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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Lemon Regulation 575]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final Rule.

SUMMARY: Regulation 575 establishes the quantity of fresh California-Arizona lemons that may be shipped to market at 351,774 cartons during the period August 23 through August 29, 1987. Such action is needed to balance the supply of fresh lemons with market demand for the period specified, due to the marketing situation confronting the lemon industry.

DATES: Regulation 575 (§ 910.875) is effective for the period August 23 through August 29, 1987.

FOR FURTHER INFORMATION CONTACT:

James M. Scanlon, Acting Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250-0200, telephone: (202) 447-5697.

SUPPLEMENTARY INFORMATION:

This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory action to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act, and rules issued thereunder, are unique

in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

This regulation is issued under Marketing Order No. 910, as amended (7 CFR Part 910) regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Marketing Agreement Act (the "Act", 7 U.S.C. 601-674), as amended. This action is based upon the recommendation and information submitted by the Lemon Administrative Committee and upon other available information. It is found that this action will tend to effectuate the declared policy of the Act.

This regulation is consistent with the marketing policy for 1987-88. The committee met publicly on August 18, 1987, in Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended by an 11 to 1 vote (with one abstention) a quantity of lemons deemed advisable to be handled during the specified week. The committee reports that the market is good.

Pursuant to 5 U.S.C. 553, it is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, and engage in further public procedure with respect to this action and that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared purposes of the Act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, Lemons.

For the reasons set forth in the preamble, 7 CFR Part 910 is amended as follows:

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

1. The authority citation for 7 CFR Part 910 continues to read as follows:

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

2. Section 910.875 is added to read as follows:

§ 910.875 Lemon Regulation 575.

The quantity of lemons grown in California and Arizona which may be handled during the period August 23 through August 29, 1987, is established at 351,774 cartons.

Dated: August 19, 1987.

Ronald L. Cioffi,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87-19351 Filed 8-20-87; 8:45 am]

BILLING CODE 3410-02-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 0, 1, 2, 7, 9, 10, 11, 15, 19, 20, 21, 25, 30, 35, 40, 50, 51, 60, 61, 70, 71, 72, 73, 74, 75, 95, 150, and 170

Statement of Organization and General Information

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is revising its regulations pertaining to its statement of organization and general information. The revision is necessary to reflect the completion of a major reorganization. The revision is also necessary to fulfill the NRC's obligation under the Freedom of Information Act (5 U.S.C. 552(a)(1)(A)) to publish in the Federal Register descriptions of its headquarters and field organizations and to inform industry and the interested public of these organizational changes.

EFFECTIVE DATE: August 19, 1987.

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.

SUPPLEMENTARY INFORMATION: On July 18, 1977, 10 CFR Part 1, "Statement of Organization and General Information," was promulgated (42 FR 36797). During the past 10 years, Part 1 has been amended over 20 times; but the entire part has never been completely revised. Until the April 12, 1987 reorganization, past reorganizations had a real, yet small, impact on the content of Part 1. The new reorganization has altered virtually the entire part, with the creation of entirely new offices, the consolidation of other offices, and the elimination of still others.

In its revision of Part 1, the NRC has revamped the text of the older version in order to present the information in plain English, a departure from the more formal style of the old text. As a model, the NRC patterned the revision on the office-level functional descriptions found in NUREG-0325 (Revision 10), "NRC Functional Organization Charts," published on February 6, 1987, which contains more detailed descriptions of the functional responsibilities of NRC's offices.¹ NUREG-0325 is revised annually to reflect changes in the functions of NRC offices. Should changes in NUREG-0325 impact the descriptions contained in Part 1, a corresponding revision will be made in Part 1.

Conforming amendments are being made to other affected parts where current information permits. In the future, as the NRC moves toward completion of its consolidation to a new location, other changes will be made to reflect address changes.

Because these amendments deal solely with agency organization and procedure, the notice and comment provisions of the Administrative Procedure Act do not apply under 5 U.S.C. 553(b)(A). The amendments are effective upon publication in the *Federal Register*. Good cause exists to dispense with the usual 30-day delay in the effective date, because the amendments are of a minor and administrative nature dealing with the agency's organization.

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)(1). Therefore, neither an environmental impact statement nor an

environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.)

Regulatory Analysis

Because this final rule has no economic impact on the public and only a modest economic impact on the NRC for resources to prepare the final rule, no regulatory analysis has been prepared.

Backfit Analysis

This final rule pertains solely to the organization of the NRC; therefore, no backfit analysis has been prepared.

List of Subjects in 10 CFR Parts 0, 1, 2, 9, 15, 21, 150, and 170

Organization and functions
(Government agencies).

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 revision of 10 CFR Part 1 and conforming amendments to 10 CFR Parts 0, 2, 7, 9, 10, 11, 15, 19, 20, 21, 25, 30, 31, 34, 35, 40, 50, 51, 60, 61, 70, 71, 72, 73, 74, 75, 95, 150, and 170.

1. 10 CFR Part 1 is revised to read as follows:

PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

Subpart A—Introduction

- Sec.
- 1.1 Creation and authority.
 - 1.3 Sources of additional information.
 - 1.5 Location of principal offices and Regional Offices.

Subpart B—Headquarters

- 1.11 The Commission.

Panels, Boards, and Committees

- 1.13 Advisory Committee on Reactor Safeguards.
- 1.15 Atomic Safety and Licensing Board Panel.
- 1.17 Atomic Safety and Licensing Appeal Panel.
- 1.19 Other committees, boards, and panels.

Commission Staff

- 1.21 Office of Inspector and Auditor.
- 1.23 Office of the General Counsel.
- 1.25 Office of the Secretary of the Commission.
- 1.27 Office of Investigations.
- 1.29 Office of Governmental and Public Affairs.

Executive Director for Operations

- 1.31 Office of the Executive Director for Operations.

Staff Offices

- 1.33 Office of Administration and Resources Management.
- 1.35 Office for Analysis and Evaluation of Operational Data.
- 1.37 Office of Small and Disadvantaged Business Utilization and Civil Rights.
- 1.39 Office of Personnel.

Program Offices

- 1.41 Office of Nuclear Material Safety and Safeguards.
- 1.43 Office of Nuclear Reactor Regulation.
- 1.45 Office of Nuclear Regulatory Research.
- 1.47 NRC Regional Offices.

Subpart C—NRC Seal and Flag

- 1.51 Description and custody of NRC seal.
- 1.53 Use of NRC seal or replicas.
- 1.55 Establishment of official NRC flag.
- 1.57 Use of NRC flag.
- 1.59 Report of violations.

Authority: Sec. 23, 161, 68 Stat. 925, 948, as amended (42 U.S.C. 2033, 2201); sec. 29, Pub. L. 85-256, 71 Stat. 579, Pub. L. 95-209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191, Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat. 1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844, 5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No. 1 of 1980, 45 FR 40561, June 16, 1980.

Subpart A—Introduction

§ 1.1 Creation and authority.

(a) The Nuclear Regulatory Commission was established by the Energy Reorganization Act of 1974, as amended, Pub. L. 93-438, 88 Stat. 1233 (42 U.S.C. 5801 et seq.). This Act abolished the Atomic Energy Commission and, by section 201, transferred to the Nuclear Regulatory Commission all the licensing and related regulatory functions assigned to the Atomic Energy Commission by the Atomic Energy Act of 1954, as amended, Pub. L. 83-703, 68 Stat. 919 (42 U.S.C. 2011 et seq.). These functions included those of the Atomic Safety and Licensing Board Panel and the Atomic Safety and Licensing Appeal Panel. The Energy Reorganization Act became effective January 19, 1975 (E.O. 11834).

(b) As used in this part:

"Commission" means the five members of the Nuclear Regulatory Commission or a quorum thereof sitting as a body, as provided by section 201 of the Energy Reorganization Act of 1974, as amended.

"NRC" means the Nuclear Regulatory Commission, the agency established by Title II of the Energy Reorganization Act of 1974, as amended, comprising the members of the Commission and all

¹ NUREG-0325 is available for inspection and copying for a fee at the NRC Public Document Room 1717 H Street NW., Washington DC 20555. NUREG-0325 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082; or the National Technical Information Service, 5285 Port Royal Road, Springfield VA 22161.

offices, employees, and representatives authorized to act in any case or matter.

§ 1.3 Sources of additional information.

(a) A statement of the NRC's organization, policies, procedures, assignments of responsibility, and delegations of authority is in the Nuclear Regulatory Commission Manual and other elements of the NRC's Management Directives System, including local directives issued by Regional Offices. Letters/memoranda delegations of authority are also issued from time to time that have not yet been incorporated into the Manual, parts of which are republished periodically. Copies of the Manual and other delegations of authority are available for public inspection and copying for a fee at the NRC Public Document Room, 1717 H Street, NW., Washington, DC, and at each of NRC's Regional Offices. Information may also be obtained from the Office of Governmental and Public Affairs or from Public Affairs Officers at the Regional Offices. In addition, "NRC Functional Organization Charts" (NUREG-0325) contains detailed descriptions of the functional responsibilities of NRC's offices. It is revised annually and is available for public inspection at the NRC Public Document Room or for purchase from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082; or from the National Technical Information Service, Springfield, VA 22161.

(b) Commission meetings are open to the public, as provided by the Government in the Sunshine Act, unless they fall within an exemption to the Act's openness requirement and the Commission also has determined that the public interest requires that those particular meetings be closed. Information concerning Commission meetings may be obtained from the Office of the Secretary.

(c) Information regarding the availability of NRC records under the Freedom of Information Act and the Privacy Act of 1974 may be obtained from the Division of Rules and Records, Office of Administration and Resources Management. NRC's regulations are published in the Federal Register and codified in Title 10, Chapter I, of the Code of Federal Regulations. They are also published in looseleaf form as "NRC Rules and Regulations," and available on a subscription basis from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082. Final opinions made in the adjudication of cases are published in "Nuclear Regulatory Commission Issuances," and

available on a subscription basis from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

§ 1.5 Location of principal offices and Regional Offices.

(a) The principal NRC offices are located in the Washington, DC, area. Facilities for the service of process and papers are maintained within the District of Columbia at 1717 H Street, NW. The mailing address for all NRC Headquarters offices is Washington, DC 20555. The locations of NRC offices in the Washington, DC, area are as follows:

(1) Air Rights III Building, 4550 Montgomery Avenue, Bethesda, Maryland.

(2) East West/South Towers Building, 4340 East West Highway, Bethesda, Maryland.

(3) East West/West Towers Building, 4350 East West Highway, Bethesda, Maryland.

(4) Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland.

(5) Matomic Building, 1717 H Street, NW, Washington, DC.

(6) Nicholson Lane Building, 5650 Nicholson Lane, Rockville, Maryland.

(7) Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland.

(8) Willste Building, 7915 Eastern Avenue, Silver Spring, Maryland.

(9) Woodmont Building, 8120 Woodmont Avenue, Bethesda, Maryland.

(b) The addresses of the NRC Regional Offices are as follows:

Region I, USNRC, 631 Park Avenue, King of Prussia, PA 19406.

Region II, USNRC, 101 Marietta Street, NW, Suite 2900, Atlanta, GA 30323.

Region III, USNRC, 799 Roosevelt Road, Glen Ellyn, IL 60137.

Region IV, USNRC, 611 Ryan Plaza Drive, Suite 1000, Arlington, TX 76011.

USNRC, Region IV Uranium Recovery Field Office, 730 Simms Street, P.O. Box 25325, Denver, CO 80225.

Region V, USNRC, 1450 Maria Lane, Suite 210, Walnut Creek, CA 94596.

Subpart B—Headquarters

§ 1.11 The Commission.

(a) The Nuclear Regulatory Commission, composed of five members, one of whom is designated by the President as Chairman, is established pursuant to section 201 of the Energy Reorganization Act of 1974, as amended. The Chairman is the principal executive officer of the Commission, and is responsible for the executive and administrative functions with respect to

appointment and supervision of personnel, except as otherwise provided by the Energy Reorganization Act of 1974, as amended, and Reorganization Plan No. 1 of 1980 (45 FR 40561); distribution of business; use and expenditures of funds (except that the function of revising budget estimates and purposes is reserved to the Commission); and appointment, subject to approval of the Commission, of heads of major administrative units under the Commission. The Chairman is the official spokesman, as mandated by the Reorganization Plan No. 1 of 1980. The Chairman has ultimate authority for all NRC functions pertaining to an emergency involving an NRC licensee. The Chairman's actions are governed by the general policies of the Commission.

(b) The Commission is responsible for licensing and regulating nuclear facilities and materials and for conducting research in support of the licensing and regulatory process, as mandated by the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and the Nuclear Nonproliferation Act of 1978; and in accordance with the National Environmental Policy Act of 1969, as amended, and other applicable statutes. These responsibilities include protecting public health and safety, protecting the environment, protecting and safeguarding nuclear materials and nuclear power plants in the interest of national security, and assuring conformity with antitrust laws. Agency functions are performed through standards setting and rulemaking; technical reviews and studies; conduct of public hearings; issuance of authorizations, permits, and licenses; inspection, investigation, and enforcement; evaluation of operating experience; and confirmatory research. The Commission is composed of five members, appointed by the President and confirmed by the Senate.

(c) The following staff units and officials report directly to the Commission: Atomic Safety and Licensing Board Panel, Atomic Safety and Licensing Appeal Panel, Office of Inspector and Auditor, Office of Investigation, Office of the General Counsel, Office of the Secretary, and other committees and boards which are authorized or established specifically by the Act. The Advisory Committee on Reactor Safeguards also reports directly to the Commission.

(d)(1) For matters pertaining to Public and Congressional Affairs, the Office of Governmental and Public Affairs reports directly to the Chairman.

(2) For matters pertaining to International and State, Local, and Indian Tribe Programs, the Office of Governmental and Public Affairs reports directly to the Commission.

Panels, Boards, and Committees

§ 1.13 Advisory Committee on Reactor Safeguards.

The Advisory Committee on Reactor Safeguards (ACRS) was established by section 29 of the Atomic Energy Act of 1954, as amended. Consisting of a maximum of 15 members, it reviews and reports on safety studies and applications for construction permits and facility operating licenses; advises the Commission with regard to hazards of proposed or existing reactor facilities and the adequacy of proposed reactor safety standards; upon request of the Department of Energy (DOE), reviews and advises with regard to the hazards of DOE nuclear activities and facilities; reviews any generic issues or other matters referred to it by the Commission for advice. The Committee, on its own initiative, may conduct reviews of specific generic matters or nuclear facility safety-related items. The ACRS conducts studies of reactor safety research and submits reports thereon to the U.S. Congress and the NRC as appropriate.

§ 1.15 Atomic Safety and Licensing Board Panel.

The Atomic Safety and Licensing Board Panel, established pursuant to section 191 of the Atomic Energy Act of 1954, as amended, conducts hearings for the Commission and such other regulatory functions as the Commission authorizes. The Panel is comprised of any number of Administrative Judges (full-time and part-time), who may be lawyers, physicists, engineers, and environmental scientists; and Administrative Law Judges, who hear antitrust, civil penalty, and other cases and serve as Atomic Safety and Licensing Board Chairmen. The Chief Administrative Judge develops and applies procedures governing the activities of Boards, Administrative Judges, and Administrative Law Judges and makes appropriate recommendations to the Commission concerning the rules governing the conduct of hearings. The Panel conducts all licensing and other hearings as directed by the Commission primarily through individual Atomic Safety and Licensing Boards composed of one or three Administrative Judges. Those boards are appointed by either the Commission or the Chief Administrative Judge.

§ 1.17 Atomic Safety and Licensing Appeal Panel.

The Atomic Safety and Licensing Appeal Panel is the organizational body from which are drawn Atomic Safety and Licensing Appeal Boards for particular proceedings. These three-member Appeal Boards exercise the authority and perform the review functions that would otherwise be exercised and performed by the Commission in facility licensing proceedings under 10 CFR Part 50 and such other licensing and enforcement proceedings as the Commission may specify, reviewing initial decisions and other issuances of Atomic Safety and Licensing Boards and other presiding officers. Appeal Boards perform such other regulatory functions as may be delegated to them by the Commission. The Panel is comprised of a Chief Administrative Judge, who serves as Chairman, and other Administrative Judges as may be appointed.

§ 1.19 Other committees, boards, and panels.

Under section 161a. of the Atomic Energy Act of 1954, as amended, the Commission may establish advisory bodies to make recommendations to it. Currently, two advisory committees are in existence.

(a) The Advisory Committee on Medical Uses of Isotopes (ACMUI) was established by the Atomic Energy Commission in July 1958. The ACMUI, composed of physicians and scientists, considers medical questions referred to it by the NRC staff and renders expert opinions regarding medical uses of radioisotopes. The ACMUI also advises the NRC staff, as requested, on matters of policy regarding licensing of medical uses of radioisotopes.

(b) The Advisory Committee for the Decontamination of Three Mile Island, Unit 2, was established by the NRC in October 1980. Its purpose is to obtain input and views from the residents of the Three Mile Island area and afford Pennsylvania government officials an opportunity to participate in the Commission's decisional process regarding cleanup for Three Mile Island, Unit 2.

Commission Staff

§ 1.21 Office of Inspector and Auditor.

The Office of Inspector and Auditor—

(a) Conducts investigations and inquiries to ascertain and verify the integrity of NRC programs and operations;

(b) Investigates allegations of NRC employee misconduct, wrongdoing by NRC contractors, claims for personal

property loss or damage, tort claims against the United States and fraud, waste, and mismanagement;

(c) Develops policies and standards governing the Commission's financial and management audit program and administers the Commission's day-to-day audit activities;

(d) Reports to the Commission as necessary to keep the Commission fully informed of its financial management responsibilities and of the results of investigations, inspections, and audits;

(e) Hears individual employee concerns regarding NRC operations and activities;

(f) Refers suspected or alleged criminal matters regarding NRC employees and contractors to the Department of Justice; and

(g) Maintains liaison with Inspector General organizations and other law enforcement agencies.

§ 1.23 Office of the General Counsel.

The Office of the General Counsel, established pursuant to section 25 of the Atomic Energy Act of 1954, as amended—

(a) Directs matters of law and legal policy, providing opinions, advice, and assistance to the agency with respect to all of its activities;

(b) Reviews and prepares appropriate draft Commission decisions on Atomic Safety and Licensing Appeal Board decisions and rulings, public petitions seeking direct Commission action, and rulemaking proceedings involving hearings;

(c) Provides interpretation of laws, regulations, and other sources of authority;

(d) Reviews the legal form and content of proposed official actions;

(e) Prepares or concurs in all contractual documents, interagency agreements, delegations of authority, regulations, orders, licenses, and other legal documents and prepares legal interpretations thereof;

(f) Reviews and directs intellectual property (patent) work;

(g) Represents and protects the interests of the NRC in legal matters and in court proceedings, and in relation to other government agencies, administrative bodies, committees of Congress, foreign governments, and members of the public; and

(h) Represents the NRC staff as a party in NRC administrative hearings.

§ 1.25 Office of the Secretary of the Commission.

The Office of the Secretary of the Commission—

(a) Provides general management services to support the Commission and to implement Commission decisions; and advises and assists the Commission and staff on the planning, scheduling, and conduct of Commission business including preparation of internal procedures;

(b) Prepares the Commission's meeting agenda;

(c) Manages the Commission Staff Paper and COMSEC systems;

(d) Receives, processes, and controls Commission mail, communications, and correspondence;

(e) Maintains the Commission's official records and acts as Freedom of Information administrative coordinator for Commission records;

(f) Codifies Commission decisions in memoranda directing staff action and monitors compliance;

(g) Receives, processes, and controls motions and pleadings filed with the Commission; issues and serves adjudicatory orders on behalf of the Commission; receives and distributes public comments in rulemaking proceedings, issues proposed and final rules on behalf of the Commission; maintains the official adjudicatory and rulemaking dockets of the Commission; and exercises responsibilities delegated to the Secretary in 10 CFR 2.702 and 2.772;

(h) Directs and administers the Headquarters NRC Public Document Room;

(i) Administers the NRC Historical Program;

(j) Integrates office automation initiatives into the Commission's administrative system;

(k) Functions as the NRC Federal Advisory Committee Management Officer; and

(l) Provides guidance and direction on the use of the NRC seal and flag.

§ 1.27 Office of Investigations.

The Office of Investigations—

(a) Develops policy, procedures, and quality control standards for the conduct of all NRC investigations of licensees, permittees, applicants, and their contractors and vendors;

(b) Conducts and supervises investigations within the scope of NRC authority, except those concerning NRC employees and NRC contractors;

(c) Assures the quality of investigations;

(d) Maintains current awareness of inquiries and inspection by other NRC offices to identify the need for formal investigations;

(e) Makes appropriate referrals to the Department of Justice;

(f) Keeps Commission and involved NRC offices currently apprised of matters under investigation as they affect public health and safety, the common defense and security, environmental quality, or the antitrust laws;

(g) Issues subpoenas where necessary or appropriate for the conduct of investigations; and

(h) Maintains liaison with other agencies and organizations to ensure the timely exchange of information of mutual interest.

§ 1.29 Office of Governmental and Public Affairs.

The Office of Governmental and Public Affairs—

(a) Establishes and maintains good communications and working relationships between the NRC and other Governmental and public constituents;

(b) Provides advice and assistance to the Chairman, Commission, and NRC staff on all NRC relations with Congress, State and local Governments, Indian Tribe Organizations, the State Department, the international nuclear community, the news media, and the public;

(c) Serves as primary contact for policy matters between the NRC and these external groups, developing policies for Commission consideration on how NRC should effectively interact with these groups;

(d) Keeps the agency apprised of these groups' activities as they may affect NRC and conveys to NRC management these groups' views toward NRC policies, plans, and activities;

(e) Issues export and import licenses and participates in formulation of policies on nonproliferation issues, international safeguards, and physical security; and

(f) Administers State Agreements program by—

(1) Providing training and technical assistance to Agreement States;

(2) Integrating State/Federal regulatory activities; and

(3) Maintaining the information exchange and analysis program on State activities.

Executive Director for Operations

§ 1.31 Office of the Executive Director for Operations.

(a)(1) The Executive Director for Operations (EDO) reports for all matters to the Chairman, and is subject to the supervision and direction of the Chairman as provided in Reorganization Plan No. 1 of 1980.

(2) Supervises and coordinates policy development and operational activities

in the following line offices: The Office of Nuclear Reactor Regulation, the Office of Nuclear Material Safety and Safeguards, the Office of Nuclear Regulatory Research, and the NRC Regional Offices; and the following staff offices: The Office of Enforcement, the Office of Administration and Resources Management, the Office for Analysis and Evaluation of Operational Data, the Office of Small and Disadvantaged Business Utilization and Civil Rights, the Office of Personnel, and other organizational units as shall be assigned by the Commission. The EDO is also responsible for implementation of the Commission's policy directives pertaining to these offices; and

(3) Exercises powers and functions delegated to the EDO under the Reorganization Plan No. 1 of 1980, this chapter, or otherwise by the Commission or Chairman, as appropriate. The EDO has the authority to perform any function that may be performed by an office director reporting to the EDO.

(b) The Office of Enforcement—

(1) Develops policies and programs for enforcement of NRC requirements; and

(2) Manages major enforcement actions and assesses effectiveness and uniformity of Regional enforcement actions.

(c) The Office of Special Projects—

(1) Implements regulations, issues orders, takes other action associated with licensing and enforcement, and develops and implements policies, programs, and procedures for all aspects of licensing and inspection for the Tennessee Valley Authority (TVA) and Comanche Peak projects, except for actual issuance or revocation of construction permits or operating licenses;

(2) Performs all safety and environmental reviews and evaluations for the assigned nuclear reactor facilities; and

(3) Performs other functions required for implementation of the reactor licensing and inspection programs for TVA and Comanche Peak projects.

(d) The Office of Consolidation—

(1) Assures coordinated planning, budgeting, and execution of tasks required to consolidate the NRC headquarters staff at White Flint North;

(2) Provides a single focus for management review, decision making, and direction for activities undertaken to accomplish the consolidation of the NRC headquarters staff; and

(3) Keeps NRC management and employees as fully and accurately informed as possible about all aspects of the consolidation, especially those aspects which could affect individual

and collective performance of agency missions and tasks.

Staff Offices

§ 1.33 Office of Administration and Resources Management.

The Office of Administration and Resources Management—

- (a) Prepares the agency's budget for submission to the EDO;
- (b) Performs all accounting and financial systems management functions, including payroll, travel, and license fees, and provides centralized administrative service, such as managing rules and records, facilities, and operations support, publications services, security, and contracts;
- (c) Manages centralized information resources of the agency including computer and telecommunications services, the document control system, records management and services, and the library; and
- (d) Provides, to the extent feasible, all necessary administrative, financial, and information support services to other NRC offices.

§ 1.35 Office for Analysis and Evaluation of Operational Data.

The Office for Analysis and Evaluation of Operational Data—

- (a) Analyzes and evaluates operational safety data associated with NRC-licensed activities to identify safety issues that require NRC or industry action;
- (b) Provides timely feedback of findings and evaluations to NRC staff, licensees, Congress, the public, and organizations, as appropriate;
- (c) Identifies NRC needs for operational data and related technical information and provides the NRC focal point for coordination of generic operational safety data and systems with the industry and other agencies;
- (d) Develops and manages the NRC program for response to incidents and emergencies, including the timely notification of events to NRR, NMSS, and the Regions, as appropriate;
- (e) Develops and provides appropriate technical training for NRC staff;
- (f) Develops and manages the agency program for reactor performance indicators;
- (g) Develops and directs the agency program for diagnostic evaluations and for investigation of significant operational incidents;
- (h) Manages and conducts the support functions for the Committee to Review Generic Requirements (CRGR) in a manner that is consistent with CRGR charter; and
- (i) Ensures the administrative processes and functions specified in the

CRGR charter are implemented in a thorough and timely manner.

§ 1.37 Office of Small and Disadvantaged Business Utilization and Civil Rights.

The Office of Small and Disadvantaged Business Utilization and Civil Rights—

- (a) Develops and implements an effective small and disadvantaged business program in accordance with the Small Business Act, as amended, and plans and implements NRC policies and programs relating to equal employment opportunity and civil rights matters as required by the Equal Employment Opportunity Commission (EEOC) and the Office of Personnel Management (OPM);
- (b) Ensures that appropriate consideration is given to Labor Surplus Area firms and Women Business Enterprises, and conducts an outreach program aimed at contractors desiring to do business with NRC;
- (c) Maintains liaison with other Government agencies and trade associations;
- (d) Coordinates efforts with the Director, Division of Contracts, and Directors of other affected offices;
- (e) Develops and recommends for approval by the Executive Director for Operations, NRC policy providing for equal employment opportunity in all aspects of Federal personnel practice;
- (f) Develops, monitors, and evaluates the agency's equal employment opportunity efforts and affirmative action programs to ensure compliance with NRC policy;
- (g) Serves as the principal contract with local and national public and private organizations to facilitate the NRC equal opportunity program; and
- (h) Coordinates all efforts pertaining to small and disadvantaged business utilization and equal employment opportunity with Office Directors and Regional Administrators.

§ 1.39 Office of Personnel.

The Office of Personnel—

- (a) Plans and implement NRC policies, programs, and services to provide for the effective organization, utilization, and development of the agency's human resources;
- (b) Provides labor relations and personnel policy guidance and supporting services to NRC managers and employees;
- (c) Provides training, benefits administration, and counseling services for NRC employees;
- (d) Collects, analyzes, and provides data on the characteristics, allocation, utilization, and retention of NRC's workforce;

(e) Provides staffing advice and services to NRC managers and employees; and

(f) Provides executive resources management and organizational and managerial development services to the NRC.

Program Offices

§ 1.41 Office of Nuclear Material Safety and Safeguards.

(a) The Office of Nuclear Material Safety and Safeguards is responsible for protecting the public health and safety, the common defense and security, and the environment by licensing, inspection, and environmental impact assessment for all nuclear facilities and activities, and for the import and export of special nuclear material.

(b) The Office responsibilities include—

- (1) Development and implementation of NRC policy for the regulation of activities involving safety, quality, approval, and inspection of the use and handling of nuclear and other radioactive materials, such as uranium activities;
 - (2) Fuel fabrication and fuel development;
 - (3) Medical, industrial, academic, and commercial uses of radioactive isotopes;
 - (4) Safeguards activities;
 - (5) Transportation of nuclear materials, including certification of transport containers;
 - (6) Out-of-reactor spent fuel storage;
 - (7) Safe management and disposal of low-level and high-level radioactive wastes;
 - (8) Planning and direction of program for financial assurance of NMSS licensees; and
 - (9) Management of the decommissioning of facilities and sites when their licensed functions are over.
- (c) Safeguards responsibilities include—
- (1) Development of overall agency policy;
 - (2) Monitoring and assessment of the threat environment, including liaison with intelligence agencies, as appropriate; and
 - (3) Those licensing and review activities appropriate to deter and protect against threats of radiological sabotage and threats of theft or diversion of special nuclear material at fuel facilities and during transport.
- (d) The Office identifies and takes action to control safety and safeguards issues for activities under its responsibility, including consulting and coordinating with international Federal, State, and local agencies, as appropriate.

§ 1.43 Office of Nuclear Reactor Regulation.

The Office of Nuclear Reactor Regulation—

(a) Implements regulations and develops and implements policies, programs, and procedures for all aspects of licensing, inspection, and safeguarding of—

(1) Manufacturing, production, and utilization facilities, except for those concerning fuel reprocessing plants and isotopic enrichment plants;

(2) Receipt, possession, and ownership of source, byproduct, and special nuclear material used or produced at facilities licensed under 10 CFR Part 50;

(3) Operators of such facilities;

(4) Emergency preparedness at such facilities; and

(5) Contractors and suppliers of such facilities.

(b) Identifies and takes action regarding conditions and licensee performance that may adversely affect public health and safety, the environment, or the safeguarding of nuclear reactor facilities;

(c) Assesses and recommends or takes action regarding incidents or accidents;

(d) Provides special assistance as required in matters involving reactor facilities exempt from licensing;

(e) Provides guidance and implementation direction to Regional Offices on reactor licensing, inspection, and safeguards programs assigned to the Region, and appraises Regional program performance in terms of effectiveness and uniformity;

(f) Performs other functions required for implementation of the reactor licensing, inspection, and safeguards programs;

(g) Performs management of the NRC allegation program; and

(h) Performs review and evaluation related to regulated facilities insurance, indemnity, and antitrust matters.

§ 1.45 Office of Nuclear Regulatory Research.

The Office of Nuclear Regulatory Research—

(a) Plans, recommends, and implements programs of nuclear regulatory research, standards development, and resolution of generic safety issues for nuclear power plants and other facilities regulated by the NRC;

(b) Develops and promulgates all technical regulations;

(c) Coordinates research activities within and outside the agency including appointment of staff to committees and conferences; and

(d) Coordinates NRC participation in international standards-related activities and national volunteer standards efforts, including appointment of staff to committees.

§ 1.47 NRC Regional Offices.

Each Regional Administrator executes established NRC policies and assigned programs relating to inspection, enforcement, licensing, State agreements, State liaison, and emergency response within Regional boundaries set out in § 1.5(b) of this part.

Subpart C—NRC Seal and Flag

§ 1.51 Description and custody of NRC seal.

(a) Pursuant to section 201(a) of the Energy Reorganization Act of 1974, the Nuclear Regulatory Commission, has adopted an official seal. Its description is as follows: An American bald eagle (similar to that on the Great Seal of the United States of America) of brown and tan with claws and beak of yellow, behind a shield of red, white, and blue, clutching a cluster of thirteen arrows in its left claw and a green olive branch in its right claw, positioned on a field of white, with the words "United States Nuclear Regulatory Commission" in dark blue encircling the eagle. The eagle represents the United States of America and its interests.

(b) The Official Seal of the Nuclear Regulatory Commission is illustrated as follows:



(c) The Secretary of the Commission is responsible for custody of the impression seals and of replica (plaque) seals.

§ 1.53 Use of NRC seal or replicas.

(a) The use of the seal or replicas is restricted to the following:

- (1) NRC letterhead stationery;
- (2) NRC award certificates and medals;
- (3) Security credentials and employee identification cards;
- (4) NRC documents, including agreements with States, interagency or

governmental agreements, foreign patent applications, certifications, special reports to the President and Congress and, at the discretion of the Secretary of the Commission, such other documents as the Secretary finds appropriate;

(5) Plaques—the design of the seal may be incorporated in plaques for display at NRC facilities in locations such as auditoriums, presentation rooms, lobbies, offices of senior officials, on the fronts of buildings, and other places designated by the Secretary;

(6) The NRC flag (which incorporates the design of the seal);

(7) Official films prepared by or for the NRC, if deemed appropriate by the Director of Governmental and Public Affairs;

(8) Official NRC publications that represent an achievement or mission of NRC as a whole, or that are cosponsored by NRC and other Government departments or agencies; and

(9) Any other uses as the Secretary of the Commission finds appropriate.

(b) Any person who uses the official seal in a manner other than as permitted by this section shall be subject to the provisions of 18 U.S.C. 1017, which provides penalties for the fraudulent or wrongful use of an official seal, and to other provisions of law as applicable.

§ 1.55 Establishment of official NRC flag.

The official flag is based on the design of the NRC seal. It is 50 inches by 66 inches in size with a 38-inch diameter seal incorporated in the center of a dark blue field with a gold fringe.

§ 1.57 Use of NRC flag.

(a) The use of the flag is restricted to the following:

- (1) On or in front of NRC installations;
- (2) At NRC ceremonies;
- (3) At conferences involving official NRC participation (including permanent display in NRC conference rooms);
- (4) At Governmental or public appearances of NRC executives;
- (5) In private offices of senior official; or

(6) As the Secretary of the Commission otherwise authorizes.

(b) The NRC flag must only be displayed together with the U.S. flag. When they are both displayed on a speaker's platform, the U.S. flag must occupy the position of honor and be placed at the speaker's right as he or she faces the audience, and the NRC flag must be placed at the speaker's left.

§ 1.59 Report of violations.

In order to ensure adherence to the authorized uses of the NRC seal and flag as provided in this subpart, a report of each suspected violation of this subpart, or any questionable use of the NRC seal or flag, should be submitted to the Secretary of the Commission.

The following amendments are also being made to other parts of the regulations in this chapter.

PART 0—CONDUCT OF EMPLOYEES

2. The authority citation for Part 0 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. 5841).

3. In § 0.735-3, the introductory text of paragraph (e) and paragraphs (e)(1) and (f) are revised to read as follows:

§ 0.735-3 Responsibilities and authorities.

(e) The Director, Office of Personnel—
(1) Provides a copy of this part to each employee and special Government employee, and to each new employee at the time of his or her entrance on duty.

(f) The Director, Office of Personnel, assumes the responsibilities assigned in §§ 0.735-28(b) and 0.735-49.

§ 0.735-28 [Amended]

4. In § 0.735-28, paragraph (a)(2), after the words "Office of Administration" add the words "and Resources Management", and in paragraph (b), remove the words "Office of Administration" and add in their place the words "Office of Personnel".

§ 0.735-49 [Amended]

5. In § 0.735-49, paragraph (a), remove the words "The Director, Office of Administration," and add in their place the words "The Director, Office of Personnel".

PART 2—RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS

6. The authority citation for Part 2 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. 5841).

§ 2.101 [Amended]

7. In § 2.101, paragraphs (c)(3) and (e)(1), remove the words "Antitrust and Economic Analysis Branch," and add in their place the words "Policy Development and Technical Support Branch".

§ 2.201 [Amended]

8. In § 2.201, in paragraph (a), remove the words "Director, Office of Inspection and Enforcement" and add in their place the words "Deputy Executive Director for Regional Operations"; and in paragraphs (b) and (c), remove the words "Director, Office of Inspection and Enforcement" and add in their place the words "Deputy Executive Director for Regional Operations or the Deputy's designee".

§ 2.202 [Amended]

9. In § 2.202, paragraph (a) introductory text, remove the words, "Director, Office of Inspection and Enforcement" and add in their place the words "Deputy Executive Director for Regional Operations, or the Deputy's designee"; and add to the words "Office of Administration" the words "and Resources Management"; and in paragraph (f), remove the words "Director, Office of Inspection and Enforcement" and add in their place the words "Deputy Executive Director for Regional Operations or the Deputy's designee".

10. In § 2.205, paragraphs (a), (c), (d), (g), (h), and (i) are revised to read as follows:

§ 2.205 Civil penalties.

(a) Before instituting any proceeding to impose a civil penalty under section 234 of the Act, the Deputy Executive Director for Regional Operations, or the Deputy's designee, as appropriate, shall serve a written notice of violation upon the person charged. This notice may be included in a notice issued pursuant to § 2.201. The notice of violation shall specify the date or dates, facts, and the nature of the alleged act or omission with which the person is charged, and shall identify specifically the particular provision or provisions of the law, rule, regulation, license, permit, or cease an desist order involved in the alleged violation and must state the amount of each proposed penalty. The notice of violation shall also advise the person charged that the civil penalty may be paid in the amount specified therein, or the proposed imposition of the civil penalty may be protested in its entirety or in part, by a written answer, either denying the violation or showing extenuating circumstances. The notice of violation shall advise the person charged that upon failure to pay a civil penalty subsequently determined by the Commission, if any, unless compromised, remitted, or mitigated, be collected by civil action, pursuant to section 234c of the Act.

(c) If the person charged with violation fails to answer within the time specified in paragraph (b) of this section, an order may be issued imposing the civil penalty in the amount set forth in the notice of violation described in paragraph (a) of this section.

(d) If the person charged with violation files an answer to the notice of violation, the Deputy Executive Director for Regional Operations, or the Deputy's designee, upon consideration of the answer, will issue an order dismissing the proceeding or imposing, mitigating, or remitting the civil penalty. The person charged may, within twenty (20) days of the date of the order or other time specified in the order, request a hearing.

(g) The Deputy Executive Director for Regional Operations, or the Deputy's designee, as appropriate may compromise any civil penalty, subject to the provisions of § 2.203.

(h) If the civil penalty is not compromised, or is not remitted by the Deputy Executive Director for Regional Operations, or the Deputy's designee, as appropriate, the presiding officer, or the Commission, and if payment is not made within ten (10) days following either the service of the order described in paragraph (c) or (f) of this section, or the expiration of the time for requesting a hearing described in paragraph (d) of this section, the Deputy Executive Director for Regional Operations, or the Deputy's designee, as appropriate, may refer the matter to the Attorney General for collection.

(i) Except when payment is made after compromise or mitigation by the Department of Justice or as ordered by a court of the United States, following reference of the matter to the Attorney General for collection, payment of civil penalties imposed under section 234 of the Act shall be made by check, draft, or money order payable to the Treasurer of the United States, and mailed to the Director, Office of Enforcement.

11. In § 2.206, paragraphs (a) and (b) are revised to read as follows:

§ 2.206 Requests for action under this subpart.

(a) Any person may file a request to institute a proceeding pursuant to § 2.202 to modify, suspend, or revoke a license, or for such other action as may be proper. Such a request shall be addressed to the Executive Director for Operations and shall be filed either (1) by delivery to the Public Document Room at 1717 H Street, NW., Washington, DC, or (2) by mail or telegram addressed to the Executive

Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555. The requests shall specify the action requested and set forth the facts that constitute the basis for the request. The Executive Director for Operations will refer the request to the Director of the NRC Office with responsibility for the subject matter of the request for appropriate action in accordance with paragraph (b) of this section.

(b) Within a reasonable time after a request pursuant to paragraph (a) of this section has been received, the Director of the NRC office with responsibility for the subject matter of the request shall either institute the requested proceeding in accordance with this subpart or shall advise the person who made the request in writing that no proceeding will be instituted in whole or in part, with respect to the request, and the reasons for the decision.

12. In § 2.802, paragraphs (b) and (g) are revised to read as follows:

§ 2.802 Petition for rulemaking.

(b) A prospective petitioner is encouraged to confer with the staff prior to the filing of a petition for rulemaking. Questions regarding applicable NRC regulations sought to be amended, the procedures for filing a petition for rulemaking, or requests for a meeting with the appropriate NRC staff to discuss a petition should be addressed to the Director, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Chief, Rules and Procedures Branch. A prospective petitioner may also telephone the Division of Rules and Records on 301-492-7086 or Toll Free on 800-368-5642.

(g) The Director, Division of Rules and Records, Office of Administration and Resources Management, will prepare on a quarterly basis a summary of petitions for rulemaking before the Commission, including the status of each petition. A copy of the report will be available for public inspection and copying for a fee in the Commission's Public Document Room, 1717 H Street, NW., Washington, DC.

PART 7—ADVISORY COMMITTEES

13. The authority citation for Part 7 is revised 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. 5841); Pub. L. 92-463 88 Stat. 770 (5 U.S.C. App. I).

§ 7.19 [Amended]

14. In § 7.19, paragraph (b), after the words "Office of Administration" add the words "and Resources Management".

PART 9—PUBLIC RECORDS

15. The authority citation for Part 9 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. 5841).

§ 9.53 [Amended]

16. In § 9.53, paragraphs (a) and (b), after the words "Director, Office of Administration" add the words "and Resources Management".

§ 9.54 [Amended]

17. In § 9.54, paragraph (b), after the words "Director, Office of Administration," add the words "and Resources Management".

§ 9.65 [Amended]

18. In § 9.65, paragraph (a) introductory text, after the words "Director, Office of Administration," add the words "and Resources Management".

§ 9.66 [Amended]

19. In § 9.66, paragraphs (a)(1) introductory text, (a)(2), (a)(3), and (c)(2), after the words "Director, Office of Administration," add the words "and Resources Management".

§ 9.69 [Amended]

20. In § 9.69, paragraph (a), after the words "Director, Office of Administration," add the words "and Resources Management".

21. Section 9.85 is revised to read as follows:

§ 9.85 Fees.

The NRC shall charge fees for search for or review of records requested pursuant to this subpart or for making copies or extracts of records in order to make them available for review. The NRC shall charge fees established pursuant to 5 U.S.C. 552a(f)(5) according to the schedule contained in § 9.14 of this part for actual copies of records requested by individuals pursuant to the Privacy Act of 1974, unless the Director, Office of Administration and Resources Management, waives the fees because of the inability of the individual to pay or because making the records available without cost, or at a reduction in cost, is otherwise in the public interest.

PART 10—CRITERIA AND PROCEDURES FOR DETERMINING ELIGIBILITY FOR ACCESS TO RESTRICTED DATA OR NATIONAL SECURITY INFORMATION OR AN EMPLOYMENT CLEARANCE

22. The authority citation for Part 10 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. 5841).

§ 10.5 [Amended]

23. In § 10.5, paragraph (b), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.12 [Amended]

24. In § 10.12, paragraph (a), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.21 [Amended]

25. In § 10.21, after the words "Director, Office of Administration," add the words "and Resources Management".

§ 10.22 [Amended]

26. In § 10.22, in the introductory paragraph and in paragraphs (c), (d), and (e), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.23 [Amended]

27. In § 10.23, paragraphs (a) and (b), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.24 [Amended]

28. In § 10.24, paragraphs (a) and (b), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.27 [Amended]

29. In § 10.27, paragraph (c), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.28 [Amended]

30. In § 10.28, paragraph (m), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.29 [Amended]

31. In § 10.29, paragraph (d), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.30 [Amended]

32. In § 10.30, after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.31 [Amended]

33. In § 10.31, paragraph (a), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.32 [Amended]

34. In § 10.32, paragraph (b), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.33 [Amended]

35. In § 10.33, paragraphs (c) and (d), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.34 [Amended]

36. In § 10.34, paragraph (b), after the words "Director, Office of Administration", add the words "and Resources Management".

§ 10.35 [Amended]

37. In § 10.35, paragraph (b), after the words "Director, Office of Administration", add the words "Resources Management".

§ 10.37 [Amended]

38. In § 10.37, after the words "Director, Office of Administration", add the words "and Resources Management".

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

39. The authority citation for Part 11 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. 5841).

§ 11.16 [Amended]

40. In § 11.16, after the word "Chief," remove the words "Facilities and" and leave the words "Personnel Security Branch".

PART 15—DEBT COLLECTION PROCEDURES

41. The authority citation for Part 15 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. 5841).

§ 15.3 [Amended]

42. In § 15.3, remove the word "Controller" and add in its place the words "Director, Office of Administration and Resources Management".

43. In § 15.35, the introductory text of paragraph (c) is revised to read as follows:

§ 15.35 Payments.

(c) To whom payment is made. Payment of a debt is made by check, electronic transfer, draft, or money order payable to the United States Nuclear Regulatory Commission and mailed or delivered to the Division of Accounting and Finance, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, unless payment is—

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

44. The authority citation for Part 19 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. 5841).

45. Section 19.5 is revised to read as follows:

§ 19.5 Communications.

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D of Part 20 of this chapter. Communications, reports, and applications may be delivered in person at the Commission's office at 1717 H Street, NW., Washington, DC; or at 7920 Norfolk Avenue, Bethesda, Maryland.

46. In § 19.11, paragraph (c), Note is revised to read as follows:

§ 19.11 Posting of notices to workers.

(c) ***
Note: Copies of Form NRC-3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D of Part 20 of this chapter.

§ 19.16 [Amended]

47. In § 19.16, in paragraph (a), remove the words "Director of Inspection and Enforcement, to the" and "Director of Inspection and Enforcement,"; and in

paragraph (b), remove the words "Director of Inspection and Enforcement or".

§ 19.17 [Amended]

48. In § 19.17, paragraphs (a) and (b), remove the words "Director of the Office of Inspection and Enforcement or the".

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

49. The authority citation for Part 20 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. 5841).

§ 20.103 [Amended]

50-51. In § 20.103, paragraphs (a)(1) footnote 5, remove the words "Standards Development" and add in their place the words "Nuclear Regulatory Research"; and in paragraph (g), remove the words "Inspection and Enforcement" from the words "Nuclear Regulatory Commission Inspection and Enforcement Regional Office".

PART 21—REPORTING OF DEFECTS AND NONCOMPLIANCE

52. The authority citation for Part 21 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. 5841).

53. Section 21.5 is revised to read as follows:

§ 21.5 Communications.

Except where otherwise specified in this part, all communications and reports concerning the regulations in this part should be addressed to the Director, Office of Nuclear Reactor Regulation, or Director, Office of Nuclear Material Safety and Safeguards, as appropriate, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or to the Administrator of a Regional Office at the address specified in Appendix D of Part 20 of this chapter. Communications and reports also may be delivered in person at the Commission's offices at 1717 H Street, NW., Washington, DC; at 7920 Norfolk Avenue, Bethesda, MD; or at a Regional Office at the location specified in Appendix D of Part 20 of this chapter.

54. In § 21.21, paragraph (b) (2) is revised to read as follows:

§ 21.21 Notification of failure to comply or existence of a defect.

(b) ***

(2) Initial notification required by this paragraph must be made within 2 days following receipt of the information. Notification must be made to the Director, Office of Nuclear Reactor Regulation, or Director, Office of Nuclear Material Safety and Safeguards, as appropriate, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or to the Administrator of a Regional Office. If initial notification is by means other than written communication, a written report must be submitted to the appropriate Office within 5 days after the information is obtained. Three copies of each report must be submitted to the Director, Office of Nuclear Reactor Regulation, or Director, Office of Nuclear Material Safety and Safeguards, as appropriate.

PART 25—ACCESS AUTHORIZATION FOR LICENSEE PERSONNEL

55. The authority citation for Part 25 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. 5841).

§ 25.33 [Amended]

56. In § 25.33, paragraph (c), after the words "Office of Administration" add the words "and Resources Management".

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

57. The authority citation for Part 30 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. 5841).

§ 30.7 [Amended]

58. In § 30.7, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555".

§ 30.55 [Amended]

59–63. In § 30.55, paragraph (c), remove the words "Director of Inspection and Enforcement", and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards" and remove the words "Inspection and Enforcement" from the words "Office of Inspection and Enforcement" and add in their place the words "Nuclear Material Safety and Safeguards".

PART 35—MEDICAL USES OF BYPRODUCT MATERIAL

64. The authority citation for Part 35 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. 5841).

§ 35.59 [Amended]

65. In § 35.59, paragraph (e)(2), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

66. The authority citation for Part 40 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. 5841).

§ 40.7 [Amended]

67. In § 40.7, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

§ 40.25 [Amended]

68. In § 40.25, in paragraph (c)(1), remove the words "Director of Inspection and Enforcement", and add in their place the words "Director, Division of Nuclear Material Safety" and add after the zip code "20555" the words "with a copy to the appropriate NRC Regional Administrator"; in paragraphs (c)(2) and (d)(4), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Division of Nuclear Material Safety, with a copy to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D of Part 20 of this chapter".

§ 40.26 [Amended]

69. In § 40.26, paragraph (c)(2), remove the words "Director, Office of Inspection and Enforcement" and add in their place the words "Division of Low-Level Waste Management and Decommissioning, Office of Nuclear Material Safety and Safeguards".

§ 40.35 [Amended]

70. In § 40.35, paragraph (e)(1), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

§ 40.64 [Amended]

71. In § 40.64, paragraphs (a) and (b), add after the words "Division of Safeguards" the words "and Transportation", and paragraph (c), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

§ 40.65 [Amended]

72. In § 40.65, paragraph (a)(1), remove the title "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

Appendix A [Amended]

73. In Appendix A, Criteria 8A, the words "regional office" should be capitalized to read "Regional Office" and remove the words "Inspection and Enforcement" from the address and add in their place the words "Nuclear Material Safety and Safeguards".

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

74. The authority citation for Part 50 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. 5841).

§ 50.4 [Amended]

75. In § 50.4, paragraphs (c) and (f), remove the words "Division of Technical Information and Document Control" and add in their place the words "Division of Information Support Services", and remove the telephone number "492-8585" and add in its place "492-8304".

§ 50.7 [Amended]

76. In § 50.7, paragraph (e) Note, place a period after the words "chapter" and remove the word "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

77. In § 50.49, paragraph (b)(3), footnote 4 is revised to read as follows:

§ 50.49 Environmental qualification of electric equipment important to safety for nuclear power plants.

(b) * * *
(3) * * *

* Specific guidance concerning the types of variables to be monitored is provided in Revision 2 of Regulatory Guide 1.97, "Instrumentation for Light-Water-Cooled Nuclear Power Plants to Assess Plant and Environs Conditions During and Following an Accident." Copies of the Regulatory Guide

may be purchased through the U.S. Government Printing Office by calling 202-275-2060 or by writing to the U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20013-7082.

§ 50.70 [Amended]

78. In § 50.70, paragraphs (b)(1) and (b)(2), remove the words "Inspection and Enforcement" from the words "Director, Office of Inspection and Enforcement", and add in their place the words "Nuclear Reactor Regulation".

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

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

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

§ 51.4 [Amended]

80. In § 51.4, under the definition of "NRC staff director", remove the words "Office of Inspection and Enforcement," and remove the words "Office of State Programs" and add in their place the words "Office of Governmental and Public Affairs".

§ 51.122 [Amended]

81. In § 51.122, after the words "NRC Office of Administration" add the words "and Resources Management".

§ 51.123 [Amended]

82. In § 51.123, paragraph (b), remove the words "Division of Technical Information and Document Control" and add in their place the words "Division of Information Support Services".

PART 60—DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES

83. The authority citation for Part 60 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. 5841).

§ 60.9 [Amended]

84. In § 60.9, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

§ 60.44 [Amended]

85. In § 60.44, paragraph (b), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

§ 60.75 [Amended]

86. In § 60.75, paragraphs (c)(1) and (c)(2), remove the words "Inspection and Enforcement" from the words "Director, Office of Inspection and Enforcement" and add in their place the words "Nuclear Material Safety and Safeguards".

PART 61—LICENSING REQUIREMENTS FOR LAND DISPOSAL OF RADIOACTIVE WASTES

87. The authority citation for Part 61 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. 5841).

§ 61.9 [Amended]

88. In § 61.9, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

§ 61.80 [Amended]

89. In § 61.80, paragraph (i)(1), remove the words "Director of the Office of Inspection and Enforcement and the Director of the Division of Waste Management" and add the words "Director, Division of High-Level Waste Management, Office of Nuclear Material Safety and Safeguards"; and remove the letters "USNRC" in the same address and add in their place the words "U.S. Nuclear Regulatory Commission".

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

90. 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. 5841).

§ 70.7 [Amended]

91. In § 70.7, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

§ 70.55 [Amended]

92. In § 70.55, paragraphs (c)(1) and (c)(2), remove the words "Inspection and Enforcement" from the words "Director, Office of Inspection and Enforcement" and add in their place the words "Nuclear Material Safety and Safeguards or the appropriate NRC Regional Administrator".

§ 70.59 [Amended]

93. In § 70.59, paragraph (a)(1), remove the words "Director of Inspection and Enforcement" and add in their place the

words "Director, Office of Nuclear Material Safety and Safeguards".

PART 71—PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

94. The authority citation for Part 71 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. 5841).

§ 71.93 [Amended]

95. In § 71.93, paragraph (c), remove the word "Director" and add in its place the words "Regional Administrator".

§ 71.97 [Amended]

96. In § 71.97, paragraph (c)(1), remove the word "Director" and add in its place the words "Regional Administrator"; and in paragraph (c)(3)(iii), remove the words "Office of State Programs" and add in their place the words "Office of Governmental and Public Affairs"; and in paragraph (f), remove the word "Director" and add in its place the words "Regional Administrator".

PART 72—LICENSING REQUIREMENTS FOR THE STORAGE OF SPENT FUELS IN AN INDEPENDENT SPENT FUEL STORAGE INSTALLATION (ISFSI)

97. The authority citation for Part 72 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. 5841).

§ 72.10 [Amended]

98. In § 72.10, paragraph (e) Note, place a period after the word "chapter" and remove the words "or the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555."

§ 72.11 [Amended]

99. In § 72.11, paragraph (a), remove the words "Division of Fuel Cycle and Material Safety" and add in their place the words "Division of Nuclear Material Safety".

§ 72.56 [Amended]

100. In § 72.56, paragraphs (c)(1) and (c)(2), remove the words "Inspection and Enforcement" from the words "Director, Office of Inspection and Enforcement" and add in their place "Nuclear Material Safety and Safeguards or the appropriate NRC Regional Administrator"; and in paragraph (c)(3), remove the word "Director" from the words "Regional Director" and add in its place the word "Administrator"; and in paragraph (e), the words "regional

office" should be capitalized to read "Regional Office".

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

101. The authority citation for Part 73 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. 5841).

§ 73.37 [Amended]

102. In § 73.37, paragraph (f)(1), remove the words "Office of State Programs" and add in their place the words "Office of Governmental and Public Affairs".

Appendix A [Amended]

103. In Appendix A, under the first entry for the NRC Operations Center, in the second column, remove the words "of Inspection and Enforcement" from the entry that reads "USNRC, Office of Inspection and Enforcement" and add in their place the words "for Analysis and Evaluation of Operational Data".

PART 74—MATERIAL CONTROL AND ACCOUNTING OF SPECIAL NUCLEAR MATERIAL

104. The authority citation for Part 74 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. 5841).

§ 74.13 [Amended]

105. In § 74.13, paragraph (b) introductory text, remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

§ 74.81 [Amended]

106. In § 74.81, paragraphs (c)(1) and (c)(2), remove the words "Inspection and Enforcement" from the words "Director, Office of Inspection and Enforcement" and add in their place the words "Nuclear Material Safety and Safeguards or the appropriate NRC Regional Administrator".

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

107. The authority citation for Part 75 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. 5841).

§ 75.6 [Amended]

108. In § 75.6, paragraphs (a) Table and (d), remove the words "Office of Inspection and Enforcement".

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

109. The authority citation for Part 95 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. 5841).

§ 95.18 [Amended]

110. In § 95.18, paragraph (a) introductory text, after the words "Office of Administration" add the words "and Resources Management".

§ 95.45 [Amended]

111. In § 95.45, paragraph (a), after the words "Office of Administration" add the words "and Resources Management".

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

112. The authority citation for Part 150 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. 5841).

113. In § 150.16, paragraph (b) is revised to read as follows:

§ 150.16 Submission to Commission of nuclear material transfer reports.

* * * * *

(b)(1) Each person who, pursuant to an Agreement State License, possesses 1 gram or more of contained uranium-235, uranium-233, or plutonium shall report immediately to the Regional Administrator of the appropriate NRC Regional Office listed in Appendix A of Part 73 of this chapter, by telephone, any theft or other unlawful diversion of special nuclear material which the licensee is licensed to possess or any incident in which an attempt has been made, or is believed to have been made, to commit a theft or unlawful diversion of special nuclear material.

(2) The licensee shall follow the initial report within a period of 15 days with a written report submitted to the appropriate NRC Regional Office, shown in Appendix A of Part 73 of this chapter, which sets forth the details of the incident. The licensee shall send copies of this report to the Director, Office of Nuclear Material Safety and

Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

(3) Subsequent to the submission of the written report required by this paragraph, each licensee shall promptly inform the Regional Administrator of the appropriate NRC Regional Office by means of a written report of any substantive additional information which becomes available to the licensee concerning an attempted or apparent theft or unlawful diversion of special nuclear material.

§ 150.17 [Amended]

114. In § 150.17, paragraphs (a) and (b), add after the words "Division of Safeguards" the words "and Transportation,"; and paragraph (c), remove the words "Director Of Inspection and Enforcement", and add after the words "U.S. Nuclear Regulatory Commission" the words "Division of Safeguards and Transportation".

§ 150.19 [Amended]

115. In § 150.19, paragraph (c), remove the words "Director of Inspection and Enforcement" and add in their place the words "Director, Office of Nuclear Material Safety and Safeguards".

§ 150.20 [Amended]

116. In § 150.20, paragraph (b)(1), remove the word "Director" and add in its place the words "Regional Administrator".

PART 170—FEES FOR FACILITIES AND MATERIALS LICENSES AND OTHER REGULATORY SERVICES UNDER THE ATOMIC ENERGY ACT OF 1954, AS AMENDED

117. The authority citation for Part 170 continues to read as follows:

Authority: 31 U.S.C. 9701, 96 Stat. 1051; sec. 301, Pub. L. 92-314, 86 Stat. 222 (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

§ 170.12 [Amended]

118. In § 170.12, paragraph (g), remove the words "Enforcement staff,"; "Inspection and" from the words "Office of Inspection and Enforcement"; and the "," after the word "Enforcement".

119. In § 170.20, paragraph (b) is revised to read as follows:

§ 170.20 Average cost per professional staff-hour.

* * * * *

(b) Fees for inspections based on full cost under §§ 170.21 and 170.32 will be calculated using the hourly rates for NRR and NMSS, respectively, set out in paragraph (a) of this section.

Dated at Washington, DC, this 13th day of August 1987.

For the Nuclear Regulatory Commission.
Samuel J. Chilk,
Secretary of the Commission.
[FR Doc. 87-19290 Filed 8-20-87; 8:45 am]
BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 87-ANM-8]

Revision to Hailey, ID, Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises the Hailey, Idaho, transition area by adding 700 foot controlled airspace to accommodate a Microwave Landing System (MLS) special instrument approach procedure for Horizon Airlines at Hailey, Idaho.

EFFECTIVE DATE: 0901 UTC, September 30, 1987.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, ANM-535, Federal Aviation Administration, Docket No. 87-ANM-8, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, Telephone: (206) 431-2535.

SUPPLEMENTARY INFORMATION:

History

On June 11, 1987, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to revise the Hailey, Idaho, transition area (52 FR 22332).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations establishes 700 foot transition airspace at Hailey, Idaho, to accommodate arrival and departure procedures to the Hailey Municipal Airport. This action will also reduce the size of the existing 1,200 foot transition area.

The FAA has determined that this proposed regulation only involves an

established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore— (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in CFR Part 71

Aviation safety, Transition areas.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended as follows:

PART 71—[AMENDED]

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. Section 71.181 is amended as follows:

Hailey, Idaho, Transition Area (Revised)

That airspace extending upward from 700 feet above the surface within 2 miles each side of the M-SUN MLS (lat. 43°30'31.08" N, long. 114°17'52.99" W), 328° azimuth, from 8.5 miles northwest to 5 miles southeast of the M-SUN MLS; and that airspace extending upward from 1,200 feet above the surface, within 4 miles each side of the M-SUN 328° azimuth, from 18 miles northwest to the M-SUN MLS, and that airspace from lat. 43°36'00" N, long. 114°27'00" W, thence eastbound to lat. 43°36'00" N, long. 114°00'00" W, thence southbound to lat. 43°17'30" N, long. 114°00'00" W, thence westbound to lat. 43°17'30" N, long. 114°27'00" W, thence northbound to point of beginning excluding that airspace overlying V-231 on the east side and V-500 on the south side.

Issued in Seattle, Washington, on August 3, 1987.

Temple H. Johnson,

Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 87-19107 Filed 8-20-87; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 48 and 602

[T.D. 8152]

Excise Taxes on Gasohol and Other Alcohol Mixture Fuels, Tread Rubber and Inner Tubes

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations relating to the excise tax on gasohol and other alcohol mixture fuels. This document also contains final regulations relating to the rate of excise tax on tires, tread rubber, and inner tubes. Changes to the laws relating to gasohol and other alcohol mixture fuels and tires were made by the Highway Revenue Act of 1982 and the Tax Reform Act of 1984. These regulations provide necessary guidance to Internal Revenue Service personnel who administer the Internal Revenue code and members of the public who are subject to these laws.

DATES: The amendments made to §§ 48.4041-18, 48.4041-19, 48.4041-20, 48.4081-2, 48.6420-4 and 48.6427-1 of the regulations, relating to alcohol fuels, are effective for sale or uses made on and after April 1, 1983. The amendments made to §§ 48.4071-1 and 48.4071-2 of the regulations, relating to tires, are effective for sales or uses made on and after January 1, 1984.

FOR FURTHER INFORMATION CONTACT: Margaret M. O'Connor of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224 (Attention:CC:LR:T) 202-566-3287, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

On August 22, 1985, the Federal Register (50 FR 33977) published proposed amendments to the Manufacturers and Retailers Excise Tax Regulations (26 CFR Part 48) under sections 4041, 4071, 4081, 6420 and 6427 of the Internal Revenue Code of 1954 (Code). The amendments were proposed to conform the regulations to sections 511 (b), (d), (e), (f) and 514 of the Highway Revenue Act of 1982 (Pub. L. 97-424; 96 Stat. 2171) and sections 732 (a), 912 (a), (b), (d), (f) and 913 of the Tax Reform Act of 1984 (Pub. L. 98-369; 98 Stat. 976, 1007). A public hearing regarding the proposed regulations was