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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 371

Organization, Functions, and Delegations of Authority

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document revises the statement of organization, functions, and delegations of authority of the Animal and Plant Health Inspection Service to reflect a change in position title from that of Deputy Administrator for Management to Deputy Administrator for Management and Budget.

EFFECTIVE DATE: May 9, 1984.

FOR FURTHER INFORMATION CONTACT:

John C. Frey, Classification, Employment and Executive Resources Program, Human Resources Division, Animal and Plant Health Inspection Service, Room 221, Federal Building, 6505 Belcrest Rd., Hyattsville, MD 20782, (301-436-6466).

SUPPLEMENTARY INFORMATION: The title of the position of Deputy Administrator for Management in the Animal and Plant Health Inspection Service has been changed to Deputy Administrator for Management and Budget. This new title is more descriptive of the actual duties and responsibilities of the position and differentiates this position from similar positions in other agencies where such positions do not have budget responsibilities. The purpose of this document is to amend the statement of organization, functions, and delegations of authority of the Animal and Plant Health Inspection Service to reflect this nomenclature change whereby the

words Deputy Administrator for Management or Deputy Administrator (when such reference clearly pertains to the Deputy Administrator for Management) are changed throughout appropriate sections of 7 CFR Part 371 to Deputy Administrator for Management and Budget.

This rule relates to internal agency management, and 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, it is exempt from the provisions of E.O. 12291. Finally, this action is not a rule as defined by Pub. L. 96-354, the Regulatory Flexibility Act, and thus is exempt from the provisions of that Act.

List of Subjects in 7 CFR Part 371

Organization and functions
(Government Agencies).

PART 371—ORGANIZATION, FUNCTIONS, AND DELEGATIONS OF AUTHORITY

Accordingly, 7 CFR Part 371 is amended as follows:

1. The authority citation for Part 371 reads as follows:

Authority: 5 U.S.C. 301.

§§ 371.1, 371.2, 371.5, and 371.6
[Amended].

2. 7 CFR 371 is amended by removing the words "Deputy Administrator for Management" and inserting, in their place, the words "Deputy Administrator for Management and Budget" in the following places:

- (a) 7 CFR 371.1(b);
- (b) 7 CFR 371.2(e);
- (c) 7 CFR 371.5 (introductory paragraph), (c)(1), (e)(1), (f)(1) and (h)(1);
- (d) 7 CFR 371.6(b).

3. In addition to the amendments set forth above, 7 CFR 371 is amended by removing the words "Deputy Administrator" and inserting, in their place, the words "Deputy Administrator for Management and Budget" in the following places:

- (a) 7 CFR 371.5 (a)(1), (b)(1), (d)(1), and (g)(1).

Done at Washington, D.C., this 2d day of May.

James O. Lee, Jr.,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 84-12504 Filed 5-8-84; 8:45 am]

BILLING CODE 3410-34-M

Food Safety and Inspection Service

9 CFR Parts 318 and 381

[Docket No. 83-021F]

Titanium Dioxide in Isolated Soy Protein; Preparation of Meat and Poultry Products

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal meat and poultry products inspection regulations by removing the requirement that isolated soy protein (ISP) used as an ingredient in meat or poultry products must contain titanium dioxide. Since other regulatory controls are sufficient to control the amount of ISP in various products, the change in the regulations will eliminate the presence of an unnecessary, non-nutritive substance in the food supply and end discrimination between the treatment of ISP and other similar substances added to meat and poultry products. This action is being taken in response to a petition filed on behalf of Archer Daniels Midland Company, Grain Processing Corporation, and Ralston Purina Company.

EFFECTIVE DATE: June 8, 1984.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert G. Hibbert, Director, Standards and Labeling Division, Meat and Poultry Inspection Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-6042.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Agency has made an initial determination that this rule is not a major rule under Executive Order 12291. It will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government

agencies, or geographic regions, or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Effect on Small Entities

The Administrator, Food Safety and Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act, Pub. L. 96-354 (5 U.S.C. 601). Firms manufacturing ISP will no longer be required to add titanium dioxide which would reduce the regulatory burden on the affected industry.

Background

On July 9, 1965, the Consumer and Marketing Service (a predecessor agency of FSIS) published a final rule in the *Federal Register* (30 FR 8673) allowing the limited use of ISP in sausage and certain other meat food products. ISP is derived from the major proteinaceous portion of soybeans and is used to bind and extend products. The rule required, however, that ISP used in these products processed in federally inspected establishments must contain 0.1 percent titanium, incorporated as food grade titanium dioxide. The purpose of requiring the addition of titanium dioxide to ISPS was to enable the Agency to analytically detect the amount of ISP used in meat food products by calculating the amount of titanium present. This, in turn, allows the Agency to determine usage levels of ISP in the sampled products and to assure that products are not adulterated or misbranded through the misuse of ISP. On April 17, 1970, the Agency published a final rule in the *Federal Register* (35 FR 6255) allowing the use of ISP in poultry products as well, under conditions identical to such usage in meat food products.

FSIS was petitioned in 1983 on behalf of Archer Daniels Midland Company, Grain Processing Corporation, and Ralston Purina Company, all manufacturers of ISP, to delete the requirement that ISP contain titanium dioxide. The petitioners asserted that titanium as a tracer in ISP is unnecessary and pointed out that tracers are not required for certain other protein-containing binders, e.g., whey, which also are not fully detectable and measurable by available laboratory analytical methods. The petitioners further claimed that the titanium dioxide requirement is a barrier to world trade

for U.S. meat products containing ISP because the Commission of European Communities prohibits the use of titanium dioxide in ISP. One petitioner has also claimed that titanium dioxide produces an undesirable lightness in color due to its whitening power when used in certain products such as beef patties.

The initial establishment of this requirement was based, in part, upon the lack of acceptable laboratory analytical methods for distinguishing ISP in meat and poultry products. Reliable quantitative methodology still does not exist for ISP. However, FSIS has established certain implant inspection procedures which are capable of assuring that meat and poultry products containing ISP and other added substances are properly formulated and labeled. Before ISP, whey, and other substances may be used in a product, the manufacturer must obtain FSIS approval of the product's formula and label to ensure that such substances would be used in proper quantities in accordance with the standards of identity and that appropriate information would be conveyed to the consumer through labeling. Additionally, as products are produced in official establishments, FSIS inspectors monitor the usage of substances to verify that the approved formula is followed. Under these circumstances, the Agency reached the tentative conclusion that the petitioners' arguments had merit. On October 13, 1983, a proposal was published in the *Federal Register* (48 FR 48242) which would eliminate this requirement.

Discussion of Comments

FSIS received 59 comments in response to the proposal to withdraw the requirement that ISP used as an ingredient in meat or poultry products contain titanium dioxide. Fifty-eight comments supported the proposal, while one opposed it.

The majority of the supporting comments (33) were from individuals who did not identify any organizational affiliation. The bases for their support of the proposal were:

1. Concern about the presence of unnecessary non-nutritive chemicals;
2. Elimination of unnecessary regulations;
3. Discriminatory treatment if ISP;
4. Availability of other methods to regulate use of ISP; and
5. Unnecessary cost and foreign trade barriers.

Twelve favorable comments were from persons identified as being affiliated with the soy processing industry. These commenters cited the

reasons identified above as bases for their support. These commenters emphasized those concerns regarding discriminatory treatment of ISP and stressed the availability of alternative methods for regulatory control of improper use or labeling of ISP in meat or poultry products.

The Soy Protein Council and four trade associations representing meat and poultry processors also supported the proposal, citing the same arguments. The American Meat Institute (AMI) expressed the view that the Agency should make a more comprehensive effort to address regulatory issues surrounding the use of non-meat proteins in meat food products and therefore took issue with the limited scope of the proposal. AMI subsequently advised the Agency, however, that it was not inherently opposed to the proposed change.

Five of six commenting meat and poultry processors supported the proposal, emphasizing the availability of other control methods to prevent abuses in the use of ISP or improper labeling of ISP-containing meat or poultry products. One processor opposed the proposal on the basis that there was no need to remove the titanium dioxide requirement, maintaining that titanium dioxide is necessary for verifying product compliance with standard and labeling requirements.

Two comments were received from organizations identified as representing consumer interests. Both supported the proposal. One comment questioned the legality of the use of titanium dioxide as a tracer and recommended adoption of other methods for purposes of adulterant surveillance. The other supported the proposal on the basis of FSIS having other procedures to assure proper use and labeling of meat and poultry products containing ISP. The comment also questioned whether use of titanium dioxide as a marker was appropriate.

Final Rule

Experience has shown that there is no reason to distinguish ISP as any more likely to be misused than other substances given the existing inspection procedures. Therefore, it appears that there is no continuing need for the use of titanium dioxide as a tracer in ISP and, thus, FSIS is revoking this requirement.

List of Subjects

9 CFR Part 318

Food additives, Meat inspection, Preparation of products.

9 CFR Part 381

Food additives, Poultry products inspection.

PART 318—[AMENDED]

The Federal meat and poultry products inspection regulations are amended as follows:

1. The authority citation for Part 318 reads as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 21 U.S.C. 71 *et seq.*, 801 *et seq.*, 33 U.S.C. 1254.

§ 318.6 [Amended]

2. Section 318.6 of the Federal meat inspection regulations (9 CFR 318.6) is amended by removing the present paragraph (b)(11) and redesignating paragraph (b)(12) as (b)(11).

PART 381—[AMENDED]

3. The authority citation for Part 381 reads as follows:

Authority: Sec. 14, Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451 *et seq.*); the Talmadge-Aiken Act of September 28, 1962 (7 U.S.C. 750); and subsection 21(b), Federal Water Pollution Control Act, as amended by Pub. L. 91-224 and by other laws (33 U.S.C. 1254).

§ 381.147 [Amended]

4. Section 381.147 of the poultry products inspection regulations (9 CFR 381.147) is amended by removing the present paragraph (e) and redesignating paragraph (f) as paragraph (e).

Done in Washington, D.C., on April 26, 1984.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 84-12503 Filed 5-8-84; 8:45 am]

BILLING CODE 3410-DM-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 0, 4, 9, 11, 19, 20, 21, 25, 30, 31, 32, 33, 34, 35, 40, 50, 51, 55, 70, 71, 73, 75, 95, 100, 110, 140, and 150

Information Collection Requirements; Display of OMB Control Numbers

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulations to indicate the Office of Management and Budget (OMB) control numbers under which the information collection requirements imposed by the regulations have been approved by OMB. This

action is necessary to comply with OMB regulations implementing the Paperwork Reduction Act.

EFFECTIVE DATE: May 9, 1984.

FOR FURTHER INFORMATION CONTACT: Brenda Shelton, Acting Chief, Document Management Branch, Division of Technical Information and Document Control, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Telephone (301) 492-8132.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*) establishes the policies and procedures for controlling paperwork burdens imposed by Federal agencies on the public.

The Act requires that each agency obtain Office of Management and Budget (OMB) review and clearance of the information collection requirements it imposes on the public. The Act also authorizes OMB to issue the regulations necessary to carry out its authority under the Act. These regulations (5 CFR Part 1320) were published in the *Federal Register* in final form on March 31, 1983 (48 FR 13666).

The Nuclear Regulatory Commission is issuing this regulation to comply with 5 CFR 1320.7(f)(2). That provision requires agencies to ensure that the OMB control numbers, under which the information collection requirements contained in its regulations are approved by OMB, appear in the Code of Federal Regulations. The NRC is including a section in each part of 10 CFR Chapter I that contains an information collection requirement approved by OMB as of December 31, 1983. This section sets out the OMB control number under which the information collection requirements in that part are approved and lists the sections within the part that contain approved information collection requirements. The NRC is also amending sections of the regulations that contain information collection requirements involving the use of an approved form to identify the form by number.

Because this is a nonsubstantive amendment dealing with procedural matters and agency management, the notice provisions of the Administrative Procedure Act (5 U.S.C. 553) do not apply. Opportunity for public comment is unnecessary because this is a minor procedural amendment in which the public is unlikely to have an interest. The amendment is effective upon publication in the *Federal Register* without a 30 day delay because this is an amendment dealing with agency management that is necessary to comply with the regulations issued by OMB.

This amendment does not impose a burden, penalty, or obligation on any person or organization.

List of subjects in 10 CFR Parts 0, 4, 9, 11, 19, 20, 21, 25, 30, 31, 32, 33, 34, 35, 40, 50, 51, 55, 70, 71, 73, 75, 95, 100, 110, 140, and 150

Reporting and recordkeeping requirements.

Under the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552, the following amendments to 10 CFR Chapter I are published as a document subject to codification.

The authority citation for this document is:

(Sec. 161, Pub. L. 83-703, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, Pub. L. 93-438, 88 Stat. 1242, as amended (42 U.S.C. 5841); Pub. L. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 *et seq.*))

PART 0—CONDUCT OF EMPLOYEES

1. Section 0.735-8 is added to read as follows:

§ 0.735-8 Information collection requirements: OMB approval.

The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). In § 0.735-8, OMB has approved the information collection requirements contained in Form NRC-443, under control number 3150-0025.

PART 4—NONDISCRIMINATION IN FEDERALLY ASSISTED COMMISSION PROGRAMS

2. Section 4.8 is added to read as follows:

§ 4.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). OMB has approved the information collection requirements contained in this part under control number 3150-0053.

(b) The approved information collection requirements contained in this part appear in §§ 4.32, 4.34, 4.125, 4.127, 4.231, and 4.232.

PART 9—PUBLIC RECORDS

3. Section 9.2b is added to read as follows:

§ 9.2b Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0043.

(b) The approved information collection requirements contained in this part appear in §§ 9.14a and 9.14b.

§ 9.14a [Amended]

4. Section 9.14a is amended by removing footnote 1.

§ 9.14b [Amended]

5. Section 9.14b is amended by removing footnote 2.

PART 11—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO OR CONTROL OVER SPECIAL NUCLEAR MATERIAL

6. Section 11.8 is added to read as follows:

§ 11.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0062.

(b) The approved information collection requirements contained in this part appear in §§ 11.9, 11.11, 11.13, and 11.15.

PART 19—NOTICES, INSTRUCTIONS, AND REPORTS TO WORKERS; INSPECTIONS

7. Section 19.8 is added to read as follows:

§ 19.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for

approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0044.

(b) The approved information collection requirements contained in this part appear in § 19.13.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

8. Section 20.8 is added to read as follows:

§ 20.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0014.

(b) The approved information collection requirements contained in this part appear in §§ 20.102, 20.103, 20.105, 20.106, 20.203, 20.205, 20.302, 20.311, 20.401, 20.402, 20.403, 20.405, 20.407, 20.408, and 20.409.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 20.101 and 20.102, Form NRC-4 is approved under control number 3150-0005.

(2) In § 20.401, Form NRC-5 is approved under control number 3150-0006.

§ 20.205 [Amended]

9. Section 20.205(b)(2) is amended by removing footnote 1.

§ 20.601 [Amended]

10. The note following § 20.601 is removed.

PART 21—REPORTING OF DEFECTS AND NONCOMPLIANCE

11. Section 21.8 is added to read as follows:

§ 21.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for

approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0035.

(b) The approved information collection requirements contained in this part appear in §§ 21.21 and 21.51.

§ 21.61 [Removed]

12. The note following § 21.61 is removed.

PART 25—ACCESS AUTHORIZATION FOR LICENSEE PERSONNEL

13. Section 25.8 is added to read as follows:

§ 25.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0046.

(b) The approved information collection requirements contained in this part appear in §§ 25.11, 25.17, 25.21, 25.23, 25.25, 25.27, 25.29, 25.31, 25.33, and 25.35.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 25.17, Form NRC-1 is approved under control number 3150-0048.

(2) In § 25.17, Form NRC-237 is approved under control number 3150-0050.

(3) In § 25.33, Form NRC-136 is approved under control number 3150-0049.

(4) In § 25.35, Form NRC-277 is approved under control number 3150-0051.

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

14. Section 30.8 is added to read as follows:

§ 30.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0017.

(b) The approved information collection requirements contained in this part appear in §§ 30.15, 30.19, 30.20, 30.32, 30.34, 30.36, 30.37, 30.38, 30.51, 30.55, and 30.56.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 30.32, 30.37, and 30.38, Form NRC-313I is approved under control number 3150-0042.

(2) In §§ 30.32, 30.37, and 30.38, Form NRC-313T is approved under control number 3150-0081.

(3) In § 30.36, Form NRC-314 is approved under control number 3150-0028.

(4) In §§ 30.37 and 30.38, Form NRC-313M is approved under control number 3150-0041.

(5) In §§ 30.37 and 30.38, Form NRC-313R is approved under control number 3150-0023.

15. In § 30.17, paragraph (a) is revised to read as follows:

§ 30.37 Application for renewal of licenses.

(a) Application for renewal of a specific license shall be filed on Form NRC-313 in accordance with § 30.32.

16. Section 30.38 is revised to read as follows:

§ 30.38 Application for amendment of licenses.

Applications for amendment of a license shall be filed on Form NRC-313 in accordance with § 30.32 and shall specify the respects in which the licensee desires its license to be amended and the grounds for the amendment.

§ 30.71 [Amended]

17. The note following § 30.71 is removed.

PART 31—GENERAL DOMESTIC LICENSES FOR BYPRODUCT MATERIAL

18. Section 31.4 is added to read as follows:

§ 31.4 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part or the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB approved the information collection requirements contained in this part under control number 3150-0016.

(b) The approved information collection requirements contained in this part appear in §§ 31.5, 31.8, and 31.11.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 31.11, Form NRC-483 is approved under control number 3150-0038.

§ 31.11 [Amended]

19. The note following § 31.11 is removed.

PART 32—SPECIFIC DOMESTIC LICENSES TO MANUFACTURE OR TRANSFER CERTAIN ITEMS CONTAINING BYPRODUCT MATERIAL

20. Section 32.8 is added to read as follows:

§ 32.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0001.

(b) The approved information collection requirements contained in this part appear in §§ 32.12, 32.14, 32.15, 32.16, 32.17, 32.18, 32.19, 32.20, 32.22, 32.25, 32.26, 32.29, 32.51, 32.51a, 32.52, 32.53, 32.54, 32.56, 32.57, 32.58, 32.61, 32.70, 32.71, 32.72, 32.73, and 32.74.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this

section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 32.11, Form NRC-313I is approved under control number 3150-0042.

21. In § 32.11, the introductory paragraph is revised to read as follows:

§ 32.11 Introduction of byproduct material in exempt concentrations into products or materials, and transfer of ownership or possession: requirements for license.

An application for a specific license on Form NRC-313 authorizing the introduction of byproduct material into a product or material owned by or in the possession of the licensee or another and the transfer of ownership or possession of the product or material containing the byproduct material will be approved if the applicant:

§ 32.110 [Amended]

22. The note following § 32.110 is removed.

PART 33—SPECIFIC DOMESTIC LICENSES OF BROAD SCOPE FOR BYPRODUCT MATERIAL

23. Section 33.8 is added to read as follows:

§ 33.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0015.

(b) The approved information collection requirements contained in this part appear in §§ 33.12, 33.13, 33.14 and 33.15.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 33.12, Form NRC-313I is approved under control number 3150-0042.

(2) In § 33.12, Form NRC-313M is approved under control number 3150-0041.

(3) In § 33.12, Form NRC-313R is approved under control number 3150-0023.

(4) In § 33.12, Form NRC-313T is approved under control number 3150-0081.

§ 33.100 [Amended]

24. The note following § 33.100 is removed.

PART 34—LICENSES FOR RADIOGRAPHY AND RADIATION SAFETY REQUIREMENTS FOR RADIOGRAPHIC OPERATIONS

25. Section 34.8 is added to read as follows:

§ 34.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0007.

(b) The approved information collection requirements contained in this part appear in §§ 34.11, 34.24, 34.25, 34.26, 34.27, 34.28, 34.29, 34.31, 34.32, 34.33, and 34.43.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 34.3, Form NRC-313R is approved under control number 3150-0023.

§ 34.51 [Amended]

26. The note following § 34.51 is removed.

PART 35—HUMAN USES OF BYPRODUCT MATERIAL

27. Section 35.8 is added to read as follows:

§ 35.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements

contained in this part under control number 3150-0010.

(b) The approved information collection requirements contained in this part appear in §§ 35.12, 35.14, 35.27, 35.42, 35.43, and 35.44.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 35.4, 35.11, 35.12, and 35.13 Form NRC-313M is approved under control number 3150-0041.

(2) In § 35.31, Form NRC-482 is approved under control number 3150-0022.

28. In § 35.11, the introductory paragraph is revised to read as follows:

§ 35.11 Specific licenses for human use of byproduct material in institutions.

An application by an institution for a specific license on Form NRC-313 for human use of byproduct material will be approved if:

* * * * *

29. In § 35.12, the introductory text of paragraph (a) is revised to read as follows:

§ 35.12 Specific licenses to individual physicians for human use of byproduct material.

(a) An application by an individual physician or groups of physicians for a specific license on Form NRC-313 for human use of byproduct material will be approved if:

* * * * *

30. In § 35.13, the introductory paragraph is revised to read as follows:

§ 35.13 Specific licenses for human use of byproduct material in sealed sources.

An application for a specific license on Form NRC-313 for use of a sealed source for human use will be approved if:

* * * * *

§ 35.100 [Amended]

31. The note following § 35.100 is removed.

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

32. Section 40.8 is added to read as follows:

§ 40.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of

Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0020.

(b) The approved information collection requirements contained in this part appear in §§ 40.25, 40.26, 40.31, 40.35, 40.42, 40.61, 40.64, 40.65, and Appendix A.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 40.31, 40.43, 40.44, and Appendix A, Form NRC-2 is approved under control number 3150-0019.

(2) In § 40.31, Form N-71 is approved under control number 3150-0056.

(3) In § 40.42, Form NRC-314 is approved under control number 3150-0028.

(4) In § 40.64, Form NRC-741 is approved under control number 3150-0003.

33. 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, on Form N-71. 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 § 75.6 and §§ 75.11 through 75.14 of this chapter.

* * * * *

34. In § 40.43, paragraph (a) is revised to read as follows:

§ 40.43 Renewal of licenses.

(a) Applications for renewal of a specific license shall be filed on Form NRC-2 in accordance with § 40.31 of this part.

* * * * *

35. Section 40.44 is revised to read as follows:

§ 40.44 Amendment of licenses at request of licensee.

Applications for amendment of a license shall be filed on Form NRC-2 in accordance with § 40.31 and shall specify the respects in which the licensee desires the license to be amended and the grounds for such amendment.

36. In Appendix A to Part 40, the fourth paragraph of the Introduction is revised to read as follows:

Appendix A to Part 40—Criteria Relating to the Operation of Uranium Mills and the Disposition of Tailings or Waste Produced by the Extraction or Concentration of Source Material From Ores Processed Primarily for Their Source Material Content.

Detailed programs meeting the technical and financial criteria in the Appendix, including appropriate supporting data, analyses, and alternatives, shall be developed by existing uranium milling licensees and filed with the Director of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, in connection with license renewal applications (Form NRC-2) or within nine months from the effective date of this Appendix, whichever occurs first.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

37. Section 50.8 is revised to read as follows:

§ 50.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0011.

(b) The approved information collection requirements contained in this part appear in §§ 50.30, 50.33, 50.33a, 50.34, 50.34a, 50.35, 50.36, 50.36a, 50.48, 50.49, 50.54, 50.55, 50.55a, 50.59, 50.60, 50.71, 50.72, 50.80, 50.82, 50.90, 50.91, and Appendices A, B, E, G, H, J, K, M, N, and R.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers

under which they are approved are as follows:

(1) In § 50.73, Form NRC-366 is approved under control number 3150-0104.

(2) In § 50.78, Form N-71 is approved under control number 3150-0056.

38. Section 50.78 is revised to read as follows:

§ 50.78 Installation information and verification.

Each holder of a construction permit shall, if requested by the Commission, submit installation information on Form N-71, permit verification thereof 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 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

39. Section 51.4a is added to read as follows:

§ 51.4a Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0021.

(b) The approved information collection requirements contained in this part appear in §§ 51.20, 51.21, and 51.40.

PART 55—OPERATORS' LICENSES

40. Section 55.6a is added to read as follows:

§ 55.6a Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0018.

(b) The approved information collection requirements contained in this part appear in § 55.41 and Appendix A.

(c) This part contains information collection requirements in addition to

those approved under the control numbers specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 55.10, 55.33, and 55.60, Form NRC-396 is approved under control number 3150-0024.

(2) In §§ 55.10, 55.12, and 55.33, Form NRC-398 is approved under control number 3150-0090.

41. In § 55.10, the introductory text of paragraph (a) and paragraph (a)(7) are revised to read as follows:

§ 55.10 Contents of applications.

(a) As provided in § 55.5, each application for a license must be filed on Form NRC-398 with the Director of Nuclear Reactor Regulation, the Director of Nuclear Material Safety and Safeguards, or a designated Regional Administrator, as appropriate. The application must be submitted in triplicate, except for the report of medical examination, and must contain the following information.

(7) A report of a medical examination by a licensed medical practitioner, in one copy on the form prescribed in § 55.60 (Form NRC-396).

42. In § 55.12, paragraph (a) is revised to read as follows:

§ 55.12 Re-application.

(a) Any applicant whose application for a license has been denied because of failure to pass the written examination or operating test or both may file a new application for license on Form NRC-398 two months after the date of denial. Any new application shall be accompanied by a statement signed by an authorized representative of the facility licensee by whom the applicant will be employed, stating in detail the extent of additional training which the applicant has received and certifying that he or she is ready for re-examination. An applicant may file a third application six months after the date of denial of the second application, and may file further successive applications two years after the date of denial of each prior application.

43. In § 55.33, the introductory text of paragraph (a) and paragraph (a)(6) are revised to read as follows:

§ 55.33 Renewal of licenses.

(a) Application for renewal of a license on Form NRC-398 shall be

signed by the applicant and shall contain the following information:

(6) A report by a licensed medical practitioner in the form prescribed in § 55.60 (Form NRC-396).

§ 55.60 [Amended]

44. The note following § 55.60 is removed.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

45. Section 70.8 is added to read as follows:

§ 70.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved information collection requirements contained in this part under control number 3150-0009.

(b) The approved information collection requirements contained in this part appear in §§ 70.19, 70.20a, 70.20b, 70.21, 70.22, 70.24, 70.32, 70.33, 70.34, 70.38, 70.39, 70.51, 70.52, 70.53, 70.57, 70.58, 70.59, and 70.60.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In § 70.21, Form N-71 is approved under control number 3150-0056.

(2) In § 70.38, Form NRC-314 is approved under control number 3150-0028.

(3) In § 70.53, Form NRC-742 is approved under control number 3150-0004.

(4) In § 70.53, Form NRC-742c is approved under control number 3150-0058.

(5) In § 70.54, Form NRC-741 is approved under control number 3150-0003.

46. 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 on Form N-71.

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 74.14 of this chapter.

§ 70.22 [Amended]

47. In § 70.22, footnote 1 is removed.

§ 70.58 [Amended]

48. In § 70.58, Footnote 1 is removed.

§ 70.71 [Amended]

49. The note following § 70.71 is removed.

PART 71—PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

50. Section 71.6 is added to Subpart A to read as follows:

§ 71.6 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0008.

(b) The approved information collection requirements contained in this part appear in §§ 71.5, 71.12, 71.31, 71.33, 71.35, 71.37, 71.85, 71.87, 71.89, 71.91, 71.93, 71.95, 71.97, 71.101, 71.103, 71.105, 71.107, 71.109, 71.111, 71.113, 71.115, 71.117, 71.119, 71.121, 71.123, 71.125, 71.127, 71.129, 71.131, 71.133, 71.135, and 71.137.

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

51. Section 73.8 is added to read as follows:

§ 73.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0002.

(b) The approved information collection requirements contained in this

part appear in §§ 73.20, 73.24, 73.25, 73.26, 73.27, 73.37, 73.40, 73.45, 73.46, 73.50, 73.55, 73.67, 73.70, 73.71, 73.72, and Appendices B and C.

§ 73.80 [Amended]

52. The note following § 73.80 is removed.

PART 75—SAFEGUARDS ON NUCLEAR MATERIAL—IMPLEMENTATION OF US/IAEA AGREEMENT

53. Section 75.9 is added to read as follows:

§ 75.9 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0055.

(b) The approved information collection requirements contained in this part appear in §§ 75.7, 75.12, 75.21, 75.22, 75.23, 75.24, 75.31, 75.36, 75.43, 75.44, and 75.45.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 75.11 and 75.14, Form N-71 is approved under control number 3150-0056.

(2) In §§ 75.31, 75.32, 75.33, and 75.35, Form NRC-742 is approved under control number 3150-0004.

(3) In §§ 75.33 and 75.34, Form NRC-741 is approved under control number 3150-0003.

(4) In §§ 75.34 and 75.35, Form NRC-740M is approved under control number 3150-0057.

(5) In § 75.35, Form NRC-742C is approved under control number 3150-0058.

54. In § 75.11, the introductory text of paragraph (d) is revised to read as follows:

§ 75.11 Installation information.

(d) The information specified in paragraphs (a) and (c) of this section shall be prepared on Form N-71 or other forms supplied by the Commission (including appropriate IAEA Design

Information Questionnaire forms). The information shall be sufficiently detailed to enable knowledgeable determinations to be made in the development of Facility Attachments or amendments thereto, including:

55. In § 75.14, the introductory text of paragraph (a) is revised to read as follows:

§ 75.14 Supplemental information.

(a) At the time information is submitted by a licensee under § 75.11(a) (Form N-71), and promptly whenever changes are made, such licensee shall submit to the Commission:

56. Section 75.31 is revised to read as follows:

§ 75.31 General requirements.

Each licensee who has been given notice by the Commission in writing that its installation has been identified under the Agreement shall make an initial inventory report, on DOE/NRC Form-742, and thereafter shall make accounting reports, with respect to such installation; and, in addition, licensees who have been given notice, pursuant to § 75.41, that their installations are subject to the application of IAEA safeguards, shall make the special reports described in § 75.36. Such reports shall be based on the records kept in accordance with § 75.21. At the request of the Commission, the licensee shall amplify or clarify any report with respect to any matter relevant to implementation of the Agreement. Such amplification or clarification shall be in writing and shall be submitted, to the address specified in the request, within twenty (20) days or such other time as may be specified by the Commission.

57. In § 75.33, paragraph (a) is revised to read as follows:

§ 75.33 Accounting reports.

(a) The accounting reports for each IAEA material balance area shall consist of (1) inventory change reports showing all changes in the inventory of nuclear material on DOE/NRC Form-741 and (2) material status reports showing the material balance based on a physical inventory of nuclear material actually present on DOE/NRC Form-742.

PART 95—SECURITY FACILITY APPROVAL AND SAFEGUARDS OF NATIONAL SECURITY INFORMATION AND RESTRICTED DATA

58. Section 95.8 is added to read as follows:

§ 95.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0047.

(b) The approved information collection requirements contained in this part appear in §§ 95.11, 95.15, 95.21, 95.25, 95.33, 95.36, 95.37, 95.41, 95.45, 95.47, 95.53, and 95.57.

PART 100—REACTOR SITE CRITERIA

59. Section 100.8 is added to read as follows:

§ 100.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0093.

(b) The approved information collection requirements contained in this part appear in Appendix A.

PART 110—EXPORT AND IMPORT OF NUCLEAR FACILITIES AND MATERIAL

60. Section 110.8 is added to read as follows:

§ 110.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0036.

(b) The approved information collection requirements contained in this part appear in §§ 110.30, 110.31, 110.32, 110.33, 110.34, 110.35, 110.50, and 110.53.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers

under which they are approved are as follows:

(1) In § 110.30, Form NRC-7 is approved under control number 3150-0027.

PART 140—FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

61. Section 140.9a is added to read as follows:

§ 140.9a Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0039.

(b) The approved information collection requirements contained in this part appear in §§ 140.6, 140.7, 140.15, 140.17, 140.20, 140.21 and 140.22.

§ 140.93 [Amended]

62. The note following § 140.93 is removed.

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

63. Section 150.8 is added to read as follows:

§ 150.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information collection requirements contained in this part to the Office of Management and Budget (OMB) for approval as required by the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). OMB has approved the information collection requirements contained in this part under control number 3150-0032.

(b) The approved information collection requirements contained in this part appear in §§ 150.16, 150.17, 150.17a, 150.19, 150.20, and 150.31.

(c) This part contains information collection requirements in addition to those approved under the control number specified in paragraph (a) of this section. These information collection requirements and the control numbers under which they are approved are as follows:

(1) In §§ 150.16 and 150.17, Form NRC-741 is approved under control number 3150-0003.

(2) In § 150.20, Form NRC-241 is approved under control number 3150-0013.

§ 150.30 [Amended]

64. The note following § 150.30 is removed.

Dated at Washington, DC, this 3rd day of May, 1984.

For the Nuclear Regulatory Commission.

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 84-12516 Filed 5-9-84; 8:45 am]

BILLING CODE 7590-01-M

10 CFR Parts 30, 40 and 70

Regional Licensing Program; Further Implementation

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The NRC is amending its regulations concerning the domestic licensing of source, byproduct, and special nuclear material (hereafter referred to as nuclear materials) to provide information about the additional implementation of NRC's decentralized licensing program. This amendment broadens the scope of the program in all Regions to include additional types of nuclear material licenses. Publication of the amendment is to inform present or prospective licensees of current NRC practice and organization.

EFFECTIVE DATE: April 2, 1984.

FOR FURTHER INFORMATION CONTACT:

Donald R. Chapell, Deputy Director, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Telephone: (301) 427-4152.

SUPPLEMENTARY INFORMATION: On May 27, 1982 (47 FR 23138) and again on April 14, 1983 (48 FR 16030) (effective April 1, 1983), the Nuclear Regulatory Commission (NRC) published rules amending the domestic licensing of nuclear materials to decentralize parts of its licensing program. The NRC is again amending its regulations to broaden further the scope of its decentralization program. These revisions to §§ 30.6, 30.32, 40.5, 40.31, 70.5, and 70.21 specify that inquiries concerning NRC regulations in 10 CFR Parts 30 through 35, 40, and 70 and applications for additional types of licenses, license renewals, and revisions be sent to the appropriate regional

office, rather than NRC headquarters offices. Included in this action are licenses in the following categories: teletherapy, well-logging, industrial radiography, irradiators, nuclear pharmacies, medical product distribution, measuring systems, nuclear laundries, receipt of radioactive waste, generally licensed distributions, pacemakers and other smaller categories of nuclear material licenses.

This action transfers the responsibility to license the distribution of radioactive material to specific and general licensees to the Regional Offices. Regional Offices also become responsible for licensing actions concerning the manufacture of products containing radioactive material to persons exempt pursuant to 10 CFR 32.11 through 32.26. However, the responsibility for the licensing of the distribution of products containing radioactive material to persons exempt pursuant to 10 CFR 32.11 through 32.26 remains at NRC Headquarters. These amendments do not apply in Agreement States or to Federal facilities, but do apply to all other licensees and applicants in non-Agreement States, Guam, Puerto Rico, the Virgin Islands, and the District of Columbia. Delegations of authority to the Regional Administrators are contained in NRC Manual Chapter 0128. The changes to §§ 30.6, 30.32, 40.5, 40.31, 70.5 and 70.21 are nonsubstantive amendments. The revised sections indicate the type of licensing authority delegated to Regional Administrators.

Other changes have been made to delete Utah from the list of Non-Agreement States in Region IV. Utah became an Agreement State on April 1, 1984.

Since these are minor, procedural amendments relating to agency organizational and management; notice, opportunity for comment and a delay of effective date are not required by the Administrative Procedure Act. (5 U.S.C. 553).

Paperwork Reduction Act Statement

This final rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget approval numbers 3150-0017 for Part 30, 3150-0020 for Part 40, and 3150-0009 for Part 70.

List of Subjects

10 CFR Part 30

Byproduct material, Government contracts, Intergovernmental relations,

Isotopes, Nuclear materials, Penalty, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Government contracts, Hazardous materials-transportation, Nuclear materials, Penalty, Reporting and recordkeeping requirements, Source material, Uranium.

10 CFR Part 70

Hazardous materials-transportation, Nuclear materials, Packaging and containers, Penalty, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Special nuclear material.

Under the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552, the following amendments to 10 CFR Parts 30, 40, and 70 are published as a document subject to codification.

The authority citation for this document is:

Authority: Sec. 161, Pub. L. 83-703, 68 Stat. 948, as amended (42 U.S.C. 2201); Sec. 201, Pub. L. 93-438, 88 Stat. 1242, as amended (42 U.S.C. 5841).

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

1. In § 30.6, the introductory text of paragraph (b) and paragraphs (b)(1) and (b)(2)(iv) are revised to read as follows:

§ 30.6 Communications.

(b) The Commission has delegated to the five Regional Administrators licensing authority for selected parts of its decentralized licensing program for nuclear materials as described in paragraph (b)(1) of this section. Any communication, report, or application covered under this licensing program must be submitted as specified in paragraph (b)(2) of this section.

(1) The delegated licensing program includes authority to issue, renew, amend, cancel, modify, suspend, or revoke licenses for nuclear materials issued pursuant to 10 CFR Parts 30 through 35, 40, and 70 to all persons (except Federal agencies) for academic, medical, and industrial uses, with the following exceptions:

(i) Activities in the fuel cycle and special nuclear material in quantities sufficient to constitute a critical mass in any room or area. This exception does not apply to license modifications relating to termination of special nuclear material licenses that authorize