washington, DC, 20250, 202-447-6035.

SUPPLEMENTARY INFORMATION: This rule transfers the delegations of authority relating to rural development activities from the Administrator of the Farmers Home Administration to the Director of the newly created Office of Rural Development Policy. The Director of the new Office reports directly to the Under Secretary for Small Community and Rural Development and will assist the Under Secretary in carrying out the Department's responsibilities for leadership and coordination of national, State, and local rural development efforts through the identification of emerging rural issues and needs; the development and implementation of policy guidelines that seek to provide

proper government program direction for service to rural America; the incorporation of these guidelines into a congressionally mandated national rural development strategy, and management of the Section 111, Area Development Assistance Planning grants program. This rule relates to internal agency management and organization. Therefore, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect thereto are impractical and contrary to the public interest, and good cause is found for making this rule effective less than 30 days after publication in the Federal Register. Further, since this rule relates to internal agency management and organization, it is exempt from provisions of Executive Order 12291 and Secretary's Memorandum 1512-1.

PART 2—DELEGATIONS OF AUTHORITY BY THE SECRETARY OF AGRICULTURE AND GENERAL OFFICERS OF THE DEPARTMENT

Accordingly, Part 2, Subtitle A, Title 7, Code of Federal Regulations is amended as follows:

Subpart C—Delegations of Authority to the Deputy Secretary, the Under Secretary for International Affairs and Commodity Programs, the Under Secretary for Small Community and Rural Development, and Assistant Secretaries

1. Section 2.23 is amended by revising paragraph (a)(1) and by adding a new paragraph (b)(14) to read as follows:

§ 2.23 Delegations of authority to the Under Secretary for Small Community and Rural Development.

(a) Related to farmers home activities.

(1) Administer the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq) except (i) with respect to loans for rural telephone facilities and service and financing for community antenna television services or facilities delegated to the Under Secretary for Small Community and Rural Development in paragraphs (c)(2) and (c)(3) of this section; (ii) the authority contained in section 342 of said act, 7 U.S.C. 1013a; (iii) the authority under 7 U.S.C. 1926(a)(11), to administer areawide rural development planning assistance to public bodies; and (iv) the authority under 7 U.S.C. 1926(a)(13), for

assistance to eligible volunteer fire departments. This delegation includes the authority to collect, service, and liquidate loans made or insured by the Farmers Home Administration, or its predecessor agencies, the Farm Security Administration, the Emergency Crop and Feed Loans Offices of the Farm Credit Administration, the Resettlement Administration, and the Regional Agricultural Credit Corporations of Washington, D.C.

(b) Related to rural development.

(14) Administer areawide rural development planning assistance to public bodies. (7 U.S.C. 1926(a)(11)).

Subpart I—Delegations of Authority by the Under Secretary for Small Community and Rural Development

2. Section 2.70 is amended by revising paragraph (a)(1) and by removing paragraphs (a)(15) through (a)(27) as follows:

§ 2.70 Administrator, Farmers Home Administration.

(a) Delegations. * * *

(1) Administration of the Consolidated Farm and Rural Development Act (Act) except (i) financing under section 306(a)(1) of the Act, 7 U.S.C. 1926(a)(1), of any rural electrification or telephone systems or facilities other than hydroelectric generating and related distribution systems and supplemental and supporting structures if they are not eligible for Rural Electrification Administration financing; (ii) financing for community antenna television services or facilities; (iii) the authority contained in section 342 of the Act, 7 U.S.C. 1013a; (iv) the authority contained in section 306(a)(11) of the Act, 7 U.S.C. 1926(a)(11); and (v) the authority contained in section 306(a)(13) of the Act, 7 U.S.C. 1926(a)(13). This delegation includes the authority to collect, service, and liquidate loans made or insured by Farmers Home Administration or its predecessor agencies, the Farm Security Administration, the Emergency Crop and Feed Loans Offices of the Farm Credit Administration, the Resettlement Administration, and the Regional

Agricultural Credit Corporation of Washington, D.C.

(15)-(27) [Reserved]

3. A new § 2.71 is added to read as follows:

§ 2.71 Director, Office of Rural Development Policy.

(a) *Delegations.* Pursuant to § 2.23(b), and subject to policy guidance and direction by the Under Secretary for Small Community and Rural Development, the following delegations of authority are made by the Under Secretary for Small Community and Rural Development to the Director, Office of Rural Development Policy:

(1) Provide leadership and coordination within the executive branch of a nationwide rural development program utilizing the services of executive branch departments and agencies and the agencies, bureaus, offices, and services of the Department of Agriculture in coordination with rural development programs of State and local governments. (Sec. 526(b) of the Revised Statutes, 7 U.S.C. 2204(b)).

(2) Coordinate activities relative to rural development among agencies under the Under Secretary for Small Community and Rural Development and, through appropriate channels, serve as the coordinating agency for other departmental agencies having primary responsibilities for specific titles of the Rural Development Act of 1972 and allied legislation.

(3) Administer a national program of economic, social, and environmental research and analysis, statistical programs, and associated service work related to rural people and the communities in which they live including rural industrialization; rural population and manpower; local government finance; income; development strategies; housing; social services and utilization; adjustments to changing economic and technical forces; and other related matters.

(4) Work with Federal agencies in encouraging the creation of rural community development organizations.

(5) Assist other Federal agencies in making rural community development organizations aware of the Federal programs available to them.

(6) Advise rural community development organizations of the availability of Federal assistance programs.

(7) Advise other Federal agencies of the need for particular Federal programs.

(8) Assist rural community development organizations in making contact with Federal agencies whose assistance may be of benefit to them.

(9) Assist other Federal agencies and national organizations in developing means for extending their services effectively to rural areas.

(10) Assist other Federal agencies in designing pilot projects in rural areas.

(11) Conduct studies to determine how programs of the Department can be brought to bear on the economic development problems of the country and assure that local groups are receiving adequate technical assistance from Federal agencies or from local and State governments in formulating development programs and in carrying out planned development activities.

(12) Assist other Federal agencies in formulating manpower development and training policies.

(13) Authority to enter into contracts for the support of rural development.

(14) Administer the Area Development Assistance Planning grant program. (7 U.S.C. 1926(a)(11)).

(5 U.S.C. 301 and Reorganization Plan No. 2 of 1953)

For Subpart C:

Dated: December 28, 1981.

John R. Block,
Secretary of Agriculture.

For Subpart I:

Dated: December 18, 1981.

Frank W. Naylor, Jr.,
Under Secretary for Small Community and Rural Development.

[FR Doc. 81-37389 Filed 12-31-81; 8:45 am]

BILLING CODE 3410-01-M

7 CFR Part 2

Revision of Delegations of Authority; Correction

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: In FR Document 81-28167 appearing at page 47747 in the *Federal Register* of September 30, 1981, the amendatory language to § 2.27 appearing on page 47750 is corrected to read as follows:

"9. Section 2.27 is further amended by revising paragraphs (a)(7) and (a)(13) to read as follows:"

In addition, § 2.43 should have been removed.

The purpose of this document is to make those corrections.

EFFECTIVE DATE: January 4, 1982.

FOR FURTHER INFORMATION CONTACT: Robert L. Siegler, Deputy Assistant

General Counsel, Office of the General Counsel, Department of Agriculture, Washington, D.C. (202) 447-6035.

(5 U.S.C. 301 and Reorganization Plan No. 2 of 1953)

Issued at Washington D.C. this 28th day of December, 1981.

John R. Block,
Secretary of Agriculture.

[FR Doc. 81-37401 Filed 12-31-81; 8:45 am]

BILLING CODE 3410-01-M

Federal Crop Insurance Corporation

7 CFR Part 425

[Amdt. No. 4]

Peanut Corp Insurance Regulations

AGENCY: Federal Crop Insurance Corporation, USDA.

ACTION: Interim rule.

SUMMARY: This rule amends the Peanut Crop Insurance Regulations (7 CFR Part 425), effective for the 1981 crop year only, by extending the cancellation date from December 31, 1981, to March 1, 1982. The 1981 crop year policy is amended to provide for change in cancellation date prior to the 1982 crop year. This amendment will become effective immediately for all present peanut policyholders whose 1981 crops are protected by the Federal Crop Insurance Corporation (FCIC).

This amendment is necessary because of delay in enactment of farm legislation which will have a direct impact on the Department of Agriculture's Peanut Program and the FCIC Peanut Crop Insurance Policy.

The effect of this amendment is to provide additional time to advise policyholders of any amendment to the regulations brought about by the farm legislation.

This amendment is promulgated under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*).

DATES: Effective date: This interim rule is effective January 4, 1982.

Comment date: The Federal Crop Insurance Corporation is soliciting public comment on this interim rule for a period of 60 days following publication in the *Federal Register*. A final rule will then be promulgated. Written comments, data, and opinions on this interim final rule must be submitted not later than March 5, 1982, to be sure of consideration.

ADDRESS: All written comments on this interim rule should be sent to the Office

of the Chairman, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C., 20250.

FOR FURTHER INFORMATION CONTACT:

Peter F. Cole, Secretary, Federal Crop Insurance Corporation, U.S. Department of Agriculture, Washington, D.C., 20250, telephone 202-447-3325.

The Draft Impact Analysis describing the options considered in developing this interim final rule and the impact of implementing each option is available upon request from Peter F. Cole at the above address.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Secretary's Memorandum No. 1512-1 (June 11, 1981), and has been classified as "not significant."

Melvin E. Sims, Chairman of the Federal Crop Insurance Corporation (FCIC), has determined that an emergency situation exists which warrants foregoing public notice and comment procedure and a 30-day delay in effective date on this action because the Peanut Crop Insurance Regulations (7 CFR Part 425) provide that any changes regarding the contract must be placed on file 15 days prior to the cancellation date in order to allow policyholders sufficient time to decide on their insurance plans. Farm legislation is not final and FCIC is therefore not able to notify its policyholders before the 15-day time limit prior to December 31; therefore, in order to provide sufficient time to notify policyholders, FCIC is extending the cancellation date from December 31, 1981, to March 1, 1982.

Each peanut crop insurance policyholder will be notified that the cancellation date is extended to permit them to examine possible contract changes due to the pending farm legislation.

Pursuant to the administrative provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with regard to this interim rule are impracticable and contrary to the public interest and good cause is found for making this action effective immediately.

Comments have been solicited for 60 days after publication of this document, and this interim action is scheduled for review so that a final document discussing any comments received and any amendments required can be published in the *Federal Register* as soon as possible.

All written submissions made pursuant to this action will be available for public inspection in the Office of the

Chairman during regular business hours, Monday through Friday.

The Chairman, FCIC, has also determined that (1) this action is not a major rule as defined by Executive Order No. 12291 (February 17, 1981), (2) this action does not increase the Federal paperwork burden for individuals, small businesses, and other persons in accordance with the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), and (3) this action conforms with the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), and other applicable law.

The title and number of the Federal Assistance Program to which this amendment applies is: Title—Crop Insurance; Number 10.450. This action will not have a significant impact specifically on area and community development; therefore, review as established by the Office of Management and Budget (OMB) Circular A-95 was not used to assure that units of local government are informed of this action.

The information gathering and recordkeeping requirements of the regulations to which this amendment applies (7 CFR Part 425) have been approved by OMB under the following control numbers:

RMS OMB NBR
0563-0001
0563-0003
0563-0007

Background

Section 10 of the Appendix to the Peanut Crop Insurance Policy provides that the Corporation is required to notify the insured of any changes in the terms and provisions of the peanut insurance contract. Such notification must be made at least 15 days prior to the cancellation date (normally December 31) preceding the crop year for which the changes are to become effective. Farm legislation is not pending before the Congress which directly affects the Department of Agriculture's 1982 Peanut Program. FCIC cannot amend the regulations to conform with the legislation and still notify the policyholders in time; therefore, this action will serve to extend the deadline of December 31, 1981, to March 1, 1982, thus allowing time for possible changes to be made in the regulations and sufficient time given to the policyholder to examine such changes.

Under the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), the Federal Crop Insurance Corporation hereby amends the Peanut Crop Insurance Regulations (7 CFR Part 435), as published in the

Federal Register on Wednesday, November 28, 1979, at 44 FR 67953-67960, effective for the 1981 crop year only.

It has been determined that this action does not constitute a review as to the need, currency, clarity, and effectiveness of these regulations under the provisions of Secretary's Memorandum No. 1512-1 (June 11, 1981). That review will be completed prior to the sunset review date of November 28, 1984.

Interim Rule

PART 425—PEANUT CROP INSURANCE

Accordingly, pursuant to the authority contained in the Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*), the Federal Crop Insurance Corporation hereby amends the Peanut Crop Insurance Regulations (7 CFR Part 425), effective for the 1981 and succeeding crop years, in the following instances:

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

Authority: Secs. 506, 516, Pub. L. 75-430, 52 Stat. 72, as amended (7 U.S.C. 1501, 1516).

2. 7 CFR 425.7(d), paragraph (c) of Section 12 of the Peanut Crop Insurance Policy is revised to read as follows:

§ 425.7 The application and policy.

* * * * *

(d) * * *

Peanut Crop Insurance Policy

* * * * *

12. Life of contract: Cancellation and termination

* * * * *

(c) Following are the cancellation and termination dates for the 1981 crop year:

State	Cancellation date	Termination date for indebtedness
All States.....	Mar. 1.....	Mar. 31.

For the 1982 and succeeding crop years, the following are the cancellation and termination dates:

State	Cancellation date	Termination date for indebtedness
All States.....	Dec. 31.....	Mar. 31

Done in Washington, D.C., on December 24, 1981.

Peter F. Cole,
Secretary, Federal Crop Insurance Corporation.

Dated: December 28, 1981.

Approved by:
Melvin E. Sims,
Chairman.

[FR Doc. 81-37417 Filed 12-31-81; 8:45 am]
BILLING CODE 3410-08-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 40, 70, and 150

Submittal of Installation Information Pursuant to US/IAEA Safeguards Agreement

AGENCY: Nuclear Regulatory
Commission.

ACTION: Final Rule.

SUMMARY: The Commission is amending 10 CFR Parts 40, 70 and 150 to relieve applicants for licenses of the requirements to submit installation information. This information provides a detailed description of the licensee's physical plant and methods for the control of nuclear material relative to the IAEA safeguards inspection program. Presently all applicants are required to provide installation information irrespective of selection by the IAEA. The amendments will permit the Commission to request installation information of a license applicant if it deems for a particular case that the information is needed in accordance with the US/IAEA Safeguards Agreement.

EFFECTIVE DATE: January 4, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. J. M. Branscome, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC. 20555 (301-443-5976).

SUPPLEMENTARY INFORMATION: The US/IAEA Safeguards Agreement entered into force on December 9, 1980. Notice of entry into force was published in the Federal Register on December 24, 1980, 45 FR 84967, at which time the Commission's implementing regulations became effective.

Under the Agreement and regulations, the IAEA has the right to apply safeguards to licensees listed on the United States eligible list, as defined in 10 CFR 75.2(b). In order to assure that a licensee on the U.S. eligible list could be visited and inspected by the IAEA promptly after listing, NRC regulations provided that certain applicants for a license to possess and use source material and special nuclear material should file specified information with NRC at least 9 months prior to the date when the applicant desires to receive the material (or earlier upon request by

the Commission). The Commission explained in the Federal Register on May 25, 1978, 43 FR 22368, that this procedure was necessary to enable IAEA to place its control procedures in force before nuclear material is received. The Commission noted on July 17, 1979, 44 FR 41473, in reply to public comments, that the preclicensing review provisions would allow it, in cooperation with licensees, to avoid delays in the licensing process.

A further consideration of this issue has led the Commission to conclude, after consultation with the Department of State, that the preclicensing review provisions, at least for the time being, are unnecessarily burdensome on applicants for certain licenses.

The Commission has determined that it will be sufficient to require that an applicant submit installation information and permit verification of the information submitted only when specifically requested to do so by NRC. Ordinarily, the time between submission of an application and the issuance of a license would be more than adequate to enable an IAEA facility attachment to be negotiated in the interim. But even where this may not be the case, the Commission will have official knowledge of significant new installations, prior to commencement of construction, by virtue of the environmental report requirements in 10 CFR 40.32(e) (relating to the production of uranium hexafluoride and certain other activities) § 70.23(a)(7) (relating to processing and fuel fabrication, scrap recovery, conversion of uranium hexafluoride, and certain other activities). The Commission will be able to determine whether preclicensing review is needed and, if it is, to make an appropriate request in a timely manner.

Since there is no counterpart requirement to inform NRC of new operations in Agreements States, 10 CFR 150.17a has been amended to require advance notice from applicants located there. Then, instead of routinely requiring submission of installation information, the Commission would obtain it only when the Commission finds that there is a need for the information. The license applicant would be advised of the need for the information.

The promulgation of the amendments will not result in any activity that affects the environment. Accordingly, the Commission has determined, under the National Environmental Policy Act and the criteria of 10 CFR 51.5(d)(2) and (3), that neither an environmental impact statement nor an environmental impact appraisal to support a negative

declaration for the amendments to 10 CFR Parts 40, 70, and 150 is required.

Because these amendments relate solely to minor procedural matters and are solely for the purpose of relieving licensees of existing requirements, notice of proposed rulemaking and public procedure thereon are unnecessary. Because the rule relieves persons of existing restrictions, it can be made effective immediately upon publication.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, 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 40, 70, and 150 are published as a document subject to codification.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

1. The authority citation for Part 40 is revised to read as follows:

Authority.—Secs. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 83, 84, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended, [42 U.S.C. 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282]; secs. 202, 206, 88 Stat. 1244, 1246 [42 U.S.C. 5842, 5846] unless otherwise noted.

Section 40.31(g) also issued under sec. 122, 68 Stat. 939 [42 U.S.C. 2152]. Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended, [42 U.S.C. 2234].

For the purposes of sec. 223, 68 Stat. 958, as amended, [42 U.S.C. 2273], §§ 40.3, 40.25(d) (1)–(3), 40.35 (a)–(d), 40.41 (b) and (c), 40.46, 40.51 (a) and (c) and 40.63 are issued under sec. 161b, 68 Stat. 948, as amended, [42 U.S.C. 2201(b)]; and §§ 40.25 (c) and (d) (3) and (4), 40.26(c) (2), 40.35(e), 40.41(f), 40.61, 40.62, 40.64, and 40.65 are issued under sec. 1610, 68 Stat. 950, as amended, [42 U.S.C. 2201(o)].

2. In § 40.31, paragraph (g) is revised to read as follows:

§ 40.31 Application for specific licenses.

(g) In response to a written request by the Commission, an applicant for a license to possess and use source material in a uranium hexafluoride production plant or a fuel fabrication plant and any other applicant for a license to possess and use more than one effective kilogram of source material (except for ore processing, as defined in § 75.4(o) of this chapter) shall file with the Commission the installation information described in § 75.11 of this chapter. The applicant shall also permit verification of this installation information by the International Atomic Energy Agency and take other action as may be necessary to implement the US/

IAEA Safeguards Agreement, in the manner set forth in § 75.6 and §§ 75.11 through 75.14 of this chapter.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

3. The authority citation for Part 70 is revised to read as follows:

Authority.—Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, as amended, 946, as amended, 953, as amended, 954 (42 U.S.C. 2071, 2073, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846) unless otherwise noted.

Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152).

For the purposes of sec. 223, 68 Stat. 958, as amended, (42 U.S.C. 2273), §§ 70.3, 70.19(c), 70.21(c), 70.22 (a), (b), (d)–(k), 70.24 (a) and (b), 70.32(a) (3), (5), and (i), 70.36, 70.39 (b), and (c), 70.41(a), 70.42 (a) and (c), 70.56, are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); §§ 70.20a(d), 70.32 (a)(6), (c), (d), (e), and (g), 70.36, 70.51 (c)–(g), 70.56, 70.57 (b) and (d), 70.58 (a)–(g)(3) and (h)–(j) are issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 70.32(h), 70.51 (b) and (i), 70.52, 70.53, 70.54, 70.55, 70.58 (g)(4), (k) and (l), 70.59 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

4. In § 70.21, paragraph (g) is revised to read as follows:

§ 70.21 Filing.

(g) In response to a written request by the Commission, an applicant for a license to possess and use more than one effective kilogram of special nuclear material shall file with the Commission the installation information described in § 75.11 of this chapter. The applicant shall also permit verification of such installation information by the International Atomic Energy Agency and take such other action as may be necessary to implement the US/IAEA Safeguards Agreement, in the manner set forth in § 75.6 and §§ 75.11 through 75.14 of this chapter.

PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES UNDER SECTION 274

5. The authority citation for Part 150 is revised to read as follows:

Authority.—Sec. 161b, 68 Stat. 948, sec. 274, 73 Stat. 688 (42 U.S.C. 2201(b), 2021), Sec. 201(f), Pub. L. 93–438, 88 Stat. 1243, (42 U.S.C. 5841).

Section 150.17a also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). For purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273), § 150.17 is issued under sec. 161b, 68 Stat. 950 (42 U.S.C. 2201(b)).

6. Section 150.17a is amended by revising paragraph (c) and adding paragraph (d) to read as follows:

§ 150.17a Compliance with requirements of US/IAEA Safeguards Agreement.

(c) An applicant for an Agreement State License authorizing possession of source material in amounts greater than one effective kilogram (except in ore processing) shall notify the Commission at least 9 months prior to the date when the applicant desires to receive the source material.

(d) In response to a written request by the Commission, an applicant for an Agreement State License authorizing possession of source material in amounts greater than one effective kilogram (except in ore processing) shall file with the Commission the installation information described in § 75.11 of this chapter. The applicant shall also permit verification of such installation information by the International Atomic Energy Agency and take such other action as may be necessary to implement the US/IAEA Safeguards Agreement, in the manner set forth in § 75.6 and §§ 75.11 through 75.14 of this chapter.

Dated at Bethesda, Md. this 14th day of December 1981.

For the Nuclear Regulatory Commission,
William J. Dircks,
Executive Director for Operations.

[FR Doc. 81–37464 Filed 12–31–81; 8:45 am]

BILLING CODE 7590–01–M

FEDERAL RESERVE SYSTEM

12 CFR Part 217

[Docket No. R–0379]

Interest on Deposits; Regulation Q; Technical Amendments

Correction

In FR Doc. 81–36795 appearing at page 62397 in the issue for Thursday, December 24, 1981, on page 62398, in the second column, in § 217.7(b), in the table, make the following corrections:

1. In the second line, "5¼" should have read "5½";
2. In the third line, "6¼" should have read "6".

BILLING CODE 1505–01–M

SMALL BUSINESS ADMINISTRATION

13 CFR Part 120

[Revision 6; Amt. 27]

Business Loan Policy; Small Business Lending Companies

AGENCY: Small Business Administration.

ACTION: Final rule.

SUMMARY: The Small Business Administration (SBA) is repealing its authority to approve as participating lenders additional small business lending companies (also known as "Subsection (b) Lenders"), since SBA does not have adequate resources to service and effectively supervise additional lenders.

While the effective date of the repeal of the regulation is the date of publication in the *Federal Register*, SBA will continue to process all applications received prior to the date of publication and will approve or disapprove such applications according to procedures established prior to the effective date of repeal.

EFFECTIVE DATE: January 4, 1982.

FOR FURTHER INFORMATION CONTACT:

Questions regarding this rule may be directed to Robert C. Hull, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, (202) 653–7894.

SUPPLEMENTARY INFORMATION:

On August 17, 1981, notice was published in the *Federal Register* (46 FR 41523) setting forth proposed amendments to Part 120 which would (1) repeal the authority of SBA to approve as participating lenders additional small business lending companies (known as "Subsection (b) Lenders") and (2) require that all Subsection (b) Lenders maintain unimpaired capital and surplus of not less than \$2,000,000 or the aggregate of the lender's share of all outstanding loans, whichever is greater.

Interested parties were given until the close of business on or before October 16, 1981, to submit their comments on the proposed amendments. Comments were received from only eight parties of which five are approved Subsection (b) Lenders (SBLC's); two are applicants for SBA approval as SBLC's; and one U.S. Government Agency, the Department of Transportation. The four respondents who commented on the proposed repeal believed that SBLC's provided an effective alternative to traditional bank lending, and one of the respondents suggested that SBA have CPA firms expand their audit parameters to the extent necessary to eliminate the need

for SBA audits of the SBLC's. SBA does not believe this proposal can be implemented effectively since its supervision of SBLC's extends beyond only auditing. Seven respondents commented on the proposal to increase the financial requirements of SBLC's. A majority of them noted that the proposed capital increases would not be applicable to bank lenders so that the proposal was discriminatory. Several suggested a formula approach to any capital increase. One respondent believed that increasing the capital would not necessarily make an SBLC more efficient in its lending.

SBA has reviewed and considered the comments and believes some of those relating to increasing the capital requirements have merit. Therefore, the Agency wishes to study the area further. Accordingly, SBA is deferring action on an increase in capital requirement as proposed in the Notice and is not now promulgating a rule on this point. However, SBA does repeal by this publication its authority to accept and process additional applications to become SBLC's. SBA will continue to process applications received prior to the date of this publication pursuant to established procedures, and any applications approved subsequent to the date of publication will be considered SBLC's for all purposes.

In the Notice of publication of the proposed rule, SBA certified that such rule, if promulgated, would not have a significant impact upon a substantial number of small entities, and provided an explanation of that certification. Accordingly, this Notice contains no analysis under the Regulatory Flexibility Act. In addition SBA hereby recertifies that this rule does not constitute a major rule for the purpose of Executive Order 12291.

Accordingly, pursuant to the authority contained in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), Part 120, Chapter I, Title 13 of the Code of Federal Regulations, is amended as follows:

PART 120—BUSINESS LOAN POLICY

1. Section 120.4(b) is revised to read as follows:

§ 120.4 Eligible loan participants.

* * * * *

(b) *Small Business Lending Companies.* Lending institutions which have qualified as "Subsection (b) Lenders" (Small Business Lending Companies) may continue as loan participants if in addition to the requirements set forth in subparagraphs (a) (1), (2) and (3) of this section, they

also meet each of the following requirements:

(1) *Business Purpose.* Be a corporation (profit or non-profit) engaged solely in the making of loans in participation with SBA, and shall not be engaged in any other business or activity except as hereinafter authorized.

(2) *Subject to SBA Supervision and Examination.* Be subject to supervision and examination by SBA and to conduct their business operations in accordance with such regulations as may be promulgated by SBA.

2. Section 120.4 is amended by removing subparagraph (c)(2):

§ 120.4 Eligible loan participants.

* * * * *

(c) Determination of eligibility.

* * * * *

(2) [Removed]

* * * * *

(Catalog of Federal Domestic Assistance Program No. 59.012, Small Business Loans)

Dated: December 18, 1981.

Michael Cardenas,
Administrator.

[FR Doc. 81-37360 Filed 12-31-81; 8:45 am]

BILLING CODE 8025-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 81-NW-75-AD; Amdt. 39-4291]

Airworthiness Directive; Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: On October 16, 1981, the FAA issued a telegraphic Airworthiness Directive (AD) T81-22-51, effective upon receipt, to all operators of Boeing 747 series aircraft equipped with RollsRoyce RB.211 engines, certificated in all categories. This AD requires revision of the airplane flight manual limitations and procedures and requires certain aircraft modifications so that the flight crew is promptly alerted to indications of possible impending engine failure and immediate action can be initiated to preclude a failure from occurring. RollsRoyce has released Alert Service Bulletin RB.211-77-A6424, Rev. 1, dated October 14, 1981, pertaining to this subject. Further rulemaking action is contemplated. This AD is hereby published in the Federal Register to make it effective to all persons.

DATES: Effective date: January 11, 1982.

This AD was effective earlier to all recipients of telegraphic AD T81-22-51 dated October 16, 1981.

ADDRESSES: The Service Bulletins specified in this Airworthiness Directive may be obtained upon request to Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124, or may be examined at the Federal Aviation Administration, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington 98108.

FOR FURTHER INFORMATION CONTACT: Mr. Thomas D. Moreland, Aerospace Engineer, ANM-140S, Federal Aviation Administration, Seattle Area Aircraft Certification Office, Northwest Mountain Region, Seattle, Washington 98108.

SUPPLEMENTARY INFORMATION: There have been three recent inflight failures of the Rolls-Royce RB.211 engine low pressure (LP) fan shaft on Lockheed L-1011 aircraft which resulted in significant damage to the aircraft. In a recent incident on September 22, 1981, 3 of the 4 hydraulic systems on a Lockheed L-1011 aircraft were rendered inoperative as a result of the engine failure, and engine fragments penetrated the aft pressure bulkhead. An engine modification which will preclude such failure is not yet available. All incidents were preceded by an abnormally high vibration indication on the airborne vibration monitoring (AVM) system. Since the same type engine failure could occur on the 747 airplanes equipped with RollsRoyce RB.211 engines, interim action is necessary. Accordingly, in the interim it is necessary to revise the airplane flight manual limitations and procedures, and to require certain aircraft modifications so that the flight crew is promptly alerted to indications of possible impending engine failure and immediate action can be initiated to preclude a failure from occurring. Rolls Royce has released Alert Service Bulletin RB.211-77-A6424, Rev. 1, dated October 14, 1981, pertaining to this subject. Further rulemaking action is contemplated.

Since this condition was likely to exist or develop on other airplanes with Rolls Royce RB.211 engines, a telegraphic airworthiness directive was issued which requires airplane flight manual revisions and modifications to Boeing Model 747 series airplanes with RB.211 engines. It is now published to make it effective to all persons.

Since a situation existed and still exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impractical and good cause exists