pump cured bacon. The pump cured bacon using such a premix would contain 500 ppm of tocopherol.

The petitioner supplied analytical data supporting its claims and indicating that wholesomeness is not affected when bacon is processed with this substance. The quantity of substance required to maximize dispersion of tocopherol in bacon pump cure solutions is not more than 4.0 percent of the dry bacon curing premix at formulation. Data are available from the Standards and Labeling Division at the address given under **"FOR FURTHER INFORMATION CONTACT."**

FDA advised FSIS that it considers silicon dioxide as GRAS at levels not to exceed 4.0 percent of the premix and under the use of conditions proposed.

Proposed Amendment

The Administrator finds that (1) the proposed use of this substance is in compliance with applicable FDA requirements, (2) its use is functional and suitable for the products intended, (3) the substance is used at the lowest level necessary to accomplish its intended technical effect, and (4) the use of this substance in products does not render them adulterated, misbranded, or otherwise not in accordance with the requirements of the Federal Meat Inspection Act.

Therefore, on December 16, 1986, FSIS proposed amending the table of approved substances in 9 CFR Part 318 to include the use of silicon dioxide as a processing aid in tocopherol-containing bacon curing premixes for the dispersion of tocopherol in pump cured bacon (51 FR 44994). FSIS received one comment in response to the proposed rule from a chemical supply company. The company supports the proposal based on the belief that inhibition of nitrosamine formation in bacon through the use of alpha-tocopherol is beneficial to consumers and silicon dioxide is safe and effective for dispersing tocopherol in bacon processing.

Final Rule

List of Subjects in 9 CFR Part 318

Food additives, Meat inspection.

PART 318—[AMENDED]

For the reasons set out in the preamble, Title 9, Subchapter A, Part 318 of the Code of Federal Regulations is amended as set forth below.

PART 318—ENTRY INTO OFFICIAL ESTABLISHMENTS; REINSPECTION AND PREPARATION OF PRODUCTS

1. The authority citation for Part 318 continues to read as follows:

Authority: 34 Stat. 1260, 81 Stat. 584, as amended (21 U.S.C. 601 *et seq.*); 72 Stat. 862, 92 Stat. 1069, as amended (7 U.S.C. 1091 *et seq.*); 76 Stat. 663 (7 U.S.C. 450 *et seq.*) unless otherwise noted.

2. Section 318.7(c)(4) is amended by adding the substance "silicon dioxide" to the chart of substances approved for use in the preparation of products. This substance is placed in alphabetical order under the class of substances titled "Miscellaneous".

§ 1318.7 Approval of substances for use in the preparation of products.

* * * * *

(c) * * *

(4) * * *

Class of substance	Substance	Purpose	Products	Amount
*	*	*	* *	* *
Miscellaneous	Silicon dioxide	Processing aid/dispersant.	Tocopherol-containing bacon curing premixes.	At level not to exceed 4.0 percent in the dry premix.
*	*	*	* *	* *

Done at Washington, DC, on May 19, 1987.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 87-11798 Filed 5-21-87; 8:45 am]

BILLING CODE 3410-DM-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 51

Domestic Licensing of Production and Utilization Facilities; Communications Procedures Amendments; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule amending 10 CFR Part 50 and 51 with regard to procedures for submitting correspondence, reports, applications, and other written communications pertaining to the domestic licensing of production and utilization facilities. The final rule was published on November 6, 1986 (51 FR 40303) and inadvertently omitted a recently published revision of one of the affected sections. This action is necessary to return the omitted information and to inform the public and licensees of this omission.

FOR FURTHER INFORMATION CONTACT: Donnie H. Grimsley, Director, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-492-7211.

In FR Doc. 86-25045, published in the Federal Register of Thursday, November 6, 1986, make the following correction:

1. On page 40309, in the first column (containing the revision to § 50.54(f)), in the fifth line ending with the word "revoked.", insert the following words after the period:

Except for information sought to verify licensee compliance with the current licensing basis for that facility, the NRC must prepare the reason or reasons for each information request prior to issuance to ensure that the burden to be imposed on respondents is justified in view of the potential safety significance of the issue to be addressed in the requested information. Each such justification provided for an evaluation performed by the NRC staff must be approved by the Executive Director for Operations or his or her designee prior to issuance of the request.

Dated at Bethesda, Maryland, this 18th day of May 1987.

For the Nuclear Regulatory Commission.

James M. Taylor,

Acting Deputy Executive Director for Operations.

[FR Doc. 87-11794 Filed 5-21-87; 8:45 am]

BILLING CODE 7590-01-M

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10 CFR Parts 70 and 74

Reporting of Special Nuclear Material Physical Inventory Summary Results

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations on special nuclear material control and accounting to require the reporting of the summary results of physical inventories of special nuclear material. The affected licensees have been providing this information on a voluntary basis since 1975. These amendments will establish a regulatory basis for the reporting of special nuclear material physical inventory data by licensees so that greater assurance can be provided that timely, reliable information will be made available to the public and the NRC licensing and inspection programs. Incorporating the

special nuclear material physical inventory reporting into the NRC regulations is the most cost-effective way to obtain the necessary information.

EFFECTIVE DATE: June 22, 1987.

FOR FURTHER INFORMATION CONTACT: Darrell A. Huff, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 427–4770.

SUPPLEMENTARY INFORMATION:

Background

In 1975, the Office of Inspection and Enforcement (IE) instituted a voluntary reporting system known as the Safeguards Status Report System (SSRS) whereby licensees were requested to report to the NRC physical inventory results in a prescribed format. Currently, 12 licensees make a voluntary commitment as part of their operating plan to report physical inventory results to the appropriate NRC regional office. The information provided by these voluntary reports is used by the NRC to monitor and assess the material control and accounting performance of licensees and as input for NUREG–0430, "Licensed Fuel Facility Status Report/ Inventory Difference Data," which was initiated by the Director of IE in 1977 in response to congressional and public concerns. NUREG–0430 reports licensed fuel facilities' physical inventory difference data following agency review of the information and completion of any related investigations.

Recognizing the need for the reporting of physical inventory results, IE requested an explicit regulatory basis for this physcial inventory reporting system. On August 23, 1976 (41 FR 35537), the NRC published in the **Federal Register** proposed amendments to 10 CFR Part 70 that would have required the reporting of the results of each ending physical inventory and the associated material accounting and measurement error data. The proposed amendments were published for a 60-day public comment period, and seven letters were received on the proposed rule. Final action on the reporting requirements was postponed, pending initiation of a separate but related rulemaking effort (the MC&A reform amendments). The dalay in implementing the MC&A reform amendments caused IE to request, in a memo dated June 2, 1982, that the Office of Nuclear Regulatory Research (RES) publish an amendment to 10 CFR Part 70 requiring reporting of physical inventories of SNM. However, due to the unavailability of resources within RES, completion of this rulemaking was referred back to IE by the EDO in a memo dated May 21, 1986.

Because of the time lapse since the reporting requirements were published as a proposed rule, the NRC republished the requirements in proposed form on October 23, 1986 (51 FR 37578). The proposed amendments reflected comments and suggestions received when the amendments were first proposed in 1976 as well as comments and suggestions that were solicited from the NRC regional offices in 1983 and 1984. Public comments on the proposed rule were requested to be submitted by November 24, 1986.

In 1983, a decision was made to create a new Part 74 which would pertain solely to MC&A safeguards requirements. When 10 CFR Part 74 was published on February 28, 1985 (50 FR 7575), it contained the MC&A regulatory requirements for licensees authorized to possess and use more than one effective kilogram of special nuclear material of low strategic significance. Certain safeguards-related recordkeeping and reporting requirements, formerly found in Part 70, were also moved to Part 74 in order to separate them from safety reporting requirements. Therefore, the reporting requirement for SNM physical inventory results is also being included in Part 74.

Comments on the Proposed Rule

The Commission received one letter from a licensee and one from a citizens group commenting on the proposed rule. Copies of these letters are available for public inspection and copying for a fee at the NRC Public Document Room at 1717 H Street NW., Washington, DC 20555.

The licensee's response stated the opinon that, since a voluntary reporting approach has been satisfactory for the past 10 years, a regulation is not needed. Although the voluntary system succeeded in collecting physical inventory data, the timeliness and consistency of this data was often inadequate. Confusion has also existed over the intended form and content of this information. Promulgation of this rule will provide greater assurance of data timeliness and consistency and eliminate the form and content problems by standardizing the reporting of physical inventory information on NRC Form 327. Hence, the Commission continues to believe that a rule requiring this reporting is in the best interest of the public.

The comments received from the citizens group were merely supportive of the need for the rule and requested no changes. Therefore, no specific response is necessary; however, such comments are always appreciated and welcomed by the Commission.

In summary, no changes have been made to the rule, as proposed, as a result of the public comments received. However, due to the recent approval of a new material control and accounting rule for fuel facilities licensed to possess and use formula quantities of strategic special nuclear material, a paragraph has been added to 10 CFR 74.17 that references the appropriate sections of this new rule.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(3). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget, approval number 3150–0139.

Regulatory Analysis

The Commission has prepared a regulatory analysis on this final rule. The analysis examines the costs and benefits of the alternatives considered by the Commission. The analysis is available for inspection or copying for a fee in the NRC Public Document Room, 1717 H Street, NW, Washington, DC. Single copies of the analysis may be obtained from Darrell A. Huff, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 427–4770.

Regulatory Flexibility Certification

As required by the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this rule will not have a significant economic impact upon a substantial number of small entities. Currently, 12 licensees, who are composed of low enriched uranium and high enriched uranium fuel manufacturing facilities, will be affected by these amendments. This rule codifies a reporting procedure that has been a licensee practice since 1975. Accordingly, there is no new, significant economic impact on these licensees, nor are the licensees within the definition of small businesses set forth in section 3 of the Small Business Act, 15 U.S.C. 632, or within the Small Business Size Standards set forth in 13 CFR Part 121.

Backfit Analysis

The staff has determined that a backfit analysis is not required for this rule since these amendments do not apply to 10 CFR Part 50 licensees.

List of Subjects

10 CFR Part 70

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

10 CFR Part 74

Accounting, Material control and accounting, Nuclear materials, Penalty, Reporting and recordkeeping requirements, 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. 553, the NRC is adopting the following amendments to 10 CFR Parts 70 and 74.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

1. The authority citation for Part 70 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5481).

2. In § 70.8, paragraph (c)(6) is added to read as follows:

§ 70.8 Information collection requirements: OMB approval.

* * * * *

(c) * * *

(6) In § 70.53, NRC Form 327 is approved under control number 3150–0139.

3. In § 70.53, paragraph (b) is revised to read as follows:

§ 70.53 Material status reports.

* * * * *

(b) Each licensee subject to the requirements of § 70.51(e) shall follow the requirements set out in §§ 74.13(b) and 74.17(b) of this chapter.

* * * * *

PART 74-MATERIAL CONTROL AND ACCOUNTING OF SPECIAL NUCLEAR MATERIAL

4. The authority citation for Part 74 is revised 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. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

For the purposes of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 74.17, 74.31, 74.51, 74.53, 74.55, 74.57, 74.59, 74.81, and 74.82 are issued under secs. 161b and 161i, 68 Stat. 948, 949, as amended (42 U.S.C. 2201(b) and 2201(i)); and §§ 74.11, 74.13, 74.15, and 74.17 are issued under sec. 161o, 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

5. In § 74.8, paragraph (c)(4) is added to read as follows:

§ 74.8 Information collection requirements: OMB approval.

* * * * *

(c) * * *

(4) In § 74.17, NRC Form 327 is approved under Control No. 3150–0139.

6. In Subpart B, § 74.17 is added to read as follows:

Subpart B—General Reporting

* * * * *

§ 74.17 Special nuclear material physical inventory summary report.

(a) Each licensee subject to the requirements of § 74.31 shall submit a completed Special Nuclear Material Physical Inventory Summary Report on NRC Form 327 not later than 60 calender days from the start of the physical inventory required by § 74.31(c)(5). The licensee shall report the inventory results by plant and total facility to the appropriate NRC regional office listed in Appendix A of Part 73 of this chapter.

(b) Each licensee subject to the requirements of § 70.51(e) of this chapter shall submit a completed Special Nuclear Material Physical Inventory Summary Report on NRC Form 327 not later than 30 calendar days from the start of the physical inventory required by § 70.51(e)(3) of this chapter. The licensee shall report the inventory results by plant and total facility to the appropriate NRC regional office listed in Appendix A of Part 73 of this chapter.

(c) Each licensee subject to the requirements of § 74.51 shall submit a completed Special Nuclear Material Physical Inventory Summary Report on NRC Form 327 not later than 45 calendar days from the start of the physical inventory required by § 74.59(f). The licensee shall report the inventory results by plants and total facility to the appropriate NRC regional office listed in Appendix A of Part 73 of this chapter.

Dated at Bethesda, Maryland, this 27th day of April, 1987.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Executive Director for Operations.

[FR Doc. 87–11793 Filed 5–21–87; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 87-NM-52-AD; Amdt. 39-5628]

Airworthiness Directives; Aerospatiale Model ATR-42 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to Aerospatiale Model ATR-42 series airplanes, which requires isolation of the Number 1 (Captain's side) Attitude and Heading Reference System (AHRS) from the System Avionics Standard Communications Bus (ASCB). This amendment is prompted by two reports of dual, simultaneous and unannunciated failures of the ATR-42's primary attitude and heading displays. This condition, if not corrected, could result in the simultaneous presentation, without failure flags, of incorrect attitude and heading information on both pilots' primary displays. The display effectively "freezes" (no response, or intermittent and inaccurate response, to airplane maneuvers) to the display present at the time of failure.

EFFECTIVE DATE: June 8, 1987.

ADDRESSES: The applicable service information may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse Cedex 03, France. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. Art Scholes, Standardization Branch, ANM-113; telephone (206) 431-1979. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The Direction Générale de L'Aviation Civile (DGAC), which is the airworthiness authority of France, has, in accordance with existing provisions of a bilateral airworthiness agreement, notified the

FAA of an unsafe condition which may exist on Aerospatiale Model ATR-42 airplanes. It has been reported that some anomalous information on the system ASCB may affect both the pilot's and copilot's AHRS; in this case, Electronic Flight Instrument System (EFIS) displays may effectively "freeze" at the attitude and heading of the condition existing when the anomaly occurs. As both AHRS are affected at the same time, no disagreement exists between the displays. The severity of the situation is increased because no annunciation of the fault is generated.

Aerospatiale has issued Service Bulletin ATR-42-34A0016, dated March 23, 1987, which describes isolation of the pilot's AHRS from the System ASCB, limits the use of the autopilot to altitudes greater than 200 feet above ground level (AGL), and suspends Category II Approach operation. The DGAC has classified the service bulletin as mandatory.

This airplane model is manufactured in France and type certificated in the United States under the provisions of section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement.

Since this condition is likely to exist or develop on airplanes of this model registered in the United States, the FAA has determined that an airworthiness directive is necessary to require U.S. operators to accomplish the actions described above, in accordance with the Aerospatiale service bulletin previously mentioned.

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

The FAA has determined that this regulation is an emergency regulation that is not considered to be major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in the aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required).

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new airworthiness directive:

Aerospatiale: Applies to Model ATR-42 series airplanes certificated in any category, unless the equivalent of Production Modification 1397 was installed prior to delivery. Compliance is required as indicated, unless previously accomplished.

To prevent simultaneous loss of both pilots' primary attitude and heading information generated by Attitude and Heading Reference Systems (AHRS), accomplish the following:

A. Within 15 days after the effective date of this AD, isolate the pilots' AHRS (AHRS Number 1) from the System Avionics Standard Communications Bus (ASCB) in accordance with Aerospatiale Service Bulletin ATR-42-34A-0016, dated March 23, 1987, and ensure that Electronic Flight Instrument System (EFIS) Symbol Generators having part number 700544-411, Mod-level U or subsequent, have been installed.

B. Insert the following into the Airplane Flight Manual (AFM) Limitations Section 2. This can be accomplished by inserting a copy of this AD into the AFM and into the Flight Crew Operations Manual (FCOM), if used.

1. "Disconnect autopilot at or above 200 feet above ground level (AGL)."

2. "Approach operations are limited to Category I or higher weather minima."

C. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

D. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of the modifications required by this AD.

All persons affected by this directive who have not already received the appropriate service information from the manufacturer may obtain copies upon request to Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or at the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective June 8, 1987.

Issued in Seattle, Washington, on May 15, 1987.

Frederick M. Isaac,

Acting Director, Northwest Mountain Region.

[FR Doc. 87-11695 Filed 5-21-87; 8:45 am]
BILLING CODE 4910-13-M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 145

Fees for Requests of Commission Records

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule.

SUMMARY: On March 27, 1987, the Office of Management and Budget published a final fee schedule and guidelines implementing the Freedom of Information Reform Act of 1986 (Pub. L. 99-570). The Commission is now publishing revisions to its own regulations to implement those guidelines. The revised regulations establish four categories of requesters, each of which is charged differently. In addition, based on a review of actual costs during FY 1986 the Commission is revising the costs of staff time for reviewing and searching records, as well as the per page cost of duplicating for requests under the Freedom of Information Act (Part 145, Appendix B).

EFFECTIVE DATE: June 22, 1987.

FOR FURTHER INFORMATION CONTACT: Stacy Dean, Office of the Executive Director, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581, telephone number 202-254-7360.

SUPPLEMENTARY INFORMATION: The Freedom of Information Reform Act of 1986 (Pub. L. 99-570) amends the Freedom of Information Act (5 U.S.C. 552) by supplying new provisions relating to the charging and waiving of fees. Pursuant to the Reform Act, the Office of Management and Budget published a Uniform Freedom of Information Act Fee Schedule and Guidelines, 52 FR 10011 (March 27, 1987). The Commission is now implementing the OMB guidelines.

The OMB guidelines establish three levels of fees that may be charged, depending on the identity of the requester and the intended use of the information by the requester. Fees may be charged for document duplication, for search time and for time spent in