

(FmHA) will be paid by FmHA. A similar sentence should have been added to § 1955.117(f) regarding program property sales and that omission is corrected.

4. In § 1955.143 (a)(1) and (a)(2) regarding reporting unsold SFH properties to the National Office, the time-frame mentioned for reporting is inconsistent with other sections of the subpart.

5. In § 1955.147 regarding sealed bid sales, FmHA inadvertently omitted a minor revision to paragraph (f). The revision was issued to our field offices making the information in the Federal Register conflict with published FmHA Instructions. We would like to correct this conflict. The proposed revision to Subpart C of Part 1955 published in the Federal Register (52 FR 10577) on April 2, 1988, did not specifically propose to change § 1955.147(f). However, as a result of changes to other sections of Subpart C of Part 1955, it was necessary to change this subparagraph. Paragraph (f) deals with cases where no acceptable bids are received. The section ends by stating that if no acceptable bids are received, sale by negotiation may commence however, the sale price cannot be lower than the minimum established price for the sealed bid sale. If no acceptable sealed bid was received, there would be no purpose to trying to sell the property through negotiation for the same price. Therefore, we intend to remove from the Federal Register, as we did in our Agency Instructions on August 24, the portion of paragraph (f) which stated that the sale price in a negotiated sale cannot be lower than the minimum established price for the sealed bid sale. In addition, due to revisions to this subpart published on September 14, 1988 (See 53 FR 35638), a reference change is also needed in paragraph (f).

6. In § 1965.125(a)(2)(ii)(B) regarding a sale of property for less than the debt, the section inadvertently addresses expenses of the transferee. This section should reference expenses of the "transferor" (seller), not transferee (purchaser) of the property.

7. In § 1965.126(e)(4)(iii) regarding flood insurance, the section states that the County Supervisor must make a determination that the property is "made." The correct word should be "safe."

8. In § 1965.129 regarding cosigners, the section states that an FmHA loan may be assumed "or program of NP terms". The first "or" should be "on"

Accordingly, the Farmers Home Administration is correcting 7 CFR Parts 1955 and 1965, as published on July 25, 1988 (53 FR 27819), as follows:

PART 1955—[CORRECTED]

1. The authority citation for Part 1955 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 A—Liquidation of Loans Secured By Real Estate and Acquisition of Real and Chattel Property

2. On page 27826, in the first column, § 1955.4(b) is corrected to read as follows:

§ 1955.4 Redefinition of authority.

(b) Except as provided in paragraph (a) of this section, the State Director is authorized to redelegate, in writing, any authority delegated to the State Director in this subpart to a Program Chief, Program Specialist or Property Management Specialist on the State Office staff; except the authority to approve or disapprove foreclosure as outlined in § 1955.115(a)(2) of this subpart may not be redelegated. However, a duly-designated Acting State Director may approve or disapprove foreclosure.

Subpart C—Disposal of Inventory Property

§ 1955.113 [Corrected]

3. On page 27831, in the third column, § 1955.113, the first sentence of paragraph (a)(1) is corrected by removing the words "at least."

4. On page 27835, in the first column, § 1955.117, paragraph (f) is corrected by adding the following sentence to the end of the paragraph to read as follows:

§ 1955.117 Processing credit sales on program terms (housing).

(f) * * * Any closing costs which are legally or customarily paid by the seller will be paid by FmHA and charged to the inventory account as a nonrecoverable cost items.

§ 1955.143 [Corrected]

5. On Page 27838, column three, § 1955.143, the first sentence of paragraphs (a)(1) and (a)(2) are corrected by replacing the words "in inventory" with the words "actively marketed."

6. On page 27839, column three, § 1955.147, paragraph (f) should have been included and then revised as follows:

§ 1955.147 Sealed bid sales.

(f) *No acceptable bid.* Where no acceptable bid is received although adequate competition is evident, the State Director may authorize a negotiated sale in accordance with § 1955.108(d) of this subpart

PART 1965—[CORRECTED]

7. The authority citation for Part 1965 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 C—Security Servicing for Single Family Rural Housing Loans

§ 1965.125 [Corrected]

8. On page 27841, in the first column, § 1965.125, the, third sentence of paragraph (a)(2)(ii)(B) is corrected by replacing the word "transferee" with the word "transferor."

§ 1965.126 Corrected

10. On page 27842, in the third column, § 1965.126, the second sentence of paragraph (e)(4)(ii) is corrected by replacing the word "made" with the word "safe."

§ 1965.129 [Corrected]

11. On page 27843, in the second column, § 1965.129, the second sentence of the introductory text is corrected by replacing the word "or" first mentioned in the sentence with the word "on."

Dated: January 9, 1989.

Neal Sox Johnson,

Acting Administrator, Farmers Home Administration.

[FR Doc. 89-3512 Filed 2-14-89; 8:45 am]

BILLING CODE 3410-07-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 103

[INS Number 1200-89]

Powers and Duties of Service Officers; Availability of Service Records

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule adds the job title "investigative assistant" to 8 CFR 103.1(q) to reflect inclusion of this position within the definition of "Immigration Officer".

EFFECTIVE DATE: February 15, 1989.

FOR FURTHER INFORMATION CONTACT:

Ronald W. Dodson, Investigations Division, Immigration and Naturalization Service, 425 "I" Street NW., Washington, DC 20536, (202) 633-3050.

SUPPLEMENTARY INFORMATION:

The Investigations Division of the Immigration and Naturalization Service has implemented an investigative support position "investigative assistant" (GS-1802). This rule allows the performance of duties included within the "investigative assistant" position description.

Compliance with 5 U.S.C. 553 as of notice of proposed rulemaking and delayed effective date is unnecessary because this rule relates to agency management.

In accordance with 5 U.S.C. 605(b) the Commissioner of the Immigration and Naturalization Service certifies that this final rule will not have a significant economic impact on substantial numbers of small entities. This order is not a rule within the definition of section 1(b) of E.O. 12291, nor does this rule have federalism implications warranting the preparation of a Federal Assessment in accordance with E.O. 12612.

List of Subjects in 8 CFR Part 103

Administrative practice and procedure, Authority delegations (Government agencies), Fees, Reporting and record keeping requirements.

Accordingly, Part 103 Chapter I of Title 8 of the Code of Federal Regulations is amended as follows:

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

1. The authority citation for Part 103 continues to read as follows:

Authority: 5 U.S.C. 522(a); 8 U.S.C. 1101, 1103, 1201, 1301-1305, 1351, 1443, 1454, 1455; 28 U.S.C. 1746; 7 U.S.C. 2243, 31 U.S.C. 9701; E.O. 12356; 3 CFR 1982 Comp., p. 166.

§ 103.1 (Amended)

2. Section 103.1(q) is amended by inserting the term "investigative assistant," immediately after the term "special agent."

Dated: February 9, 1989.

Clarence M. Coster,
Associate Commissioner, Enforcement.
[FR Doc. 89-3485 Filed 2-14-89; 8:45 am]
BILLING CODE 4410-10-M

NUCLEAR REGULATORY COMMISSION**10 CFR Parts 70 and 74****Centralization of Material Control and Accounting Licensing and Inspection Activities for Non-Reactor Facilities**

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to reflect a management action to centralize material control and accounting (MC&A) licensing and inspection activities in NRC Headquarters, Rockville, Maryland, for non-reactor facilities. Effective February 15, 1989 for affected facilities located in Regions I, III, and V, MC&A licensing reviews required by 10 CFR 70.32(c) and inspections will be performed by the Domestic Safeguards and Regional Oversight Branch, Division of Safeguards and Transportation, Office of Nuclear Material Safety and Safeguards. The performance of these activities for facilities located in Region II will remain in Region II until further notice by the Commission. This action is necessary because the small number of affected facilities in each region cannot support the full spectrum of knowledge, skills, and disciplines needed to conduct MC&A inspections.

EFFECTIVE DATE: February 15, 1989.

FOR FURTHER INFORMATION CONTACT:

Dr. Stanley L. Dolins, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555 Telephone (301) 492-3745 or Priscilla A. Dwyer, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555 Telephone (301) 492-0478.

SUPPLEMENTARY INFORMATION:**Background**

On December 22, 1988, the Executive Director for Operations approved, with the concurrence of the Chairman, a phased centralization in NRC Headquarters, Rockville, Maryland, of MC&A activities for non-reactor facilities. Affected are those non-reactor facilities required to maintain an MC&A program. Nationwide, there are, at the present time, sixteen non-reactor facilities required to maintain MC&A programs and which are subject to MC&A inspections (10 fuel cycle and 6 others). Transfer of these licensing and inspection activities from Regions I, III, and V to the Domestic Safeguards and Regional Oversight Branch, Division of

Safeguards and Transportation, Office of Nuclear Material Safety and Safeguards is effective February 15, 1989 while the Region II MC&A inspection program and 10 CFR 70.32(c) licensing reviews will be phased into Headquarters through Region II staff attrition or over a two-year period, whichever occurs first. Region IV has not affected facilities.

This centralization for these functions is needed because the relatively small annual workload requirements for the NRC in the majority of Regions foreclose the possibility of maintaining within each Region a full spectrum of the knowledge, skills, and disciplines needed to perform MC&A inspections. Centralization in NRC Headquarters will assure the maintenance of a viable and adequate nationwide MC&A inspection program for non-reactor facilities.

These revisions, necessitated by the centralization, are administrative in nature. They change the NRC recipient office point of contact for licensee reports, and conform the regulation to track the responsibilities now assigned to the Director, Office of Nuclear Material Safety and Safeguards.

Because these are amendments dealing with minor matters of agency management and personnel, the notice and comment provisions of the Administrative Procedure Act do not apply pursuant to 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 centralization to Headquarters of licensing and inspection activities formerly conducted in the NRC Regional Offices.

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 does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget approval numbers 3150-0009 and 3150-0123.

Backfit Analysis

The backfit rule, 10 CFR 50.109, does not apply to the facilities subject to this final rulemaking. Therefore, no backfit analysis has been prepared.

List of Subjects**10 CFR Part 70**

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

10 CFR Part 74

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

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. 552 and 553, the NRC is adopting the following amendments to 10 CFR Parts 70 and 74.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

1. The authority citation for Part 70 continues to read in part 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. In § 70.5, paragraph (b)(1)(vi) is added to read as follows:

§ 70.5 Communications.

* * *

(b) * * *

(1) * * *

(vi) Reviews pursuant to § 70.32(c).

3. In § 70.32, the introductory text of paragraph (c)(2) and paragraph (c)(3) are revised to read as follows:

§ 70.32 Conditions of licenses.

* * *

(c) * * *

(2) The licensee shall maintain records of changes to the material control and accounting program made without prior Commission approval for a period of five years from the date of the change. Licensees located in Regions I, III, IV, and V as indicated in Appendix A of Part 73 of this chapter, shall furnish to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, a report

containing a description of each change within:

* * *

(3) Licensees located within Region II, as indicated in Appendix A of Part 73 of this chapter, shall meet the provisions of paragraph (c)(2) of this section except that, until further notice by the Commission, these licensees shall furnish the required report to the Regional Administrator, U.S. Nuclear Regulatory Commission, 101 Marietta Street, NW., Suite 2900, Atlanta, Georgia 30323 with a copy to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

* * *

4. In § 70.55, paragraph (c)(3) is revised to read as follows:

§ 70.55 Inspections.

* * *

(c) * * *

(3) The licensee shall afford any NRC resident inspector assigned to that site or other NRC inspectors identified by the Regional Administrator or the Director, Office of Nuclear Material Safety and Safeguards, as likely to inspect the facility, immediate unfettered access, equivalent to access provided regular plant employees, following proper identification and compliance with applicable access control measures for security, radiological protection, and personal safety.

PART 74—MATERIAL CONTROL AND ACCOUNTING OF SPECIAL NUCLEAR MATERIAL

5. The authority citation for Part 74 continues to read in part 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).

6. In § 74.13, the introductory text of paragraph (b) is revised to read as follows:

§ 74.13 Material status reports.

* * *

(b) Each licensee subject to the requirements of § 70.51(e) of this chapter shall submit a report, in accordance with paragraph (b)(1) or (b)(2) of this section, to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, except licensees located in Region II, as indicated in Appendix A of Part 73 of this chapter, shall submit their report to the Region II Regional Office until further notice by the Commission, within 30 calendar days after the start of each ending

physical inventory required by § 70.51(e)(3).

* * *

7. In § 74.17, paragraphs (a) and (b) are revised to read as follows:

§ 74.17 Special nuclear material physical inventory summary report.

(a) Each licensee subject to the requirements of § 74.31 shall submit a completed Special Nuclear Material Physical Inventory Summary Report on NRC Form 327 not later than 60 calendar days from the start of the physical inventory required by § 74.31(c)(5) of this chapter. The licensee shall report the inventory results by plant and total facility to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, except licensees located in Region II as indicated in Appendix A to Part 73 of this chapter shall submit their report to the Region II Regional Office until further notice by the Commission.

(b) Each licensee subject to the requirements of § 70.51(e) of this chapter shall submit a completed Special Nuclear Material Physical Inventory Summary Report on NRC Form 327 not later than 30 calendar days from the start of the physical inventory required by § 70.51(e)(3) of this chapter. The licensee shall report the inventory results by plant and total facility to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, except licensees located in Region II as indicated in Appendix A to Part 73 of this chapter shall submit their report to the Region II Regional Office until further notice by the Commission.

* * *

8. In § 74.57, the introductory text of paragraph (c) and paragraph (f)(2) are revised to read as follows:

§ 74.57 Alarm resolution.

* * *

(c) Each licensee shall notify the Domestic Safeguards and Regional Oversight Branch of the Division of Safeguards and Transportation, Office of Nuclear Material Safety and Safeguards by telephone on (301) 492-0352, except licensees located in Region II as indicated in Appendix A to Part 73 of this chapter shall notify the Region II Regional Office until further notice by the Commission, of any MC&A alarm that remains unresolved beyond the time period specified for its resolution in the licensee's fundamental nuclear material control plan. Notification must occur within 24 hours except when a holiday or weekend intervenes in which

case the notification must occur on the next scheduled workday. The licensee may consider an alarm to be resolved if:

(f) * * *

(2) Within 24 hours, the licensee shall notify the Domestic Safeguards and Regional Oversight Branch of the Division of Safeguards and Transportation, Office of Nuclear Material Safety and Safeguards, except licensees located in Region II, as indicated in Appendix A to Part 73 of this chapter shall, until further notice by the Commission, notify the Region II Regional Office by telephone that an MC&A alarm resolution procedure has been initiated.

9. In § 74.59, paragraph (f)(1)(iii) is revised to read as follows:

§ 74.59 Quality assurance and accounting requirements.

(f) * * *

(1) * * *

(iii) Investigate and report to the Domestic Safeguards and Regional Oversight Branch of the Division of Safeguards and Transportation, Office of Nuclear Material Safety and Safeguards, except licensees located in Region II, as indicated in Appendix A to Part 73 of this chapter, shall notify the Region II Regional Office until further notice by the Commission, of any difference that exceeds three times the standard deviation determined from the sequential analysis:

10. In § 74.81, paragraph (c)(3) is revised to read as follows:

§ 74.81 Inspections.

(c) * * *

(3) The licensee shall afford any NRC resident inspector assigned to their site, or other NRC inspectors identified by the Regional Administrator or Director of the Office of Nuclear Material Safety and Safeguards as likely to inspect the facility, immediate unfettered access, equivalent to access provided regular plant employees, following proper identification and compliance with applicable access control measures for security, radiological protection, and personal safety.

Dated at Rockville, Maryland this 3rd day of February 1989.

For the Nuclear Regulatory Commission,
Victor Stello, Jr.,

Executive Director for Operations.

[FR Doc. 89-3546 Filed 2-14-89; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 89-NM-154-AD; Amdt. 39-6142]

Airworthiness Directives; British Aerospace Model BAe 146 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain British Aerospace Model BAe 146 series airplanes, which requires a one-time inspection of the aileron and elevator trim screwjack assemblies to determine the presence of a circlip, and installation of the circlip if it is missing. This amendment is prompted by reports that some of the aileron and elevator trim screwjacks have been assembled without a circlip during production. This condition, if not corrected, could lead to a hazardous trim system configuration in the event of a single failure in the trim tab system.

EFFECTIVE DATE: March 28, 1989.

ADDRESSES: The applicable service information may be obtained from British Aerospace, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041. This information may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Mr. William Schroeder, Standardization Branch, ANM-113; telephone (206) 431-1565. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include a new airworthiness directive, applicable to British Aerospace Model BAe 146 series airplanes, which requires a one-time inspection of the aileron and elevator trim screwjack assemblies to determine the presence of a circlip, and installation of the circlip if it is missing, was published in the *Federal Register* on November 17, 1988 (53 FR 46470).

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due

consideration has been given to the single comment received.

The commenter supported the proposal.

After careful review of the available data, including the comment noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

It is estimated that 45 airplanes of U.S. registry will be affected by this AD, that it will take approximately 5 man-hours per airplane to accomplish the required actions, and that the average labor cost will be \$40 per man-hour. Based on these figures, the total cost impact of this AD to U.S. operators is estimated to be \$9,000.

The regulations adopted herein will not have substantial direct effects on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, the FAA has determined that this regulation is not considered to be major under Executive Order 12291 or significant under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979) and it is further certified under the criteria of the Regulatory Flexibility Act that this rule will not have a significant economic impact, positive or negative, on a substantial number of small entities because few, if any, Model BAe 146 airplanes are operated by small entities. A final evaluation has been prepared for this regulation and has been placed in the docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

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

PART 39—[AMENDED]

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

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

§ 39.13 [Amended]

2. By adding the following new airworthiness directive: