(b) Any compliance agreement may be cancelled orally or in writing by an inspector whenever the inspector finds that the person who has entered into the compliance agreement has failed to comply with this subpart or any conditions imposed pursuant to this subpart. If the cancellation is oral, the cancellation and the reasons for the cancellation will be confirmed in writing within 20 days of oral notification of the cancellation. Any person whose compliance agreement has been cancelled may appeal the decision, in writing, within ten days after receiving written notification of the cancellation. The appeal must state all of the facts and reasons upon which the person relies to show that the compliance agreement was wrongfully cancelled. Within 60 days after receipt of the appeal, or as soon as practicable after the hearing, if a hearing is held, the Administrator will grant or deny the appeal, in writing, stating the reasons for the decision. A hearing will be held to resolve any conflict as to any material fact. Rules of practice concerning a hearing will be adopted by the Administrator.

§ 301.97-7 Assembly and inspection of regulated articles.

(a) Any person (other than a person authorized to issue certificates or limited permits under § 301.97-5(c) of this subpart) who desires to move interstate a regulated article accompanied by a certificate or limited permit must, at least 48 hours before the desired interstate movement, request an inspector [2] to issue the certificate or limited permit.

(b) The regulated article must be assembled at the place and in the manner the inspector designates as necessary to comply with this subpart.

§ 301.97-8 Attachment and disposition of certificates and limited permits.

(a) A certificate or limited permit required for the interstate movement of a regulated article must, at all times during the interstate movement, be attached to the outside of the container containing the regulated article, attached to the regulated article itself if it is not in a container, or attached to the consignee's copy of the accompanying waybill: *Provided however*, that the requirements of this section may be met by attaching the certificate or limited permit to the consignee's copy of the waybill only if the regulated article is sufficiently described on the certificate, limited permit, or waybill to identify the regulated article.

(b) The certificate or limited permit for the interstate movement of a regulated article must be furnished by the carrier to the consignee at the destination of the regulated article.

§ 301.97-9 Costs and charges.

The services of the inspector between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except holidays, will be furnished without cost to persons requiring the services. The United States Department of Agriculture will not be responsible for any other costs or charges.

§ 301.97-10 Treatments.

(a) Treatment for soil within the drip area of plants that are producing or have produced the fruits, vegetables, and berries listed in § 301.97-2(a) of this subpart: Apply diazinon at the rate of 5 pounds active ingredient per acre to the soil within the drip area with sufficient water to wet the soil to at least a depth of ½ inch.

(b) Treatment schedules listed in the Plant Protection and Quarantine Treatment Manual to destroy melon fly on regulated articles are authorized treatments. The Plant Protection and Quarantine Treatment Manual is incorporated by reference in § 300.1 of this chapter, "Materials incorporated by reference."

Done at Washington, DC, this 5th day of February 1988.

James W. Glosser,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 88-2836 Filed 2-9-88; 8:45 am]

BILLING CODE 3410-34-M

Quarantine (local offices are listed in telephone directories), or by contacting National Programs, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Agricultural Stabilization and Conservation Service

7 CFR Part 713

Farm Marketing Quotas, Acreage Allotments, and Production Adjustment; Feed Grain, Rice, Upland and Extra Long Staple Cotton, Wheat, and Related Programs

AGENCY: Commodity Credit Corporation ("CCC"), and Agricultural Stabilization and Conservation Service ("ASCS"), USDA.

ACTION: Interim rule and request for comments.

SUMMARY: This interim rule amends the regulations found at 7 CFR Part 713 effective for the 1988 and subsequent years' crops of feed grains, rice, upland and extra long staple cotton, and wheat. Various changes are necessary to implement provisions of the Omnibus Budget Reconciliation Act of 1987 (the "1987 Act") with respect to: (1) The haying and/or grazing of acreages devoted to conserving uses or acreage conservation reserve (ACR) in accordance with the annual price support and production adjustment programs; (2) making deficiency payments available to producers of wheat and feed grains who elect to devote all or any portion of the permitted acreage of a crop on the farm to conserving uses if such acreage is considered to be planted to such a crop ("0/92 provision"); (3) the making of an advance payment equal to 75 percent of any increase in deficiency payments resulting from a reduction in the loan and purchase rate for wheat (the "Findley payment") by December 15 of the crop year if requested by the producer at the time of program enrollment; and (4) compensating producers whose farm program payment yield for the 1988 through 1990 crops of wheat, feed grains, upland cotton, or rice is established at less than 90 percent of the farm program payment yield for the crop in 1985.

Additionally, other changes are being made with respect to: (1) Amending § 713.1(b) with respect to those payments which are subject to statutory maximum payment limitations; (2) the adjustment of crop acreage bases (CAB's) to allow producers to comply with the conservation plan of operation (CPO) for their farm; (3) correcting an erroneous reference in § 713.109; and (4) the manner in which a determination is made as to whether a rental agreement is a share lease or a cash lease for purposes of program participation.

DATES: Effective Date: February 9, 1988.

Comments must be received on or before March 11, 1988, in order to be assured of consideration.

ADDRESS: Submit comments to: Director, Cotton, Grain, and Rice Price Support Division, Agricultural Stabilization and Conservation Service, USDA, P.O. Box 2415, Washington, DC 20013.

FOR FURTHER INFORMATION CONTACT: Raymond K. Aldrich, Program Specialist, Cotton, Grain, and Rice Price Support Division, ASCS, P.O. Box 2415, Washington, DC 20013, (202) 447-6688.

SUPPLEMENTARY INFORMATION: This interim rule has been reviewed under USDA procedures implementing Executive Order 12291 and Departmental Regulation 1512-1 and has been classified "not major". It has been determined that this rule will not result in: (1) An annual effect on the economy of $100 millon or more; (2) a major increase in costs or prices for consumers, individual industries, Federal, State or local governments, or geographic regions; or (3) significant adverse effects on competition, employment, investment, productivity, innovation or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

It has been determined that Regulatory Impact Analyses are not required for the changes being made by this interim rule.

The titles and numbers of the Federal assistance programs to which this interim rule applies are: Cotton Production Stabilization—10.052; Feed Grain Production Stabilization—10.055; Wheat Production Stabilization—10.058; Rice Production Stabilization—10.065 as found in the Catalog of Federal Domestic Assistance.

It has been determined that the Regulatory Flexibility Act is not applicable to this interim rule since neither the Agricultural Stabilization and Conservation Service ("ASCS") nor the Commodity Credit Corporation ("CCC") is required by 5 U.S.C. 553 or any other provision of law to publish a notice of proposed rulemaking with respect to the subject matter of this rule.

Based on an environmental evaluation, it has been determined that the changes made herein to the regulations found at 7 CFR Part 713 will not have a significant impact on the environment and that an environmental impact statement is not required.

A draft environmental evaluation pertaining to agricultural acreage adjustment programs has been prepared. Further information is available from Phillip Yasnowsky, Program Analysis Division, ASCS, USDA, P.O. Box 2415, Washington, DC 20013; (202) 447–7887.

This program/activity is not subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. See the Notice related to 7 CFR Part 3015, Subpart V, published at 48 FR 29115 (June 24, 1983).

The Office of Management and Budget has approved the information collection requirements contained in these regulations under the provisions of 44 U.S.C. Chapter 35 and OMB Numbers 0560–0030, 0560–0071, 0560–0091, and 0560–0650 have been assigned.

Discussion of Changes

In order to receive benefits under the annual Commodity Credit Corporation ("CCC") price support and production adjustment programs which are authorized by the Agricultural Adjustment Act of 1949, as amended (the "1949 Act"), a producer may be required to reduce the planted acreage of wheat, feed grains, upland and extra long staple cotton, and rice. This acreage must be devoted to uses which have been approved by CCC. With respect to the 1988 and subsequent crop years, this acreage must be devoted to "conserving uses", as defined in 7 CFR 713.3.

One of the benefits made available to producers is a deficiency payment. A deficiency payment is made if certain market prices are not attained during the marketing year which has been established for a crop. Prior to the enactment of the Food Security Act of 1985 (the "1985 Act"), which amended the 1949 Act with respect to the 1986–1990 crops, deficiency payments were made only with regard to the acreage actually planted to specified program crops for harvest. Effective for the 1986–1990 crops of wheat, feed grains, upland cotton and rice, the 1985 Act amended the 1949 Act to provide that a deficiency payment may be made with respect to a portion of the acreage on a farm which is devoted to approved conserving uses if the producer: (1) Planted an acreage of the program crop which is equal to 50 percent of the permitted acreage which has been established for the crop for a farm; and (2) devoted to approved conserving uses all, or a portion, of the remaining permitted acreage. In such a case, the deficiency payment is made with respect to that portion of the permitted acreage for which approved conserving use acreage in excess of 8 percent of the permitted acreage is designated. These provisions are commonly referred to as "50/92".

The Omnibus Budget Reconciliation Act of 1987 (the "1987 Act"), was approved December 22, 1987.

Sections 105C and 107D of the 1949 Act were amended by the 1987 Act to remove the 50/92 provisions with respect to producers of the 1988 through 1990 crops of wheat and feed grains and to provide for the making of deficiency payments to producers of wheat and feed grains who elect to devote all or a portion of the permitted acreage of such crops to conserving uses. The 1987 Act also provides that the payment rate which is to be used in making these payments shall not be less than the estimated deficiency payment rate for the crop. Accordingly, this interim rule will allow producers to designate an acreage in excess of 8 percent of the permitted acreage to conserving uses and receive payments based on the total of the planted acreage of the crop and such acreage which is devoted to conserving uses in an amount up to 92 percent of the permitted acreage. These provisions are commonly referred to as "0/92".

To minimize the adverse effect of the 0/92 provisions on agribusiness and other agriculturally related economic interests within a county, state or region, the total amount of acreage of a crop that may be taken out of production under production adjustment and conservation programs may result in a limitation on the amount of acreage which may be subject to the 0/92 provisions. Accordingly, producers who wish to use the 0/92 provisions must submit an offer to participate in the "0/92 program" by a date specified by CCC. In the event that a limitation is necessary, producers will be notified by certified mail of: (1) CCC's rejection of the producer's initial offer and CCC's modified offer; (2) the opportunity to reject CCC revised offer by the date established by CCC. Accordingly, the regulations found at §§ 713.50 and 713.108 are amended to include these provisions.

Sections 107D, 105C, 103A, and 101A of the 1949 Act were amended to allow producers of the 1988 and subsequent crops of wheat, feed grains, upland cotton, and rice to hay and graze acreages devoted to conserving uses or ACR and designated under any of the commodity and production adjustment programs, excluding the Conservation Reserve Program, except during a consecutive 5-month period, between April 1 and October 31, as established by the Agricultural Stabilization and Conservation (ASC) committee for a State, unless the Secretary determines that such haying and grazing would have an adverse economic effect. Accordingly, the regulations found at 7 CFR 713.63 and 713.102 are amended to include this provision.

Section 107D of the 1949 Act was amended by the 1987 Act to provide that, for the 1987 through 1990 wheat crops, producers may request an advance payment equal to 75 percent of the payment resulting from the downward adjustment of the price support loan and purchase rate (the "Findley payment"). Such payment shall be made no later than December 15 of the crop year except that, for the 1987 crop year, such payment is to be made available not later than 75 days after enactment of the 1987 Act. Accordingly, the regulations found at 7 CFR 713.108 are amended to include the revised dates for making such payments available to producers.

Section 506(b)(2) of the 1949 Act was amended by the 1987 Act to provide that additional compensation shall be made available to producers whose farm program payment yield for the 1988 through 1990 crops of wheat, feed grains, upland cotton, and rice is less than 90 percent of the 1985 farm program payment yield which was established for such a crop. Such additional compensation is to provide the producer the same total return as if the 1988 through 1990 farm program payment yield had been reduced by only 10 percent. Accordingly, the regulations found at 7 CFR 713.108 are amended to include this provision.

In addition to the amendments made by the 1987 Act which require the amendment of 7 CFR Part 713, this interim rule also makes several other changes in order to improve the administration of these programs. Accordingly, the following amendments to 7 CFR Part 713 have been made.

Sections 1211 and 1212 of the Food Security Act of 1985, as amended, provide that a producer will be ineligible to receive certain specified Federal benefits if the producer is farming highly erodible land, unless such producer is actively following an approved conservation plan. As it sometimes becomes necessary for such a producer to increase the acreage on a farm which is planted to a high residue program crop in order for the producer to be in compliance with the conservation plan, 7 CFR 713.12 is amended to provide that such a producer may request that the crop acreage bases on the farm be adjusted in order to conform to this plan.

The regulations found at 7 CFR 713.1(b) currently set forth those payments which are subject to the maximum payment limitation provisions of the 1985 Act. The types of payments which are subject to these limitations were substantially increased by Pub. L. 99-500 and 99-591. Since these regulations merely repeat the provisions of the 1985 Act, it has been determined that it is not necessary to refer to such payments in this section. Accordingly, 7 CFR 713.1(b) is revised by deleting references to the specific payments.

In order to participate in a CCC price support and production adjustment program which has been established for a crop of wheat, feed grains, upland and extra long staple cotton, and rice, producers must execute a contract to participate in the program with CCC during an enrollment period which is determined and announced by CCC. 7 CFR 713.50 is amended to set forth the requirements that a producer must follow in order to submit an offer to participate in the "0/92 program".

Section 504 of the 1959 Act sets forth the manner in which crop acreage bases are established. Section 504(b)(2) provides that in some instances an acreage which is planted to certain nonprogram crops may be considered to have been planted to the program crop. Section 504 specifically provides that peanuts, soybeans, and extra long staple cotton may not be considered as planted to a program crop. 7 CFR 713.102 sets forth the regulations which implement these provisions. These regulations, however, currently refer only to the exclusion of peanuts. Therefore, 7 CFR 713.102 is amended to include soybeans and extra long staple cotton as additional crops which may not be considered as planted in a program crop.

The division of farm program payments depends upon whether a rental agreement is a share lease or a cash lease. Accordingly, the regulations found in 7 CFR 713.109 are amended to clarify the manner in which such determinations are made.

The 1987 Act was not approved under December 22, 1987. Therefore, many major 1988 program determinations could not be made until after this date. Since many producers must make immediate decisions concerning their farming operations if they participate in these programs, it has been determined that this interim rule will become effective upon date of filing with the Director, Office of the Federal Register. Comments are requested, however, and will be taken into consideration in developing the final rule.

List of Subjects 7 CFR Part 713

Feed grains, Rice, Upland and extra long staple cotton, Wheat and related programs.

Interim Rule

Accordingly, the regulations found at Part 713 of Chapter VII of Title 7 of the Code of Federal Regulations are amended as follows:

PART 713—[AMENDED]

1. The authority citation continues to read as follows:

Authority. Secs. 101A, 103A, 105C, 107C, 107D, 107E, 109, 113, 401, 403, 503, 504, 505, 506, 507, 508, and 509 of the Agricultural Act of 1949, as amended; 99 Stat. 1419, as amended, 1407, as amended, 1395, as amended, 1444, 1383, as amended, 1448; 91 Stat. 950, as amended, 63 Stat. 1054, as amended, 99 Stat. 1461, 1461, as amended, 1462, 1463, 1463, 1464, 1464 (7 U.S.C. 1441-1, 1444-1, 1444b, 1445b-2, 1445b-3, 1445b-4, 1445d, 1445h, 1421, 1423, and 1461 through 1469); sec. 1001 of the Food Security Act of 1985, as amended, 99 Stat. 1444 (7 U.S.C. 1308); Sec. 1001 of the Food and Agriculture Act of 1977, as amended, 91 Stat. 950, as amended (7 U.S.C. 1309); Sec. 1009 of the Food Security Act of 1985, 99 Stat. 1453 (7 U.S.C. 1308a).

2. Section 713.1 is amended in paragraph (a) by removing "1987" and inserting in lieu thereof "1988"; and paragraph (b) is revised to read as follows:

§ 713.1 Applicability.

* * * * *

(b) *Payment limitations.* In accordance with section 1001 of the Food Security Act of 1985, as amended, the total amount of certain payments which a "person" may receive in accordance with the programs set forth in this part may not exceed limitation of $50,000 and $250,000. The manner in which a "person" is determined for these purposes is set forth at Part 795 of this chapter.

3. Section 713.12 is amended by revising paragraph (d) to read as follows:

§ 713.12 Adjusting crop acreage bases.

* * * * *

(d) Crop acreage bases established in accordance with 7 CFR 713.7 may be adjusted in accordance with instructions issued by the Deputy Administrator to reflect the amount of high residue crops which must be planted by producers on the farm in order to comply with the approved conservation plan for the farm.

* * * * *

4. Section 713.50 is amended by revising paragraph (a), redesignating paragraph (b) as paragraph (c) and adding a new paragraph (b) as follows:

§ 713.50 Contracting procedures.

(a) *Signup*—(1) *Acreage reduction and paid land diversion programs.* Eligible producers may offer to enter into a contract with CCC by executing a contract and submitting it to the county ASCS office where the records for the farm are maintained not later than a date specified in the announcement of the acreage reduction and paid land diversion program.

2) *"0/92" provisions.* Eligible producers of the 1988 crops of wheat and feed grains may offer to devote all or a portion of the permitted acreage of such crops on a farm to conserving uses and designate such acreage as either wheat or feed grains, as applicable, by submitting an offer to CCC in the manner prescribed by CCC in Form CCC-477 and any appendix and

addendum thereto. Such offer must be submitted to the county ASCS office where the farm records are maintained not later than a date specified in the announcement of the availability of such provisions. Offers may be accepted by CCC without modification by CCC. However, if the total acreage offered to be devoted to approved conserving uses in accordance with this section and the total amount of any acreage projected by CCC to be removed from production in accordance with an acreage reduction program, a paid land diversion program, and the Conservation Reserve Program is determined to have an adverse effect on agribusiness and other agriculturally related economic interests within a county, state, or region, CCC may reject an offer and may also submit a modified offer to the producer. CCC's modified offer shall be delivered by certified mail to the producer and, in addition to the details of CCC's offer, shall specify that the producer has a right to reject CCC's offer in writing by the date specified by CCC. In the event the producer does not reject CCC's offer by such date, the offer shall be deemed to have been accepted by the producer.

(b) *Extension of signup.* The signup period determined and announced in accordance with subsection (a) of this section may be extended for a producer or for all producers within a designated area under the terms and conditions announced by CCC in the event of the occurrence of a condition which is beyond the control of producers if CCC determines that such an extension will not affect adversely the administration of the respective program.

* * * * *

5. Section 713.63 is amended by revising paragraph (a) to read as follows:

§ 713.63 Use of ACR acreage.

(a) *Haying and grazing.* Haying and/or grazing of acreage devoted to conservation uses and designated as ACR shall be allowed except for a consecutive 5-month period between April 1 and October 31 as established by the State committee unless it has been determined by the Secretary, or a designee of the Secretary, that such haying and/or grazing would have an adverse economic effect.

* * * * *

6. Section 713.102 is amended by revising the introductory text of paragraph (e) and paragraph (f) to read as follows:

§ 713.102 Determination of farm program acreage.

* * * * *

(e) *Other nonprogram crops.* An acreage of other nonprogram crops, excluding peanuts, soybeans, and extra long staple cotton, shall be credited to a crop of rice, upland cotton, feed grains, or wheat only as follows:

* * * * *

(f) *Haying and grazing.* Haying and/or grazing of approved nonprogram crops and conserving use acreages credited as the program crop may be permitted only as follows:

(1) *Approved nonprogram crops.* Haying and/or grazing of approved nonprogram crops credited as the program crop shall only be permitted if requested by the State committee and the Secretary approves such request.

(2) *Conserving uses and ACR.* Haying and/or grazing of acreages devoted to conserving uses or ACR and designated to a program crop in accordance with the provisions of § 713.108 shall be permitted, except for a consecutive 5-month period between April 1 and October 31 as established by the State Committee, unless it has been determined by the Secretary, or a designee of the Secretary, that such haying and/or grazing would have an adverse economic effect.

* * * * *

7. Section 713.108 is amended by removing the second sentence in paragraph (a)(4) and by revising paragraph (b)(2)(i), (ii), (d)(5)(i), (ii) and (iii), and (e) to read as follows:

§ 713.108 Deficiency payments.

* * * * *

(b) * * *

(2) * * *

(i) If: (A) For upland cotton or rice, the acreage of the crop planted for harvest is less than 50 percent of the permitted acreage of the crop for the farm, or; (B) for wheat or feed grains, the farm is not subject to the provisions of § 713.50(a)(2), the farm program acreage shall not be increased above the actual planted acreage for 1988 and subsequent year's crops;

(ii) If: (A) For upland cotton or rice, the acreage of the crop planted for harvest equals or exceeds 50 percent of the permitted acreage, or; (B) for wheat or feed grains, the farm is subject to the provisions of § 713.50(a)(2), the farm program acreage shall be the sum of the following:

* * * * *

(d) * * *

(5) * * *

(i) *Wheat.* (A) December 1, but not later than December 15, with respect to 75 percent of such payment if the producer requested at the time of program enrollment that such an advance be made. (B) July 1, with respect to any remaining payment if such an advance payment has been made or if the producer has not requested such an advance payment.

(ii) *Barley and oats.* July 1.

(iii) *Corn and grain sorghum.* October 1.

(e) *Additional yield payments.* If, with respect to each of the 1988 through 1990 crops of wheat, feed grains, upland cotton, or rice, 90 percent of the 1985 farm program payment yield exceeds the farm program payment yield for the farm established in accordance with § 713.6, deficiency payments for such crops for each year shall be determined by multiplying the farm program acreage by 90 percent of the 1985 farm program payment yield by the deficiency payment rate.

8. Section 713.109 is revised to read as follows:

§ 713.109 Division of payments.

(a) *General.* Each producer on a farm shall be given the opportunity to participate in the program for a crop in proportion to such producer's interest in the program crop on the farm or the interest such producer would have had if the crop had been produced. The name of all such producers shall be listed on the contract. Federal agencies can earn no program payments, but any shares to which such agencies would otherwise be entitled shall also be shown on the contract as though the agencies were earning them. The sum of the percentage shares of the program payment shall equal 100 percent.

(b) *Division of program payment.* Each producer's share of the farm program payment for a crop shall be based on the following:

(1) *Cash lease.* If a rental agreement contains provisions for a guaranteed minimum rental with respect to the amount of rent to be paid to the landlord by a tenant, such agreement shall be considered to be a cash rental agreement. In addition, the rental agreement must be customary and reasonable for the area.

(2) *Share lease.* If a rental agreement contains provisions that require the payment of rent on the basis of the amount of the crop produced, or the proceeds derived from the crop, or the interest such producer would have had if the crop had been produced, such agreement shall be considered to be a share rental agreement. In addition, the rental agreement must be customary and reasonable for the area.

(3) *Adjustment by County Committee.* A different division of payment which is fair and equitable may be approved by

the county committee if all of the producers who would otherwise share in the payment agree to the different division in writing. Such different division of payments may be also be approved by the county committee, with the concurrence of a representative of the State committee, even though all of the producers do not agree with respect to the division of payment. In addition, a different division of payments may be approved by the county committee when required by § 713.151.

Signed at Washington, DC on February 3, 1988.

Vern Neppl,

Acting Executive Vice President, Commodity Credit Corporation, Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc. 88-2833 Filed 2-9-88; 8:45 am]

BILLING CODE 3410-05-M

Farmers Home Administration

7 CFR Parts 1901 and 1951

Grant Servicing

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: The Farmers Home Administration (FmHA) amends its servicing and monitoring of grants regulations for Community Facility projects. This action is being taken to make FmHA's Community Facilities servicing regulations and civil rights compliance requirements consistent with OMB Circulars A-102, A-110, and USDA regulation 3015.

The intended effect of this action is to reduce the servicing workload of FmHA personnel and to make FmHA regulations consistent with OMB Circular A-102, A-110, and USDA regulations 3015.

EFFECTIVE DATE: February 10, 1988.

FOR FURTHER INFORMATION CONTACT: Jerry W. Cooper, Loan Specialist, Water and Waste Disposal Division, Farmers Home Administration, USDA, South Agriculture Building, Room 6328, Washington, DC 20250, telephone: (202) 382-9589.

SUPPLEMENTARY INFORMATION: This action has been reviewed under USDA procedures established in Departmental Regulation 1512-1, which implements Executive Order 12291, and has been determined to be exempt from those requirements because it involves only internal Agency management.

It is the policy of this Department to publish for comment rules relating to public property, loans, grants, benefits, or contracts, notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since it involves only internal Agency management and, therefore, publication for comment is unnecessary. This action will reduce the timeframe established for the Agency to monitor Grantee compliance with terms of the Grant Agreement. Therefore, the impact will be on internal Agency management, not the public.

FmHA's current servicing regulation has no termination date for servicing and monitoring FmHA grant financed projects. This action will not require any monitoring by FmHA after a grantee has completed all administrative actions, the planned work is completed, and FmHA accepts the final expenditure information. In the case of civil rights compliance reviews, the regulation will be revised so that no review will be required after the last advance of FmHA grant funds. The current civil rights compliance regulation requires compliance reviews for as long as the grant-financed facility is used for same or similar purpose as when the grant was made. This action will clarify the servicing of grants that are associated with loans sold by FmHA as required by the Omnibus Budget Reconciliation Act of 1986 as well as existing grants.

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.418, Water and Waste Disposal Systems for Rural Communities, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V, 48 FR 29112, June 24, 1983, and 7 CFR Part 1940, Subpart J, *Intergovernmental Review of Farmers Home Administration Programs and Activities*).

This document has been reviewed in accordance with 7 CFR Part 1940, Subpart G, *Environmental Program*. It is the determination of FmHA that this action does not constitute a major Federal action significantly affecting the quality of the human environment and in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

This action amends FmHA's policies for servicing development grants. These grants assist in financing the development costs of domestic water and waste disposal systems, site acquisition and development grants to assist energy impacted areas, and Industrial Development to rural communities and/or other association of farmers, ranchers, rural resident, and other rural users.

List of Subjects

7 CFR Part 1901

Civil rights, Compliance reviews, Fair housing, Minority groups.

7 CFR Part 1951

Account servicing, Grant programs—Housing and community development, Loan programs—Housing and community development, Reporting requirements, Rural areas.

Therefore, Chapter XVIII, Title 7, Code of Federal Regulations, is amended as follows:

PART 1901—PROGRAM-RELATED INSTRUCTIONS

1. The authority citation for Part 1901 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 40 U.S.C. 442; 5 U.S.C. 301; 42 U.S.C. 2942; 7 CFR 2.23; 7 CFR 2.70.

Subpart E—Civil Rights Compliance Requirements *C*

2. In § 1901.204 paragraph (b)(3) is removed; and paragraphs (b)(1), (b)(2), and (e)(3)(i) are revised to read as follows:

§ 1901.204 Compliance reviews.

* * * * *

(b) * * *

(1) Until the loan is paid in full or otherwise satisfied; or sold through the sale of FmHA's assets; or,

(2) Until the last advance of grant funds is made for the grants listed in paragraph (a) of this section.

(e) * * *

(3) * * *

(i) For Water and Waste disposal organizations with loans that have had at least two compliance reviews after loan closing covering a six-year period, and where no discriminatory practices are indicated, the frequency of subsequent reviews may be reduced to six years.

* * * * *

PART 1951—SERVICING AND COLLECTIONS

3. The authority citation for Part 1951 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 7 CFR 2.23; 7 CFR 2.70.

Subpart E—Servicing of Community Program Loans and Grants

4. Section 1951.215 is revised to read as follows:

§ 1951.215 Grants.

No monitoring action by FmHA is required after grant closeout. Grant closeout is when all required work is completed, administrative actions relating to the completion of work and expenditure of grant funds have been accomplished, and FmHA accepts final expenditure information. However, grantees remain responsible in accordance with the terms of the grant agreement for property acquired with grant funds. The State Director is authorized to approve any servicing actions needed in accordance with the terms of the grant agreement.

Date: December 29, 1987.

Vance L. Clark,

Administrator, Farmers Home Administration.

[FR Doc. 88-2838 Filed 2-9-88; 8:45 am]

BILLING CODE 3410-07-M

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7 CFR Part 1942

Community Facility Loans and Grants

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule; Correction.

SUMMARY: This action corrects a final rule published November 2, 1987 (52 FR 41947). In this final rule a portion of 7 CFR Part 1942, § 1942.463(b)(4) of subpart J was omitted. The intent of this action is to insert the missing portion.

FOR FURTHER INFORMATION CONTACT: Jerry W. Cooper, Loan Specialist, Water and Waste Disposal Division, Farmers Home Administration, USDA, South Agriculture Building, Room 6328, Washington, DC 20250, telephone: (202) 382-9589.

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.418, Water and Waste Disposal Systems for Rural Communities, and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials (7 CFR Part 3105, Subpart V, 48 FR 29112, June 24, 1983, and 7 CFR Part 1940, Subpart J, "Intergovernmental Review of Farmers Home Administration Programs and Activities").

List of Subjects in 7 CFR Part 1942

Community development, Community facilities, Loan programs—Housing and community development, Loan security, Rural areas, Waste treatment and disposal—Domestic, Water supply—Domestic.

Accordingly, the Farmers Home Administration is correcting 7 CFR 1942.463(b)(4) published November 2, 1987 (52 FR 41947), page 41951 as follows:

PART 1942—[CORRECTED]

(1) The authority citation for Part 1942 continues to read as follows:

Authority: 7 U.S.C. 1989; 7 CFR 2.23; 16 U.S.C. 1005; 7 CFR 2.70.

Subpart J—Technical Assistance and Training Grants

(2) Section 1942.463 is amended by correcting paragraph (b)(4). As revised, paragraph (b)(4) reads as follows:

§ 1942.463 Preapplications.

* * * * *

(b) * * *

(4) Latest financial information to show the organization's financial capacity to carry out the proposed work. As a minimum, the information should include a balance sheet and an income statement. A current audit report is preferred.

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Date: December 29, 1987.

Vance L. Clark,

Administrator, Farmers Home Administration.

[FR Doc. 88-2839 Filed 2-9-88; 8:45 am]

BILLING CODE 3410-07-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1, 20, 30, 40, 55, 70, and 73

Change of Region I Address

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: On January 14, 1988, the Nuclear Regulatory Commission (NRC) announced that its Region I Office had moved to a new location in King of Prussia, Pennsylvania. These amendments are being made to revise NRC's regulations containing Regional Office addresses to reflect the new address for Region I. The amendments are necessary to inform the public and affected licensees of the change of address.

EFFECTIVE DATE: February 10, 1988.

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

SUPPLEMENTARY INFORMATION: On January 14, 1988, the NRC announced an address change for its Region I Office (53 FR 972). The current commercial telephone number (215-337-5000) remains unchanged. The FTS switchboard number has been changed to 8-346-5000. Individual staff members may be reached by dialing FTS 8-346-5XXX, as the last three digits of their current telephone numbers remain the same as listed in the NRC Telephone Directory (NUREG/BR-0046).[1]

Because these amendments deal solely with agency organization and procedures, the notice and comment provisions of the Administrative Procedure Act do not apply under 5 U.S.C. 553(b)(A). These 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)(2). 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.*).

List of Subjects

10 CFR Part 1

Organization and functions.

10 CFR Part 20

Byproduct material, Licensed material, Nuclear materials, Nuclear power plants and reactors, Occupational safety and health, Packaging and containers, Penalty, Radiation protection, Reporting and recordkeeping requirements, Special nuclear materials, Source material, Waste treatment and disposal.

10 CFR Part 30

Byproduct material, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Penalty,

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[1] NUREG/BR-0046 may be purchased from the Superintendent of Documents, U.S. Government Printing Office, P.O. 37082, Washington, DC 20013-7082.