

marketing in the Eastern Ohio-Western Pennsylvania marketing area.

More than two-thirds of the producers whose milk was pooled under the Eastern Ohio-Western Pennsylvania order in April 1989 and who voted in a referendum approved the issuance of the amended order.

EFFECTIVE DATE: October 1, 1989.

FOR FURTHER INFORMATION CONTACT:

Constance M. Brenner, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, Room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 447-7183.

SUPPLEMENTARY INFORMATION: Prior documents in this proceeding:

Notice of Hearing: Issued October 13, 1988; published October 18, 1988 (53 FR 40733).

Recommended Decision: Issued April 13, 1989; published April 18, 1989 (54 FR 15413).

Final Decision: Issued July 20, 1989; published July 25, 1989 (54 FR 30898).

Findings and Determinations

The findings and determinations hereinafter set forth supplement those that were made when the Eastern Ohio-Western Pennsylvania order was first issued and when it was amended. The previous findings and determinations are hereby ratified and confirmed, except where they may conflict with those set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area; and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid

factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c (9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order amending the order is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who participated in a referendum and who during the determined representative period were engaged in the production of milk for sale in the marketing area.

List of Subjects in 7 CFR Part 1036

Dairy products, Milk, Milk marketing orders.

Order Relative to Handling

It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Eastern Ohio-Western Pennsylvania marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

PART 1036—MILK IN THE EASTERN OHIO-WESTERN PENNSYLVANIA MARKETING AREA

1. The authority citation for 7 CFR part 1036 continues to read as follows:

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

2. Section 1036.40 is amended by revising paragraphs (c) (1) and (3) to read as follows:

§ 1036.40 Classes of utilization.

* * * * *

(c) * * *

(1) Skim milk and butterfat used to produce butter, cheese (excluding cottage cheese and cottage cheese curd), evaporated or condensed milk or skim milk (plain or sweetened) in a

consumer-type package, any concentrated milk product in bulk, fluid form used to produce Class III products, nonfat dry milk, dry whole milk, dry whey, condensed or dry buttermilk, buttermilk biscuit and pancake mixes, any product containing six percent or more nonmilk fat (or oil) and sterilized products (except fluid cream products and those products listed in paragraph (b)(3) of this section) in hermetically sealed glass or metal containers;

* * * * *

(3) Skim milk and butterfat in fluid milk products, fluid cream products and products listed in paragraph (b)(3) of this section that are dumped by a handler who maintains adequate records of such use and notifies the market administrator of such use on the next business day following such use.

Signed at Washington, DC, on: August 30, 1989.

Jo Ann R. Smith,

Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 89-20772 Filed 9-1-89; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 204

[INS No. 1049-89]

RIN 1115-AA76

Petition to Classify Alien as Immediate Relative of a United States Citizen or as a Preference Immigrant

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule implements section 101(b)(1)(D) of the Immigration and Nationality Act as amended by the Immigration Reform and Control Act of 1986 (Pub. L. 99-603), which recognizes the relationship between a biological father and his illegitimate child for immediate relative and preference petitioning purposes. It also establishes procedures for filing for immigration benefits based on this relationship. This will assist Service administration and public understanding on the documentary evidence necessary to establish that a bona-fide parent/child relationship exists or existed between a natural father and his illegitimate child.

EFFECTIVE DATE: September 5, 1989.

FOR FURTHER INFORMATION CONTACT: Yolanda Sanchez-K., Senior

Immigration Examiner, Immigration and Naturalization Service, 425 I Street NW., Room 7223, Washington, DC 20536, (202) 633-5014.

SUPPLEMENTARY INFORMATION: On March 17, 1989, the Immigration and Naturalization Service published in the *Federal Register* (54 FR 11160) an interim rule to amend 8 CFR 204.2(c)(3), (4), and (5) to provide guidance on eligibility criteria under this section, as well as identify acceptable documentary evidence to support one's claim to eligibility.

Under prior regulation and statute, fathers of out-of-wedlock children were not eligible to petition for or be petitioned by their children. With the passage of Public Law 99-603, the Immigration Reform and Control Act of 1986, fathers may now petition for or be petitioned by their illegitimate children if they establish that a bona-fide parent-child relationship exists or existed and if otherwise eligible. To implement this provision under IRCA, the Service has promulgated this rule which provides guidelines on identification of a natural father and procedures for filing for immigration benefits under this section.

During the comment period, the Service received two comments. Both commentators recommended technical changes to the interim rule which have been considered and incorporated into the final rule.

One commentator pointed out that the interim rule does not address cases in which a father legitimates a child. It was recommended that the final rule distinguish between the filing of a petition on behalf of an illegitimate child and a legitimated child. The Service agrees that a distinction is necessary and has amended the final rule accordingly.

The second commentator requested that, for brother/sister relationships, the final rule be amended to require evidence which evinces or evinced an active parental concern only where the "common parent" is the father who "fathered" the out of wedlock child. The interim rule appears to omit qualified brothers and sisters where the "common parent" is the mother; and, consequently evidence that an active concern for the child's support is/has been evinced is not required under the Act as amended. The final rule is amended to reflect this recommendation.

In accordance with 5 U.S.C. 605(b), the Commissioner of the Immigration and Naturalization Service certifies that this rule does not have a significant economic impact on a substantial number of small entities. This is not a major rule within the meaning 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.

This amendment is a substantive rule that recognizes and implements the amendment to INA section 101(b)(1)(D) that removed the restriction on approval of alien relative visa petitions based on the relationship between a man and his out-of-wedlock child. Therefore, it is not necessary to delay the effective date until at least 30 days after publication in the *Federal Register* (5 U.S.C. 553(d)(1)).

The information collection requirements contained in this rule have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act under control number #1115-0054.

List of Subjects in 8 CFR Part 204

Administrative practice and procedures, Petition, Reporting and recordkeeping requirements.

Accordingly, part 204 of chapter 1 of title 8, Code of Federal Regulations, is amended as follows:

PART 204—PETITION TO CLASSIFY ALIEN AS IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN OR AS A PREFERENCE IMMIGRANT

1. The authority citation for part 204 continues to read as follows:

Authority: 66 Stat. 166, 173, 175, 178, 179, 182, 217, 100 Stat. 3537; 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1186a, 1255, and 8 CFR part 2.

2. In § 204.2 paragraphs (c)(3) through (5) are revised to read as follows:

§ 204.2 Documents.

* * * * *

(c) * * *

(3) *Petition for child.* (i) If a Form I-130, "Petition for Alien Relative", is submitted to the Service by a mother in behalf of a child, regardless of the child's age, the birth certificate of the child showing the name of the mother must accompany the petition. If a petition is submitted by a father in behalf of a legitimate child or by a stepparent in behalf of a stepchild, regardless of the child's age, a certificate of marriage of the parents, proof of legal termination of their prior marriages, and the birth certificate of the child must accompany the petition. If the petition is submitted by a father in behalf of a legitimated child, regardless of the child's age, evidence of the legitimation which must have occurred prior to the child's eighteenth birthday, proof of legal termination of parent's prior marriages if legitimation resulted from the natural parents' marriage to each

other, and the birth certificate of the child must accompany the petition. If the petition is submitted by the purported father of a child born out-of-wedlock, regardless of the child's age, the father must establish that he is the natural father and that a bona fide parent-child relationship exists or has existed. Such a relationship exists or has existed where the father evinces or has evinced an active concern for the child's support, instruction, and general welfare. Furthermore, the parent-child relationship must be or have been established while the child is or was unmarried and under twenty-one (21) years of age. Once established, benefits may be sought at a later date pursuant to section 201(b) or 203(a) of the Act, provided that all other eligibility criteria under the appropriate section have been met and that a parent-child relationship exists or has existed. Evidence to establish that the petition is the child's natural parent may include, but is not limited to the following:

(A) The beneficiary's birth certificate or religious documents relating to birth or baptism of the beneficiary;

(B) Local civil records;

(C) Affidavits from knowledgeable witnesses, and/or;

(D) Evidence of financial support of the child by the putative father.

(ii) The district director may require a specific Blood Group Antigen Test to be conducted of the petitioner, beneficiary and beneficiary's mother on Form G-620. If the Specific Blood Group Antigen Test does not exclude paternity and the district director determines additional evidence is needed, a Human Leucocyte Antigen (HLA) test may be required. Such blood tests will be conducted, at the expense of the petitioner or beneficiary, by the United States Public Health Service or by a qualified medical specialist designated by the District Director. Refusal to submit to a Specific Blood Group or HLA blood test when required may constitute a basis for denial of the petition.

(4) *Petition for a brother or sister.* If a sibling relationship is claimed through a common mother, the petition shall be supported by a birth certificate of the petitioner and a birth certificate of the beneficiary showing a common mother. If the petition is on behalf of a brother or sister having a common father and different mothers, the birth certificate of the petitioner and the birth certificate of the beneficiary showing a common father along with the marriage certificate (if applicable) of the petitioner's parents, the marriage certificate (if applicable) of the beneficiary's parents, and proof of the

legal termination of the parents' prior marriages, if any, must accompany the petition. If either the petitioner or the beneficiary is a child born out-of-wedlock and the common parent is the father, evidence to establish legitimation prior to the child's eighteenth birthday or evidence that the father and child have or had a bona fide parent-child relationship as described in paragraph (c)(3) of this section for a child born out-of-wedlock must accompany the petition.

(5) *Petition in behalf of a parent.* If a petition is submitted in behalf of a mother, the petitioner's birth certificate showing the name of the mother must accompany the petition. If a petition is submitted in behalf of a father of a legitimate child or a stepparent, the petitioner's birth certificate and the marriage certificate of his or her parent (if applicable) and stepparent must accompany the petition, as well as proof of the legal termination of their prior marriages, if any. If a petition is submitted in behalf of a father of a legitimated child, the petitioner's birth certificate and evidence of the petitioner's legitimation which must have occurred prior to his or her eighteenth birthday must accompany the petition. If legitimation was based on the natural parents' marriage to each other, evidence of the legal termination of the parents' prior marriages, if any, must also accompany the petition. If a petition is submitted by a petitioner born out-of-wedlock on behalf of his or her natural father, evidence to establish that the beneficiary is the petitioner's natural parent as described in paragraph (c)(3) of this section for a child born out-of-wedlock, and evidence that a parent-child relationship exists or has existed, must accompany the petition.

Dated: August 18, 1989.

Richard E. Norton,

Associate Commissioner, Examinations,
Immigration and Naturalization Service.
[FR Doc. 89-20722 Filed 9-1-89; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

9 CFR Part 310

[Docket No. 86-012-F]

RIN 0583-AA48

Use of Air During Slaughter Operations

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: The Food Safety and Inspection Service (FSIS) is amending the Federal meat inspection regulations to provide for the approval of several procedures which have been field tested and found acceptable for the inflation of carcasses and parts of carcasses with compressed air injected during dressing operations to facilitate head skinning and the removal of hides and foot hair. Two comments were received in response to the proposal. After careful consideration of the comments received, FSIS is adopting the proposal as published. This action will permit the use of these voluntary alternate procedures for use during slaughter operations in official establishments without requiring further testing or additional written approval.

EFFECTIVE DATE: October 5, 1989.

FOR FURTHER INFORMATION CONTACT: Dr. Jill Hollingsworth, Director, Slaughter Inspection Standards and Procedures Division, Technical Services, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250, (202) 447-3219.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

The Administrator has determined in accordance with Executive Order 12291 that this rule is not a "major rule." It will not result in an annual effect on the economy of \$100 million or more. There will be no major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, and it will not have a significant effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. This rule will provide official slaughtering establishments with voluntary alternate procedures for use during slaughter operations, by permitting approved methods of injecting compressed air to facilitate head skinning and the removal of hides and foot hair.

Effect on Small Entities

The Administrator has determined that this rule will not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act, Public Law 96-354 (5 U.S.C. 601). The rule will relieve a current regulatory restriction with respect to the use of air injection into carcasses and parts of carcasses; and, it will provide all official

slaughtering establishments with voluntary alternate procedures for use during slaughter operations, by permitting approved methods of compressed air injection without imposing additional requirements.

Paperwork Requirements

This rule will require that establishment which would like to test new procedures for the use of air, submit a request to FSIS for approval. (This paperwork requirement will be submitted to the Office of Management and Budget for approval under control number 0583-0015).

Background

Section 310.13 of the Federal meat inspection regulations (9 CFR 310.13) provides, in part, that carcasses or parts of carcasses shall not be inflated with air. The original intent in disallowing the use of air was to aid in the prevention of adulterated carcasses or parts of carcasses. In particular, the insanitary use of injected air may contaminate the carcass or part or mask abnormal conditions. Section 1(m)(4) of the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601(m)(4)) provides that any carcass, part thereof, meat or meat food product is adulterated "if it has been prepared * * * under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; * * * If the air were unclean or if there were a contaminated injection procedure, the carcass might become contaminated. Additionally, it was believed that the presence of air in subcutaneous tissues could mask an abnormal condition such as a gas-producing bacterial infection. Section 1(m)(8) of the FMIA (21 U.S.C. 601(m)(8)) provides that any carcass, part thereof, meat or meat food product is adulterated "if damage or inferiority has been concealed in any manner; * * * Such adulteration could occur by filling out hollows in the animal carcass to make the animal appear of better quality. Thus, FSIS prohibited the use of air to inflate carcasses or parts of carcasses on the basis that the air may be used in an insanitary manner or may mask abnormal conditions, resulting in product adulteration under the FMIA.

Recently, several establishments requested permission to use injected air for hide removal. FSIS determined, at that time, that if establishments could demonstrate that the use of air would result in wholesome, unadulterated meat products, such additional procedures could allow more efficient dressing

operations for slaughter establishments. Therefore, FSIS has permitted, on an experimental basis and under close FSIS monitoring, various uses of air during the dressing operations at several establishments. These uses included:

(1) Compressed air injected into cattle feet to facilitate the removal of hair from feet intended for human consumption.

(2) Compressed air injected into the skull of an animal in conjunction with a captive bolt stunner to aid in holding the animal still during the bleeding operation so that fewer injuries to establishment employees would occur.

(3) Compressed air injected under the skin of cattle heads to facilitate head skinning prior to the use of a down hide-puller.

(4) Compressed air injected into the abdominal cavity of swine to facilitate the skinning operation and to minimize the loss of body fat.

Many cattle slaughter establishments are currently requesting authorization to use air injection for hide removal. These establishments wish to accomplish three things: First, reduce equipment and carcass damage by reducing the amount of tension which must be applied to remove the hide from the head and neck with a down hide-puller; second, prevent damage to the hide in the removal process; and third, reduce contamination of the head when the hide is removed intact.

The above described uses, after field testing, were found to be acceptable. The sanitary injection of air did not mask abnormal carcass conditions and did not contaminate carcasses or parts. Microbiological testing has proven that air injection can be sanitary. The Agency now believes that air injection can be performed in a sanitary manner by a procedure that includes air filtration and injection needle disinfection. Air filtration would consist of not less than two stages. An initial stage of filtration would occur at or near the use point and would consist of an aerosol or coalescing filter, capable of filtration to not more than 0.75 micron, for the removal of oil and water. A subsequent stage of filtration would occur at or near the point of needle hose attachment to the air line and would be a particulate filter, capable of filtration to not more than 0.3 micron. The filters would be maintained by inspecting regularly to assure they are working properly, and cleaned or replaced when necessary. The injection needle would be disinfected by placement in water that is not less than 180 °F. for at least 10 seconds immediately prior to each injection. Therefore, the Administrator believes it is now appropriate to amend the Federal meat inspection regulations

to allow certain uses of air. On January 13, 1989, FSIS published a proposed rule (54 FR 1370) to approve the use of injected air as listed in the cited examples.

This final rule will allow permanent approval of only the compressed air injection activities in the examples listed above. Any official establishment interested in the use of air for other than these approved methods will be required to submit a request for experimental testing of any unapproved procedure to FSIS for approval, prior to its use. These requests must state the purpose of the use of air, a detailed description of the procedure, and evidence that the procedure can be performed in a sanitary manner. Final approval of an acceptable new proposed method can be obtained by modifying, through rulemaking procedures, the Federal regulations to include the new method.

Comments on the Proposed Rule

On January 13, 1989, a proposed rule was published. FSIS received two comments in response to the proposal (54 FR 1370): One from a professional association and one from private industry. Both commenters were in support of the proposed rule. The reasons cited were that slaughter "processing" would be more cost effective, and that the reduced tension in hide removal would lower the potential for employee injury.

Final Rule

List of Subjects in 9 CFR Part 310

Meat inspection; Post-mortem inspection.

For reasons discussed in the preamble, FSIS is amending 9 CFR part 310 of the Federal meat inspection regulations as follows:

PART 310—POST-MORTEM INSPECTION

1. The authority citation for 9 CFR part 310 continues to read as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*, 601 *et seq.*, 33 U.S.C. 1254(b).

2. Section 310.13 would be revised in its entirety to read as follows:

§ 310.13 Inflating carcasses or parts thereof; transferring caul or other fat.

(a)(1) Establishments shall not inflate carcasses or parts of carcasses with air, except as set forth in paragraph (a)(2) of this section.

(2)(i) Any establishment slaughtering livestock that wishes to inflate carcasses or parts thereof with air, using

procedures other than the approved methods listed below, shall submit a request for approval for experimental testing to the Administrator. Such a request shall include the purpose of the use of air, a detailed description of the procedure for injecting the air and evidence that the procedure can be performed in a sanitary manner.

(ii) The Administrator shall evaluate newly submitted procedures for the use of air. If the Administrator determines that any such procedure will likely result in wholesome, unadulterated meat product, then the Administrator shall approve experimental testing of the new procedure. In any situation where the Administrator finds a submitted procedure to be unlikely to result in wholesome, unadulterated meat product, the Administrator shall send written notification to the establishment of the denial of such approval. The establishment may re-submit for evaluation a testing procedure that has been denied, provided that modifications have been made to address the original reason for denial. The establishment also shall be afforded an opportunity to submit a written statement in response to the notification of denial. In those instances where there is a conflict of facts, a hearing, under applicable rules of practice, will be held to resolve the conflict.

(iii) Final approval of an acceptable new proposed method shall be effectuated by modifying, through rulemaking procedures, the Federal regulations to include the new method.

(iv) Uses for which approval is granted are:

(A) Compressed air injection of cattle feet to facilitate removal of hair from feet intended for human consumption;

(B) Compressed air injection under the skin of cattle heads to facilitate head skinning; or

(C) Compressed air injection into the skull in conjunction with a captive bolt stunner to hold the animal still for dressing operations.

The method of compressed air injection shall be a sanitary procedure that includes air filtration and injection needle disinfection. Air filtration shall consist of not less than two stages. An initial stage of filtration shall occur at or near the use point and shall consist of an aerosol or coalescing filter, capable of filtration to not more than 0.75 micron, for the removal of oil and water. A subsequent stage of filtration shall occur at or near the point of needle hose attachment to the air line and shall be a particulate filter, capable of filtration to not more than 0.3 micron. The filters shall be maintained by inspecting

regularly to assure they are working properly, and cleaned or replaced when necessary. The injection needle shall be disinfected by placement in water that is not less than 180 °F. for at least 10 seconds immediately prior to each injection.

(b) Transferring the caul or other fat from a fat to a lean carcass is prohibited.

(Approved by the Office of Management and Budget under control number 0583-0015).

Done at Washington, DC, on August 30, 1989.

Lester M. Crawford,

Administrator, Food Safety and Inspection Service.

[FR Doc. 89-20773 Filed 9-1-89; 8:45 am]

BILLING CODE 3410-DM-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 9

RIN 3150-AD29

Duplication Fees

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations by revising the charges for copying records publicly available at the NRC Public Document Room in Washington, DC. The amendment is necessary in order to reflect the change in copying charges resulting from the Commission's award of a new contract for the copying of records.

EFFECTIVE DATE: September 5, 1989.

FOR FURTHER INFORMATION CONTACT: Kathleen E. Ruhlman, Public Document Room Branch, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone 202-634-3366.

SUPPLEMENTARY INFORMATION: The NRC maintains a Public Document Room (PDR) at its headquarters at 2120 L Street NW., Lower Level, Washington, DC. The PDR contains an extensive collection of publicly available technical and administrative records that the NRC receives or generates. Requests by the public for the duplication of records at the PDR have traditionally been accommodated by a duplicating service contractor selected by the NRC. The schedule of duplication charges to the public established in the duplicating service contract is set forth in 10 CFR 9.35 of the Commission's regulations. The NRC has recently awarded a new duplicating service contract. The revised

fee schedule reflects the changes in copying charges to the public that have resulted from the awarding of the new contract for the duplication of records at the PDR.

Because this is an amendment dealing with agency practice and procedures, the notice provisions of the Administrative Procedures Act do not apply pursuant to 5 U.S.C. 553(b)(A). In addition, the PDR users were notified on June 30, 1989, that the new contract was being awarded and that the new prices would go into effect on July 10, 1989. The amendment is effective upon publication in the *Federal Register*. Good cause exists to dispense the usual 30-day delay in the effective date because the amendment is of a minor and administrative nature dealing with agency procedures.

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 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 number 3150-0043.

Backfit Analysis

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

List of Subjects in 10 CFR Part 9

Freedom of information, Penalty, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

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 amendment to 10 CFR part 9.

PART 9—PUBLIC RECORDS

1. The authority citation for part 9 continues to read in part as follows:

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

2. In § 9.35, paragraph (a)(1) is revised to read as follows:

§ 9.35 Duplication fees.

(a)(1) Charges for the duplication of records made available under § 9.21 at the NRC Public Document Room (PDR), 2120 L Street, Lower Level, NW., Washington, DC by the duplicating service contractor are as follows:

(i) 5.8 cents per page for paper copy to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charges vary as follows depending on the reproduction process that is used:

(A) Xerographic process—\$1.50 per square foot for large documents or engineering drawings (random size up to 24 inches in width and with variable length) reduced or full size;

(B) Photographic process—\$6.75 per square foot for large documents or engineering drawings (random size exceeding 24 inches in width up to a maximum size of 42 inches in length) full size only.

(ii) 5.8 cents per page for microform to paper copy, except for engineering drawings and any other records larger than 17 x 11 inches for which the charge is \$1.35 per square foot or \$2.95 for a reduced size print which the charge is \$1.35 per square foot or \$2.95 for a reduced size print (18 x 24 inches).

(iii) 85 cents per microfiche to microfiche.

(iv) 85 cents per aperture card to aperture card.

* * * * *

Dated at Rockville, Maryland, this 29th day of August 1989.

For the Nuclear Regulatory Commission,

Samuel J. Chilk,

Secretary of the Commission.

[FR Doc. 89-20792 Filed 9-1-89; 8:45 am]

BILLING CODE 7590-01-M

FEDERAL HOUSING FINANCE BOARD

12 CFR Chapters V and IX

[No. FHFB 89-1]

Establishment of Chapter IX and Redesignation of Regulations From Chapter V

Dated: August 28, 1989.

AGENCY: Federal Housing Finance Board.

ACTION: Final rule.

SUMMARY: By this document the Federal Housing Finance Board ("FHFB" or "Board") establishes chapter IX in title 12 of the Code of Federal Regulations for publication of its rules, regulations, and policy statements. The Board is an independent agency in the Executive