Rules and Regulations

Federal Register
Vol. 51, No. 55
Friday, March 21, 1986

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 981

Handling of Almonds Grown in California; Administrative Rules and Regulations Governing Reporting Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action makes a correction in the administrative rules and regulations issued under the Federal marketing order for California almonds. A final rule published in the **Federal Register** on April 13, 1977 (42 FR 19321) established a paragraph concerning reserve reporting as § 981.474(c). However, that paragraph was never published in the Code of Federal Regulations. On November 20, 1985, a paragraph concerning custom processing reporting was published as § 981.474(c) by a final rule published in the **Federal Register** (50 FR 47707). This action corrects this error of designating two separate paragraphs as § 981.474(c) by redesignating the paragraph concerning reserve reporting as § 981.474(d) and allowing the paragraph concerning custom processing reporting to remain § 981.474(c).

FOR FURTHER INFORMATION CONTACT: James B. Wendland, Acting Chief, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, Washington, DC 20250 (202) 447-5053.

SUPPLEMENTARY INFORMATION: This action corrects § 981.474 of Subpart—Administrative Rules and Regulations (7 CFR 981.401–981.474; 50 FR 16451, 24174, 30263, and 47707) by redesignating a paragraph which was inadvertently omitted from the Code of Federal Regulations. This subpart is issued under the marketing agreement and Order No. 981 (7 CFR 981), both as amended, regulating the handling of almonds grown in California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The redesignated paragraph concerns reporting requirements for handlers diverting reserve almonds to noncompetitive outlets. The paragraph was originally published in the **Federal Register** on April 13, 1977 (42 FR 19321) as § 981.474(c). However, the paragraph was inadvertently omitted from the Code of Federal Regulations. This omission has had no adverse effect on handler compliance with the provision's reporting requirements as all affected persons were aware of the regulation.

A regulation involving custom processing reporting was inadvertently published as § 981.474(c) by a final rule published in the **Federal Register** on November 20, 1985 (50 FR 47707). This action corrects this error of designating two separate paragraphs as § 981.474(c) by redesignating the paragraph concerning reserve reporting as § 981.474(d) and allowing the paragraph concerning custom processing to remain § 981.474(c).

List of Subjects in 7 CFR Part 981

Marketing agreements and order, Almonds, California.

PART 981—ALMONDS GROWN IN CALIFORNIA

1. The authority citation for 7 CFR Part 981 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as Amended; 7 U.S.C. 601–674.

Subpart—Administrative Rules and Regulations

2. Section 981.474 is amended by adding a new paragraph (d) as follows:

§ 981.474 Other reports.

* * * * *

(d) *Reserve reports.* In any crop year when reserve almonds are diverted to noncompetitive outlets, such handler shall report such handler's intentions to divert on ABC Form 13 and the completion of diversion on ABC Form 14. Upon notice to all handlers, the Board may waive the requirements to file ABC Form 13 for diversion of almonds to noncompetitive outlets which are acceptable to the Board.

Dated: March 14, 1986.

Thomas R. Clark,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 86-6140 Filed 3-20-86; 8:45 am]

BILLING CODE 3410-02-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 40, 51, 74 and 150

Material Balance Reports of Source Material and Special Nuclear Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is amending its regulations concerning the submission of material balance inventory reports of source material and special nuclear material. The rule will reduce the reporting requirements imposed on affected licensees without adversely affecting the domestic safeguards program or NRC's ability to satisfy existing international and domestic safeguards commitments. This action eliminates the requirement to submit a statement of material balance for U.S. origin source material for all licensees except those reporting under the U.S./IAEA Safeguards Agreement. It also eliminates the requirement to report the composition of ending inventory on Form 742C for all except nuclear reactor licensees and licensees reporting under the Agreement.

EFFECTIVE DATE: April 21, 1986.

FOR FURTHER INFORMATION CONTACT: June Robertson, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 427-4233.

SUPPLEMENTARY INFORMATION:

Background

Currently, NRC licensees authorized to possess more than 350 grams of special nuclear material are required to submit an inventory report for each material type on Forms 742 and 742C as of March 31 and September 30 each year. Also, NRC and Agreement State licensees authorized to possess more than 1,000 kilograms of source material are required to submit a yearly statement of their source material holdings as of September 30 each year. This information is necessary to the domestic inspection program and is needed to provide to the Australian and Canadian Governments a periodic report showing the inventory of all the materials in each U.S. facility that is subject to their respective bilateral agreements. As a part of a reevaluation of the safeguards data collection and processing requirements, the NRC examined the possibility of eliminating the requirements for licensees to report inventories on Forms 742 (Material Balance Report) and 742C (Physical Inventory Listing) for most licensees. It concluded that, with the exception of those licensees reporting under the U.S./IAEA Safeguards Agreement, the requirements for reporting inventories on Material Balance Reports could be deleted. It also concluded, however, that it needed a composition of ending inventory to be submitted on Form 742C by licensees of nuclear reactors for meeting its domestic responsibilities. Therefore, it decided to retain the requirements for submitting Form 742C for nuclear reactor licensees and licensees reporting under the U.S./IAEA Safeguards Agreement.

Proposed Rule

For licensees other than those reporting under the U.S./IAEA Safeguards Agreement, the proposed rule (50 FR 19695, May 10, 1985) would have eliminated the requirement to submit Form 742. For all licensees other than those with nuclear reactors and those reporting under the U.S./IAEA Safeguards Agreement, the proposed rule woud have eliminated the requirement to submit Form 742C. Instead, the NRC would have computer-generated for each licensee, an inventory report based on material transaction reports submitted to it on Form 741 for special nuclear material and foreign origin source material. (In a separate rulemaking action effective July 16, 1984 (49 FR 24705, June 15, 1984), the requirement to report domestic transfers of U.S. origin source material was deleted. Only imports, exports, and domestic transfers of foreign origin source material are currently reported to the transaction data base.) This NRC-generated report would have been submitted to the licensee for review and verification with the licensee's book inventory data or with the results of a physical inventory by the licensee, as the case may be. The licensee would then have submitted any supplemental data necessary to reconcile any difference between the NRC's data and its data.

The proposed amendment would have affected approximately 350 NRC and Agreement State licensees of which approximately 150 are small independent industrial manufacturers each with an estimated annual gross income of less than $1 million and a staff of fewer than 500 people. The NRC concluded that, as a result of this change, the reporting requirements for each affected special nuclear material licensee would have been reduced by two reports per year and the reporting requirements for each affected source material licensee would have been reduced by one statement per year. The process of the licensee verification of the computer-generated report would have affected partially the reduction in licensee reporting, but the net requirements on licensees was thought to be less than those of generating and submitting the currently required reports.

When 10 CFR Part 74 was published on February 25, 1985 (50 FR 7575), it contained the MC&A regulatory requirements for low enrichment uranium (LEU) licensees. Certain safeguards-related recordkeeping and reporting requirements, formerly found in Part 70, were also moved to new Part 74 in order to separate them from safety reporting requirements. The reporting requirement for SNM physical inventory results is therefore included in Part 74.

On March 12, 1984 (49 FR 9362), the NRC published a final rule which implemented section 102(2) of the National Environmental Policy Act of 1969 as amended (NEPA). Section 51.22 identifies the type of regulatory and licensing actions which may be eligible for categorical exclusion. The categorical exclusion in 10 CFR 51.22(c)(3) which applies to amendments to the Commission's regulations which relate to recordkeeping and reporting requirements includes Part 70 but does not include Part 74. When Part 74 was promulgated in February 1985, portions of the existing recordkeeping requirements in Part 70 and all of the reporting requirements in Part 70, both of which were specifically covered by the environmental impact categorical exclusion in § 51.22(c)(3), were transferred to Part 74. At that time, however, the requisite conforming amendment to add Part 74 to the list of parts identified in § 51.22(c)(3) was not made. To remedy this inadvertent oversight, a conforming amendment is now being made to 10 CFR 51.22(c)(3) to add Part 74 to the list of parts referenced in that categorical exclusion.

Summary of Public Comments

The sixty-day comment period for the proposed rule expired on July 9, 1985. The NRC received comments from twelve respondents. The comments were mixed as to whether or not an actual reduction in reporting requirements would be achieved.

Proposed § 40.64

There were no public comments received which specifically addressed this proposed section. However, the NRC determined to revise this section (which deals with reports on material balances of source material) so that it is compatible with its revisions to proposed § 74.13 (discussed below) on material balance statements of special nuclear material. The NRC has revised existing § 40.64 by explicitly eliminating the requirement for reporting material balances of source material by licensees who possess only domestic origin source material. This fulfills the intent, implicit in the proposed procedure for an NRC-generated report to not require this information.

Proposed § 70.53

As a consequence of the promulgation of 10 CFR Part 74 on March 27, 1985 (50 FR 7575), reporting requirements of Part 70 are now contained in Part 74. All changes proposed to § 70.53 are therefore contained in § 74.13 as described below.

Revised § 74.13

Four commenters, all power reactor licensees, opposed the proposed revision. They pointed out that a requirement to verify and update the proposed report generated by NRC was likely to increase rather than decrease a power reactor licensee's reporting effort. It was also pointed out that there was a workload associated with changing the existing licensees' programs and procedures and that the result might be a degradation of the accounting systems. One of the commenters opposing adoption of the proposed amendment to this section also suggested that NRC revise DOE Form RW–859 to allow reporting of current isotopes by assembly. This would allow elimination of Forms 742 and 742C for reactor licensees which report composition of special nuclear material on an assembly basis. Seven commenters, four power reactor licensees, too university reactor licensees and one fuel facility licensee, supported the proposed amendments. Some of these commenters suggested modifications to the amendments as proposed. (One of these supporting the amendment pointed out that promulgation of new Part 74 now makes it necessary to reflect changes to reporting requirements in Part 74 as well as in Part 70. This suggestion has been adopted.)

After reviewing the comments, NRC has concluded that replacing licensee-generated reports of material balances for both source material and special nuclear material with an NRC-generated report is likely to increase rather than decrease licensees' reporting efforts. Licensees would be obliged to retain most of their current accounting and reporting programs and procedures in addition to verifying and updating data produced outside of that system. For that reason, NRC is abandoning the proposal to generate material balance reports and to require source material and special nuclear material licensees to verify and update them. It will continue to require special nuclear material licensees to submit reports of material balances on Form 742.

By retaining the requirements for licensees to submit Form 742 and by not adopting the proposed amendments, the suggestions by two power reactor licensees and by a fuel facility licensee to extend the period for verifying the NRC-generated report become moot. Similarly, the suggestion by a power reactor licensee to tie the date for submission of Form 742C to that of Form 742 is also moot.

The proposal is being adopted to eliminate the requirement for licensees other than those reporting under the US/IAEA Safeguards Agreement and those with nuclear reactors (power, test, research and others) to report composition of inventory semi-annually on Form 742C.

A number of suggestions unrelated to the proposal to generate an NRC report were not adopted. (1) A suggestion that Form 741 (Material Transaction Report) be revised to simplify its completion by licensees was not adopted because this was outside the scope of the original proposal. (2) Another commenter suggested eliminating the requirement for nuclear reactor licenses to submit material balance information entirely. This suggestion was not adopted because it was determined that use of the Form 742 by nuclear reactor licensees was necessary to ensure the accounting of material by these licensees on a periodic basis. (3) A suggestion to revise DOE Form RW-859 to provide current isotopes on an assembly basis was not adopted. That form is currently undergoing revision by DOE. After completion of that revision, modification to provide NRC reporting requirements may be explored. (4) Another suggestion that licensees of "small" reactors be excused from submitting this report was also not adopted. Low power reactors do not produce substantial changes in the isotopic composition of their fuel over considerable periods of time. Nonetheless, there is no readily distinguishing feature for identifying reactors to be excused from the requirement. This suggestion, however, may become part of another effort to reduce the reporting requirements imposed upon nonpower reactor licensees.

Proposed § 150.17

No comments were received specifically addressing this proposed amendment. This section is being revised to be consistent with § 40.64(b), the other portion of regulations treating source material.

Environmental Impact: Categorical Exclusion

The NRC has determined that the amendments to Parts 40, 51 and 74 in this final regulation are the type of action described in categorical exclusion of 10 CFR 51.22(c)(3) and that the amendment to Part 150 in this final regulation is the type of action described in 10 CFR 51.22(c)(1). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this regulation.

Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). This rule had been approved by the Office of Management and Budget. OMB approval Nos. 3150-004, 3150-0020, 3150-0032, 3150-0058, 3150-0123.

Regulatory Analysis

The Commission has prepared a regulatory analysis on this final regulation. The analysis examines the costs and benefits of the alternatives considered by the Commission. The analysis is available for inspection in the NRC Public Document Room, 1717 H Street, NW., Washington, DC. Single copies of the draft analysis may be obtained from June Robertson, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 427-4233.

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission hereby certifies that this rule will not have a significant economic impact upon a substantial number of small entities due to the fact that all affected licensees will experience a decrease in their reporting requirements.

The final rule reduces the number of specific licensees required to report inventories of nuclear materials under 10 CFR 40.64 and 150.17 from 350 to 250. Currently, approximately 200 of these licensees submit two reports each year to report inventories of special nuclear materials. The remaining 150 licensees submit one report each year to report holdings of source material. The economic impact on all licensees will be reduced because approximately 100 small licensees which currently complete a report(s) will not report inventories at all. Currently, the time needed to complete the report is two hours.

The approximately 100 licensees which need not complete and submit an inventory report are small independent industrial licensees which currently submit one report each year. This is a reduction of (2 hrs$\times$100) 200 hours each year.

The average small independent industrial licensee has an annual gross income of less than $1 million and employs fewer than 500 people. The cost for complying with the reduced requirement does not pose an economic impact. There will be no additional cost for any licensee as a result of these amendments.

Backfit Analysis

On May 10, 1985 (50 FR 19695), the Commission published in the **Federal Register** proposed amendments to the NRC's safeguards data collection and reporting requirements. The proposed amendments would have eliminated the requirement for licensees possessing special nuclear material (SNM) with more than 350 grams of contained uranium-235 to complete and submit semiannual Material Balance Reports, DOE/NRC Form 742. In its stead, NRC proposed to prepare a report of material balance for each licensee based upon information submitted by these licenses on Nuclear Material Transaction Reports, DOE/NRC Form 741. The NRC report was then to be reviewed, corrected, and updated by licensees as necessary. Power reactor licensees would have been subject to these revised procedures. The Commission intended by this change to reduce the reporting burden.

Four power reactor licensees commented that these proposed amendments were more likely to increase their reporting effort than decrease it. In view of this comment, these proposed rules that would have required changes in the recordkeeping and reporting requirements for power reactor licensees have been deleted from the final rule. Power reactor licensee reporting requirements will remain unchanged. Because there is nothing in the final amendments that requires a change in any component system, or procedure at a nuclear power reactor, the Commission's backfit rule (10 CFR 50.109) is not applicable to this rulemaking proceeding.

List of Subjects

10 CFR Part 40

Governmental contracts, Hazardous materials—transportation, Nuclear materials, Penalty, Reporting and recordkeeping requirements, Source material, Uranium.

10 CFR Part 51

Administrative practice and procedure, Environmental impact statement, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

10 CFR Part 74

Accounting, Hazardous materials—transportation, Material control and accounting, Nuclear materials, Packaging and containers, Penalty, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Special nuclear material.

10 CFR Part 150

Hazardous materials—transportation, Intergovernmental relations, Nuclear materials, Penalty, Reporting and recordkeeping requirements, Security measures, Source material, Special nuclear material.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 522 and 553, the NRC is adopting the following amendments to 10 CFR Parts 40, 51, 74 and 150.

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. 11e(2), 83, 84, Pub. L. 95–604, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282); sec. 274, Pub. L. 86–373, 73 Stat. 688 (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); sec. 275, 92 Stat. 3021, as amended by Pub. L. 97–415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 also issued under Pub. L. 95–601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851). 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). Section 40.71 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

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), (d) (3), and (4), 40.26(c)(2), 40.35(e), 40.42, 40.61, 40.62, 40.64 and 40.65 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. In § 40.64, paragraph (b) is revised to read as follows:

§ 40.64 Reports.

* * * * *

(b) Except as specified in paragraphs (d) and (e) of this section, each licensee authorized to possess at any one time and location more than 1,000 kilograms of uranium or thorium, or any combination of uranium or thorium, shall submit to the Commission within 30 days after September 30 of each year a statement of its foreign origin source material inventory. This statement must be submitted to the address specified in the reporting instructions (NUREG/BR–0007), and include the Reporting Identification Symbol (RIS) assigned by the Commission to the licensee. Copies of the reporting instructions may be obtained by writing to the U.S. Nuclear Regulatory Commission, Division of Safeguards, Washington, DC 20555.

* * * * *

PART 51—ENVIRONMENTAL PROTECTION REGULATIONS FOR DOMESTIC LICENSING AND RELATED REGULATORY FUNCTIONS

1. The authority citation for Part 51 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); secs. 201, as amended, 202, 88 Stat. 1242, as amended, 1244 (42 U.S.C. 5841, 5842).

Subpart A also issued under National Environmental Policy Act of 1969, secs. 102, 104, 105, 83 Stat. 853–854, as amended (42 U.S.C. 4332, 4334, 4335); and Pub. L. 95–604, Title II, 92 Stat. 3033–3041. Section 51.22 also issued under sec. 274, 73 Stat. 688, as amended by 92 Stat. 3036–3038 (42 U.S.C. 2021).

2. In § 51.22, paragraph (c)(3) is revised to read as follows. Paragraph (c) introductory text is shown for the convenience of the reader.

§ 51.22 Criterion for and identification of licensing and regulatory actions eligible for categorical exclusion.

* * * * *

(c) The following categories of actions are categorical exclusions:

* * * * *

(3) Amendments to Parts 20, 30, 31, 32, 33, 34, 35, 40, 50, 51, 60, 61, 70, 71, 72, 73, 74, 81 and 100 of this chapter which relate to (i) procedures for filing and reviewing applications for licenses or construction permits or other forms of permission or for amendments to or renewals of licenses or construction permits or other forms of permission; (ii) recordkeeping requirements; or (iii) reporting requirements; and (iv) actions on petitions for rulemaking relating to these amendments.

* * * * *

PART 74—MATERIAL CONTROL AND ACCOUNTING OF SPECIAL NUCLEAR MATERIAL

3. The authority citation for Part 74 continues to read as follows:

Authority: Secs. 53, 57, 161, 182, 183, 68 Stat. 930, 932, 948, 953, 954, as amended sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2073, 2077, 2201, 2232, 2233, 2282); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846).

For the purposes of sec. 223, 63 Stat. 958, as amended (42 U.S.C. 2273); §§ 74.31, 74.81, and 74.82 are issued under secs. 161b and 161i, 68 Stat. 948, 949, as amended (42 U.S.C. 2201(b), 2201(i)); and §§74.11, 74.13, and 74.15 are issued under sec. #161o 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

4. In § 74.13, paragraph (a)(1) is revised to read as follows:

§ 74.13 Material status reports.

(a)(1) Each licensee authorized to possess at any one time and location special nuclear material in a quantity totaling more than 350 grams of contained uranium-235, uranium-233, or plutonium, or any combination thereof, shall complete and submit to the Commission (on DOE/NRC Form 742, Material Balance Report) material balance reports concerning special nuclear material received, produced, possessed, transferred, consumed, disposed of, or lost by it. Each nuclear reactor licensee, as defined in §§ 50.21 and 50.22 of this chapter, also shall prepare (on DOE/NRC Form 742C, Physical Inventory Listing) a statement of the composition of the ending inventory, and submit it to the Commission as an attachment to each material balance report. Each licensee shall compile a report as of March 31 and September 30 of each year and file it within 30 days after the end of the period covered by the report. The

Commission may permit a licensee to submit such reports at other times when good cause is shown. In preparing and submitting the reports described in this paragraph, each licensee shall comply with the printed instructions for completing the particular form.

* * * * *

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

6. The authority citation for Part 150 continues to read as follows:

Authority: Section 161, 68 Stat. 948, as amended, sec. 274, 73 Stat. 688 (42 U.S.C. 2201, 2021); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Sections 150.3, 150.15, 150.15a, 150.31, 150.32 also issued under secs. 11e(2), 81, 68 Stat. 923, 935, as amended, secs. 83, 84, 92 Stat. 3033, 3039 (42 U.S.C. 2014e(2), 2111, 2113, 2114). Section 150.14 also issued sec. 53, 68 Stat. 930, as amended (42 U.S.C. 2073). Section 150.17a also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 150.30 also issued under sec. 234, 83 Stat. 444 (42 U.S.C. 2282).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 150.20(b)(2)–(4) and 150.21 are issued under sec. 161b, 68 Stat. 948, as amended (42 U.S.C. 2201(b)); § 150.14 is issued under sec. 161i, 68 Stat. 949, as amended (42 U.S.C. 2201(i)); and §§ 150.16–150.19 and 150.20(b)(1) are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

7. In § 150.17, paragraph (b) is revised to read as follows:

§ 150.17 Submission to the Commission of source material reports.

* * * * *

(b) Except as specified in paragraph (d) of this section and § 150.17a, each person authorized to possess at any one time and location, under an Agreement State license, more than 1,000 kilograms of uranium or thorium, or any combination of uranium or thorium, shall submit to the Commission within 30 days after September 30 of each year, a statement of the licensee's foreign origin source material inventory. This statement must be submitted to the address specified in the printed instructions (NUREG/BR–0007) and must include the Reporting Identification Symbol (RIS) assigned by the Commission to the licensee. Copies of the reporting instructions may be obtained by writing to U.S. Nuclear Regulatory Commission, Division of Safeguards, Washington, DC 20555.

* * * * *

Dated at Bethesda, Maryland, this 11th day of March, 1986.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Acting Executive Director for Operations.

[FR Doc. 86-6268 Filed 3-20-86; 8:45 am]

BILLING CODE 7590-01-M

DEPOSITORY INSTITUTIONS DEREGULATION COMMITTEE

12 CFR Ch. XII

Termination of Functions; Revocation of Regulations

AGENCY: Depository Institutions Deregulation Committee.

ACTION: Final rule, Notice of Termination of Depository Institutions Deregulation Committee, Revocation of Regulations, Delegation of Authority over Records and Residual Matters.

SUMMARY: The Depository Institutions Deregulation Act of 1980 (Title II of Pub. L. 96–221; 12 U.S.C. 3501 et seq.) ("DIDA") mandates that on March 31, 1986, the Depository Institutions Deregulation Committee ("DIDC") be terminated. Pub. L. 96–211, Title II, section 210; 12 U.S.C. 3509. In accordance with that requirement, this document revokes the regulations of the DIDC and removes the regulations of the DIDC from the Code of Federal Regulations since they no longer have any legal existence. All future correspondence concerning the DIDA should be directed to the Assistant Secretary of Treasury (Domestic Finance).

EFFECTIVE DATE: 12:01 A.M., April 1, 1986.

FOR FURTHER INFORMATION CONTACT: John Bowman, Office of the General Counsel, Department of Treasury, Room 2026, Main Treasury Building, Washington, DC 20220 (202) 566–8737.

SUPPLEMENTARY INFORMATION: The DIDC has resolved to delegate to the Assistant Secretary of the Treasury (Domestic Finance) the authority to deal with any residual matters relating to the disposition of records and Freedom of Information Act requests and the permanent responsibility and authority to take all necessary and appropriate actions incidental to the termination of the DIDC's operations. Because the DIDC's regulations have no further legal existence, the DIDC voted to take such actions as are necessary to revoke those regulations and remove them from the Code of Federal Regulations: 12 CFR Parts 1201, 1202, 1203, 1204. These CFR sections deal with rules of organization and procedure for the DIDC, rules regarding availability of DIDC information, rules regarding public observation of the DIDC meetings, and rules regarding interest on deposits. Readers are referred to 31 CFR, Subtitle A, for regulations concerning the Office of the Assistant Secretary of the Treasury (Domestic Finance).

The DIDC has determined that notice and public procedure on this rule are unnecessary, pursuant to 5 U.S.C. 553(b), since there is no authority for the DIDC to exist or exercise any authority after March 31, 1986. The DIDA has terminated the DIDC effective March 31, 1986. Pub. L. 96–221, Title II, section 210; 12 U.S.C. 3509. For these same reasons, the DIDC has determined that a delayed effective date for this rule is unnecessary and contrary to the public interest pursuant to 5 U.S.C. 553(d)(3).

Accordingly, for the reasons set out in the preamble, 12 CFR is amended by removing Parts 1201, 1202, 1203, 1204 and vacating Chapter XII.

List of Subjects in 12 CFR Chapter XII

Banks, Banking, Savings and loan associations.

Authority: Title II of Pub. L. 96–221; 12 U.S.C. 3501 et seq.

Dated: March 18, 1986.

Mark G. Bender,

Executive Secretary of the Depository Institutions Deregulation Committee.

[FR Doc. 86-6277 Filed 3-20-86; 8:45 am]

BILLING CODE 4810-25-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 93

Special Air Traffic Rules; High Density Traffic Airports Slot Allocation

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of meeting to withdraw high density traffic airport slots.

SUMMARY: On March 7, 1986, the Department issued a Special Federal Aviation Regulation which announced the date and location of lotteries to reallocate certain air carrier slots at LaGuardia, O'Hare International, and Washington National Airports (51 FR 8632, March 12, 1986). A lottery to allocate five percent of slots at the three airports will be held on March 27, 1986. A lottery will be held on March 26, 1986, to withdraw slots from incumbent air carriers at each airport as necessary to make a total of five percent of slots

available. At the request of affected incumbent carriers, the drawing to determine the order in which carriers will select the slots to be withdrawn has been rescheduled for 1:00 p.m. on March 25. This will provide carriers subject to withdrawal of slots additional time to plan for the actual withdrawal on March 26.

This notice announces a meeting to conduct a drawing to determine the order in which incumbent air carriers at LaGuardia, O'Hare, and Washington National Airports will select slots to be withdrawn. The meeting will be held at FAA Headquarters on March 25, 1986.

DATE: The meeting will be held on Tuesday, March 25, 1986, at 1:00 p.m.

ADDRESS: The meeting will be held at FAA Headquarters, Third Floor Auditorium, 800 Independence Avenue SW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: David L. Bennett, Manager, Airspace and Air Traffic Law Branch, AGC-230, Telephone: (202) 426-3691, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591.

SUPPLEMENTARY INFORMATION:

Availability of Document

Any person may obtain a copy of Special Federal Aviation Regulation No. 48, "Special Slot Withdrawal and Reallocation Procedures," by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue SW., Washington, DC 20591; or by calling (202) 426-8058. Communications must identify the amendment number of the document.

Public Process

This notice announces a meeting to conduct a drawing to determine the order in which incumbent air carriers will select slots for withdrawal at LaGuardia, O'Hare, and Washington National Airports. The meeting is open to the public and all interested persons are invited to attend. The meeting will begin at 1:00 p.m. on Tuesday, March 25, 1986, at FAA Headquarters, in the Third Floor Auditorium.

Issued in Washington, DC, on March 17, 1986.

E. Tazewell Ellett,

Chief Counsel.

[FR Doc. 86-6176 Filed 3-20-86; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket 760]

United States Steel Corp., et al.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Modifying order.

SUMMARY: The Federal Trade Commission has modified a 1924 order (8 F.T.C. 1) issued against respondent by deleting a requirement that the company included specific price and transportation information on its contracts and invoices.

DATES: Order issued July 21, 1924. Modifying Order issued March 10, 1986.

FOR FURTHER INFORMATION CONTACT: FTC/L-301, Daniel P. Ducore, Washington, DC 20580. (202) 634-4642.

SUPPLEMENTARY INFORMATION: In the Matter of United States Steel Corporation, et al.

List of Subjects in 16 CFR Part 13

Steel, Trade practices.

(Sec. 6, 38 Stat., 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Federal Trade Commission

Order Reopening and Modifying Order Issued on July 21, 1924

Commissioners: Terry Calvani, Acting Chairman, Patricia P. Bailey, Mary L. Azcuenaga.

[Docket No. 760]

In the Matter of United States Steel Corporation, *et al.*

On November 7, 1985, respondent United States Steel Corporation ("USS") filed its "Request to Reopen and Set Aside in Part and Modify in Part the Order" ("Request"), pursuant to section 5(b) of the Federal Trade Commission Act, 15 U.S.C. 45(b), and § 2.51 of the Commission's Rules of Practice. The Request asked the Commission to reopen the proceeding in Docket No. 760 and to modify the order issued by the Commission in this case on July 21, 1924, by deleting paragraph 3, which requires USS to state clearly on its contracts and invoices how much is charged for the steel f.o.b. the producing or shipping point and how much, if any, is charged for the actual transportation. USS also asks that the order be modified to specify that, "Quotations and sales may be made on a net delivered price basis so long as there is no concerted refusal to quote or sell rolled steel products f.o.b. the plant where the products are manufactured or from which they are shipped." USS' request was placed on the public record for thirty days; no comments were received.

After reviewing USS' request and other available information, the Commission has concluded that the public interest warrants reopening and modification of the order to eliminate paragraph 3. The requirement that price and transportation information be included on USS' contracts and invoices for rolled steel products was adopted principally as a fencing-in restraint ancillary to the order's prohibitions against the use of the "Pittsburgh Plus" or other basing point pricing system and against price discrimination. USS has shown that since the deregulation of railroad freight rates by the Staggers Rail Act of 1980, 49 U.S.C. 10701 *et seq.*, enacted by Congress to promote competition by allowing carriers to negotiate confidential contract rates with their customers, many carriers have insisted that USS not disclose their negotiated rates. This change in the legal framework within which carriers and USS now operate, and the carriers' insistence upon confidentiality within that new framework, represents a changed condition of fact warranting elimination of the order's requirement that the actual freight charge appear on contracts and invoices between USS and its customers. Disclosure of USS' rates in its invoices allows USS' competitors to discover any favorable terms which it has negotiated with carriers and would reduce the incentive of a rail carrier to offer USS a favorable rate. Elimination of Paragraph 3 is therefore in the public interest because it will enable USS to compete effectively for contract rates.

The disclosure requirements of paragraph 3 appear to have served their remedial purpose. There is no indication that USS has used the "Pittsburgh Plus" or other basing point system of pricing or engaged in price discrimination of the type contemplated by the order since July 21, 1924. Nothing in the record suggests that the requirements of paragraph 3 are now needed to ensure that basing point pricing or price discrimination are not reinstituted by USS.

With respect to the remainder of the Request, which asks that the order be modified to specify that, "Quotations and sales may be made on a net delivered price basis so long as there is no concerted refusal to quote or sell rolled steel products f.o.b. the plant where the products are manufactured or from which they are shipped," such