postage, $200 ($300), and promotion, merchandising, and public relations, $13,000 ($15,000). All other items are budgeted at last year's amounts.

The Committee also unanimously recommended an assessment rate of $0.01 per crate, the same as last season. This rate, when applied to anticipated shipments of 4,200,000 crates, will yield $42,000 in assessment income. Funds in the Committee's authorized reserve as of June 15, 1994, estimated at $15,000, were within the maximum permitted by the order of one marketing year's expenses.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

After consideration of all relevant matter presented, including the information and recommendations submitted by the Committee and other available information, it is hereby found that this rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** because: (1) The Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; (2) the fiscal year begins on August 1, 1994, and the marketing order requires that the rate of assessment for the fiscal year apply to all assessable Florida celery handled during the fiscal year; (3) handlers are aware of this action which was unanimously recommended by the Committee at a public meeting and which is similar to budgets issued in past years; and (4) this interim final rule provides a 30-day comment period, and all comments timely received will be considered prior to finalization of this action.

List of Subjects in 7 CFR Part 967

Celery, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 967 is amended as follows:

PART 967—CELERY GROWN IN FLORIDA

1. The authority citation for 7 CFR part 967 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. A new § 967.229 is added to read as follows:

Note: This section will not appear in the Code of Federal Regulations.

§ 967.229 Expenses and assessment rate.

Expenses of $42,000 by the Florida Celery Committee are authorized, and an assessment rate of $0.01 per crate of assessable celery is established for the fiscal year ending July 31, 1995. Unexpended funds may be carried over as a reserve.

Dated: August 8, 1994.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 94–19895 Filed 8–12–94; 8:45 am]

BILLING CODE 3410–02–P

---

7 CFR Parts 958 and 982

[Docket Nos. FV94–958–1FIR, FV94–982–2FIR]

Expenses and Assessment Rates for Specified Marketing Orders (Idaho-Eastern Oregon Onions and Oregon and Washington Filberts/Hazelnuts)

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: The Department of Agriculture (Department) is adopting as a final rule, without change, the provisions of two interim final rules that authorized expenditures and established assessment rates under Marketing Orders 958 and 982 for the 1994–95 fiscal period. Authorization of these budgets enables the Idaho-Eastern Oregon Onion Committee and the Filbert/Hazelnut Marketing Board (Committee and Board) to incur expenses that are reasonable and necessary to administer the programs. Funds to administer these programs are derived from assessments on handlers.

EFFECTIVE DATE: Sections 958.238 and 982.338 are effective July 1, 1994, through June 30, 1995.

FOR FURTHER INFORMATION CONTACT: Martha Sue Clark, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, room 2523–S, Washington, DC 20090–6456, telephone 202–720–9918; Robert J. Curry (M.O. 958) or Teresa L. Hutchinson (M.O. 982), Northwest Marketing Field Office, Fruit and Vegetable Division, AMS, USDA, Green-Wyatt Federal Building, room 369, 1220 Southwest Third Avenue, Portland, OR 97204, telephone 503–326–2724.

SUPPLEMENTARY INFORMATION: This rule is effective under Marketing Agreement No. 130 and Order No. 958, both as amended (7 CFR part 958), regulating the handling of onions grown in designated counties in Idaho, and Malheur County, Oregon; and Marketing Agreement and Order No. 982, both as amended (7 CFR part 982), regulating the handling of filberts/hazelnuts grown in Oregon and Washington. The marketing agreements and orders are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the Act.

The Department of Agriculture (Department) is issuing this rule in conformance with Executive Order 12866.

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. Under the marketing order provisions now in effect, Idaho-Eastern Oregon onions and Oregon-Washington filberts/hazelnuts are subject to assessments. It is intended that the assessment rates as issued herein will be applicable to all assessable onions and filberts/hazelnuts handled during the 1994–95 fiscal period, which began July 1, 1994, and ends June 30, 1995. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the Secretary a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order, is not in accordance with law and requesting a modification of the order or to be exempted therefrom. A handler is afforded the opportunity for a hearing on the petition. After the hearing the Secretary would rule on the petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction in equity to review the Secretary's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS), has considered the economic impact of this rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statues have small entity orientation and compatibility.

There are approximately 450 producers of Idaho-Eastern Oregon onions under Marketing Order 958, and approximately 35 handlers. Also, there are approximately 950 producers of Oregon and Washington filberts/ hazelnuts under Marketing Order 982, and approximately 21 handlers. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.601) as those having annual receipts of less than $500,000, and small agricultural service firms are defined as those whose annual receipts are less than $5,000,000. The majority of the producers and handlers covered under these orders may be classified as small entities.

The budgets of expenses for the 1994–95 fiscal period were prepared by the Committee and the Board, the agencies responsible for local administration of their respective orders, and submitted to the Department for approval. The members of this Committee and the Board are producers and handlers of Idaho-Eastern Oregon onions and Oregon and Washington filberts/ hazelnuts. They are familiar with the Committee's and Board's needs and with the costs for goods and services in their local areas and are thus in a position to formulate appropriate budgets. The budgets were formulated and discussed by the Committee and Board. Thus, directly affected persons have had an opportunity to participate and provide input.

The recommended assessment rates were derived by dividing anticipated Committee and Board expenses by expected respective shipments of Idaho-Eastern Oregon onions and assessable Oregon and Washington filberts/ hazelnuts handled. Because these rates will be applied to actual shipments of onions and of assessable filberts/ hazelnuts, the assessment rates must be established at levels that will provide sufficient income to pay the Committee's and Board's expenses.

The Idaho-Eastern Oregon Onion Committee met on March 22, 1994, and unanimously recommended a 1994–95 budget of $1,020,039, $10,161 less than the previous year. Increases in expenditures, which include $154 for research and $18,500 for promotion and advertising, will be offset by decreases of $18,495 for salary expenses and $10,320 for travel and office expenses. Major expenses items include $113,785 for salary expenses, $57,600 for travel and office expenses, $60,154 for research, $668,500 for promotion and advertising, $60,000 for export, and $50,000 for contingencies.

The Committee also unanimously recommended an assessment rate of $0.10 per hundredweight, the same as last season. This rate, when applied to anticipated shipments of 8,000,000 hundredweight, will yield $800,000 in assessment income. This, along with $30,000 in interest income and $190,039 from the Committee's authorized reserve, will be adequate to cover budgeted expenses. Funds in the reserve at the beginning of the 1994–95 fiscal period, estimated at $898,928, were within the maximum permitted by the order of one fiscal period's expenses.

In a mail vote conducted the week of March 28, 1994, the Filbert/Hazelnut Marketing Board unanimously recommended a 1994–95 budget of $507,010, $97,215 more than the previous year. The major budget item is $250,000 for the Board's promotion program to maintain and expand markets for filberts/hazelnuts. This is $30,000 more than budgeted last year for promotion. Other increases include $2,865 for general and administrative expenses, $1,350 for furniture, $1,000 for a crop survey, $20,000 for research, and $42,000 for the emergency reserve fund.

The Board also unanimously recommended an assessment rate of $0.007 per pound, the same as last year. This rate, when applied to anticipated shipments of 56,000,000 pounds, will yield $392,000 in assessment income. This, along with $28,000 from previously unassessed 1993 crop filberts, $6,000 in interest income, and $81,010 from the Board's authorized reserve, will be adequate to cover budgeted expenses. Funds in the reserve at the beginning of the 1994–95 marketing year, estimated at $453,673, were within the maximum permitted by the order of one marketing year's expenses.

Interim final rules were published in the **Federal Register** on May 12, 1994, for 7 CFR part 958 (59 FR 24631) and 7 CFR part 982 (59 FR 24632). Those rules added § 958.238 and § 982.338 which authorized expenses, and established assessment rates for the Committee and Board. Those rules provided that interested persons could file comments through June 13, 1994. No comments were received.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on handlers. Some of the additional costs may be passed on to producers. However, these costs will be offset by the benefits derived by the operation of the marketing orders. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

It is found that the specified expenses for the marketing orders covered in this rulemaking are reasonable and likely to be incurred and that such expenses and the specified assessment rates to cover such expenses will tend to effectuate the declared policy of the Act.

It is further found that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register** (5 U.S.C. 553) because the Committee and Board need to have sufficient funds to pay their expenses which are incurred on a continuous basis. The 1994–95 fiscal periods for the programs began on July 1, 1994. The marketing orders require that the rates of assessment for the fiscal periods apply to all assessable onions and filberts/hazelnuts handled during the fiscal periods. In addition, handlers are aware of these actions which were recommended by the Committee and Board and published in the **Federal Register** as interim final rules.

List of Subjects

7 CFR part 958

Marketing agreements, Onions, Reporting and recordkeeping requirements.

7 CFR part 982

Filberts, Hazelnuts, Marketing agreements, Nuts, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR parts 958 and 982 are amended as follows:

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREGON

Accordingly, the interim rule amending 7 CFR part 958 which was published at 59 FR 24631 on May 12, 1994, is adopted as a final rule without change.

PART 982—FILBERTS/HAZELNUTS GROWN IN OREGON AND WASHINGTON

Accordingly, the interim rule amending 7 CFR part 982 which was published at 59 FR 24632 on May 12, 1994, is adopted as a final rule without change.

Dated: August 8, 1994.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 94–19893 Filed 8–12–94; 8:45 am]

BILLING CODE 3410–02–P

Food Safety and Inspection Service

9 CFR Part 318

[Docket No. 92–029F]

RIN 0583–AB66

Sodium Citrate as a Tripe Denuding Agent

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 permit the use of sodium citrate in solution to denude beef stomachs of mucous membranes (tripe). This regulation makes available to meat processors an additional, alternative tripe-denuding formulation containing sodium citrate as an ingredient. The sodium citrate solution is as effective as existing tripe-denuding agents, but is less objectionable to workers than the agents now in use. The sodium citrate-containing formulation contributes to improved tripe production.

EFFECTIVE DATE: September 14, 1994.

FOR FURTHER INFORMATION CONTACT: Dr. William James, Director, Slaughter Inspection Standards and Procedures Division, Science and Technology, Food Safety and Inspection Service, U.S. Department of Agriculture, Washington, DC 20250–3700, (202) 720–3219.

SUPPLEMENTARY INFORMATION:

Background

Under the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*), FSIS provides mandatory inspection of meat and meat food products prepared for distribution in commerce. The Act prohibits the addition of any substance to any meat or meat food product that may render the product adulterated (21 U.S.C. 601). Section 318.7(a)(1) of the Federal meat inspection regulations (9 CFR 318.7) prohibits the use of any substance in the preparation of any product unless its use is approved in § 318.7(c)(4) of the Federal meat inspection regulations, which is the chart of substances acceptable for use in the preparation of products, or unless it is approved elsewhere in the regulations or it is approved by the Administrator.

In 1990, Birko Corporation, a manufacturer of processing aids and other direct food ingredients, petitioned the Food and Drug Administration (FDA) and us to approve the use of several compounds, including sodium citrate, for use in denuding tripe. Tripe denudation—the removal of mucous membranes from beef stomachs—is a necessary step in the cleaning and preparation of tripe for use as human food. We reviewed the data and other information submitted by the petitioner and determined that the proposed use of sodium citrate did not result in product adulteration or misbranding.

FDA lists sodium citrate as generally recognized as safe when used in accordance with good manufacturing practice in an amount not in excess of that required to achieve its intended effect (21 CFR 182.1751). In an August 24, 1992, letter to the petitioner, FDA reported this fact and stated that it would have "no objection to [sodium citrate's] addition to the tripe-denuding mixture [contemplated by the petitioner] providing that it is used in accordance with good manufacturing practice[1]." FDA further stipulated that the sodium citrate used be of food-grade quality and that the quantity used not be in excess of the amount reasonably required to accomplish its intended effect.

On January 5, 1994, we published a proposal in the **Federal Register** (59 FR 550–551) to permit the use of sodium citrate, in combination with other approved agents, to denude beef stomachs of mucous membranes, in an amount sufficient to accomplish the intended effect. We received no comments in response to the proposed rule.

Therefore, we are amending § 318.7(c)(4) of the Federal meat inspection regulations to permit the use of sodium citrate as a tripe denuding agent in combination with other approved agents, in an amount sufficient to accomplish the intended effect. Use of sodium citrate for this purpose will be subject to the condition that the substance be removed from the denuded tripe by rinsing with potable water.

[1] A copy of this letter is available for review in the office of the FSIS Docket Clerk, U.S. Department of Agriculture, Food Safety and Inspection Service, Room 3171–S, Washington, DC 20250–3700.

Executive Order 12866 and Regulatory Flexibility Act

This final rule has been determined to be not significant and, therefore, has not been reviewed by the Office of Management and Budget.

The Administrator has determined that this final rule will not have a significant impact on a substantial number of small entities, as defined by the Regulatory Flexibility Act (5 U.S.C. 601). This regulation makes available to meat processors an additional, alternative tripe-denuding formulation containing sodium citrate as an ingredient. The sodium citrate formulation could be manufactured and sold in liquid form and used in existing or newly developed tripe denuding equipment. The sodium citrate-containing formulation could be used most efficiently in the new equipment and contribute to improved tripe production. Small establishments will benefit from the use of the sodium citrate product because it provides them a more efficient, less expensive, alternate means of tripe preparation than is currently available.

Executive Order 12778

This final rule was reviewed under Executive Order 12778, Civil Justice Reform. States and local jurisdictions are preempted under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA) from imposing requirements with respect to premises, facilities, and operations of federally inspected meat or poultry products, and any marking, labeling, packaging, or ingredient requirements on federally inspected meat and poultry products that are in addition to, or different than, those imposed under the FMIA and PPIA. States and local jurisdictions may, however, exercise concurrent jurisdiction over meat and poultry products that are outside official establishments for the purpose of preventing the distribution of meat and poultry products that are misbranded or adulterated under the FMIA or PPIA, or in the case of imported articles, which are not at such an establishment, after their entry into the United States. The States may, however, impose more stringent requirements on such State inspected products and establishments.

This final rule is not intended to have retroactive effect, and no applicable administrative procedures must be exhausted before any judicial challenge to the provisions of this rule. However, the applicable administrative procedures specified in 9 CFR 306.5

must be exhausted prior to any judicial challenge to the application of the provisions of this rule, if the challenge involves any decision of an inspector relating to inspection services provided under the FMIA. The applicable administrative procedures specified in 9 CFR part 335 must be exhausted prior to any judicial challenge to the application of the provisions of this rule with respect to labeling decisions.

List of Subjects in 9 CFR Part 318

Meat inspection, Food additives.

For the reasons set out in the preamble, 9 CFR part 318 is amended as follows:

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

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

Authority: 7 U.S.C. 450, 1901–1906; 21 U.S.C. 601–695; 7 CFR 2.17, 2.55.

2. Section 318.7(c)(4) is amended by adding to the chart of substances, under the Class of Substance "Denuding agents; may be used in combination. Must be removed from tripe by rinsing with potable water.," the substance sodium citrate in alphabetical order as follows:

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

* * * * *

(c) * * *

(4) * * *

Class of substance	Substance	Purpose	Products	Amount
* * *	*	*	*	*
Denuding Agents; may be used in combination. Must be removed from tripe by rinsing with potable water.	Sodium Citrate	......do	......do	Do.
* * *	*	*	*	*

Done at Washington, DC, on August 4, 1994.

Patricia Jensen,

Acting Assistant Secretary, Marketing and Inspection Services.

[FR Doc. 94–19833 Filed 8–12–94; 8:45 am]

BILLING CODE 3410–DM–P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 19, 20, 35, and 40

RIN 3150–AA38

Standards for Protection Against Radiation; Clarification

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule; clarification.

SUMMARY: On December 22, 1993, a final rule making a number of conforming amendments to the NRC's standards for protection against radiation was published in the **Federal Register** (58 FR 67657). References to the former standards for protection against radiation were removed from the regulations, and, in that process, certain requirements and provisions not intended to be removed were inadvertently deleted. This final rule reinstates those applicable implementation provisions of the NRC's regulations which were intended to remain in effect or are needed for clarity.

EFFECTIVE DATE: August 15, 1994.

FOR FURTHER INFORMATION CONTACT: Jayne M. McCausland, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415–6219.

SUPPLEMENTARY INFORMATION: On May 21, 1991 (56 FR 23360), the Nuclear Regulatory Commission (NRC) published its revised standards for protection against radiation (10 CFR 20.1001–20.2401 and the associated appendices). The revised standards for protection against radiation incorporated scientific information and reflected changes in the basic philosophy of radiation protection that had occurred since the promulgation of the original regulations. The revisions conformed the Commission's regulations to the Presidential Radiation Protection Guidance to Federal Agencies for Occupational Exposure and to recommendations of national and international radiation protection organizations. The revised standards for protection against radiation became effective on June 20, 1991. However, NRC licensees were permitted to defer the mandatory implementation of these regulations until January 1, 1993.

On August 26, 1992 (57 FR 38588), the NRC published a final rule that extended the date by which NRC licensees were required to implement the revised standards for protection against radiation from January 1, 1993, until January 1, 1994. That document also made several conforming amendments to the text of the revised standards for protection against radiation that were necessary to reflect the new mandatory implementation date.

On December 22, 1993 (58 FR 67657), the NRC published a final rule on "removal of expired material." In that final rule, effective on January 1, 1994, a number of provisions were removed or modified to reflect the effective date for NRC's revised standards for radiation protection. Several provisions that were removed or modified by the December 22, 1993, action should not have been removed or modified because they have continuing effect beyond the January 1, 1994, effective date for the revised standards for protection against radiation. The NRC is concerned that some licensees might misinterpret the Commission's intent in some instances because of the removal of these paragraphs and/or references. Accordingly, this final rule restores those provisions of § 20.1008 that were incorrectly removed by the December 22, 1993, rulemaking. These provisions clearly indicate that requirements in effect prior to January 1, 1994, that are cited in license conditions or technical specifications, may have continued applicability. It also corrects minor errors discovered in reviewing the published version of the December 22, 1993, final rule.

Specifically, 10 CFR 19.13 currently provides that, at the request of any worker formerly engaged in licensed activities controlled by the licensee, each licensee will provide to the worker reports of his/her exposures if the worker was required to be monitored under the provisions of § 20.1502. This action clarifies that licensees continue to be responsible for providing worker exposure reports to those workers subject to the monitoring requirements in effect prior to January 1, 1994.[1] This

[1] Previous §§ 20.108 and 20.202 provided personnel monitoring requirements that were in effect prior to January 1, 1994 (see 10 CFR Chapter

Continued

will eliminate possible misinterpretations caused by the deletion of the reference in § 19.13(c) to formerly applicable monitoring requirements found in §§ 20.108 and 20.202 in the December 22, 1993, amendments and will ensure that licensees are aware that they are still responsible for providing workers with records of their occupational exposure in accordance with the monitoring requirements in the appropriate sections contained in the current Part 20 or regulations in effect prior to January 1, 1994.

This action restores portions of § 20.1008, "Implementation," which specify that technical specifications and license conditions that cite regulations in effect prior to January 1, 1994, may, under some conditions, take precedence over new Part 20 provisions. This action facilitates the transition from formerly applicable Part 20 provisions to current Part 20 provisions until technical specification changes, license amendments, or license renewals are effected.

In 10 CFR 35.205 (a), the December 22, 1993, amendment replaced references to §§ 20.103 (Exposure of individuals to concentrations of radioactive materials in air in restricted areas) and 20.106 (Radioactivity in effluents to unrestricted areas) with a reference to § 20.1301 (Dose limits for individual members of the public). This action adds a reference to § 20.1201 (Occupational dose limits for adults) to correspond to the earlier reference to formerly applicable § 20.103. This will ensure that licensees understand that this section covers dose limits for airborne concentrations in restricted areas as well as unrestricted areas.

Also, in paragraph (c) of § 35.205, the December 22, 1993, amendments inadvertently revised a reference to the occupational concentration limits in Appendix B to Part 20 to reference § 20.1301 (i.e., dose limits for individual members of the public). This action corrects the misreference to read § 20.1201 to clarify that occupational dose limits were intended rather than public dose limits.

In 10 CFR 40.34, this action corrects a transposed number which resulted in a reference to units of quantities (§ 20.2101 (a)) rather than the intended reference to occupational dose limits (§ 20.1201 (a)).

These amendments are corrective in nature and restore provisions inadvertently deleted in prior amendments (December 22, 1993; 58 FR 67657). Because the opportunity for public comment was previously provided for the changes that formed the basis for the December 22, 1993, amendments (May 21, 1991; 56 FR 23360 and August 26, 1992; 57 FR 38588), and because the proposed changes are minor corrective amendments, the NRC has determined that good cause exists to dispense with the notice and comment provisions of the Administrative Procedure Act (APA) pursuant to 5 U.S.C. 553(b)(3)(B). For the same reasons, the NRC has determined that good cause exists to waive the 30-day deferred effective date provisions of the APA (5 U.S.C. 553(d)).

I as codified as of January 1, 1993). In addition, it should be noted that the 1992 version of Chapter 10 of the Code of Federal Regulations incorrectly referenced § 20.107 as a monitoring requirement.

Environmental Impact: Categorical Exclusion

The NRC has determined that this rule is the type of action described in categorical exclusion 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 3150–0044, –0014, –0010, and –0020.

Regulatory Analysis

This final rule is administrative in that it reinstates provisions inadvertently removed from the text of an existing regulation. These amendments will not have a significant impact. Therefore, the NRC has not prepared a separate regulatory analysis for this final rule. The final regulatory analysis for the May 21, 1991, final rule examined the costs and benefits of the alternatives considered by the Commission in developing the revised standards for protection against radiation and is available for inspection in the NRC Public Document Room, 2120 L Street, NW. (Lower Level), Washington, DC.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this final rule and, therefore, that a backfit analysis is not required for this final rule because these amendments do not involve any provision that would impose backfits as defined in 10 CFR 50.109(a)(1).

List of Subjects

10 CFR Part 19

Criminal penalties, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Occupational safety and health, Radiation protection, Reporting and recordkeeping requirements, Sex discrimination.

10 CFR Part 20

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

10 CFR Part 35

Byproduct material, Criminal penalties, Drugs, Health facilities, Health professions, Medical devices, Nuclear materials, Occupational safety and health, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Criminal penalties, Government contracts, Hazardous materials transportation, Nuclear materials, Reporting and recordkeeping requirements, Scientific equipment, Security measures, Source material, Special nuclear material, Uranium.

PART 19—NOTICES, INSTRUCTIONS, AND REPORTS TO WORKERS: INSPECTION AND INVESTIGATIONS

1. The authority citation for Part 19 continues to read as follows:

Authority: Secs. 53, 63, 81, 103, 104, 161, 186, 68 Stat. 930, 933, 935, 936, 937, 948, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2073, 2093, 2111, 2133, 2134, 2201, 2236, 2282); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Public Law 95–601, sec. 10, 92 Stat. 2951, as amended by Public Law 102–486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851).

2. In § 19.13, paragraph (c) is revised to read as follows:

§ 19.13 Notifications and reports to individuals.

* * * * *

(c)(1) At the request of a worker formerly engaged in licensed activities controlled by the licensee, each licensee shall furnish to the worker a report of the worker's exposure to radiation and/or to radioactive material:

(i) As shown in records maintained by the licensee pursuant to § 20.2106 for each year the worker was required to be monitored under the provisions of § 20.1502; and

(ii) For each year the worker was required to be monitored under the monitoring requirements in effect prior to January 1, 1994.

(2) This report must be furnished within 30 days from the time the request is made or within 30 days after the exposure of the individual has been determined by the licensee, whichever is later. This report must cover the period of time that the worker's activities involved exposure to radiation from radioactive material licensed by the Commission and must include the dates and locations of licensed activities in which the worker participated during this period.

* * * * *

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

3. The authority citation for Part 20 continues to read as follows:

Authority: Secs. 53, 63, 65, 81, 103, 104, 161, 182, 186, 68 Stat. 930, 933, 935, 936, 937, 948, 953, 955, as amended (42 U.S.C. 2073, 2093, 2095, 2111, 2133, 2134, 2201, 2232, 2236), secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

4. Section 20.1008 is added to read as follows:

§ 20.1008 Implementation.

(a) [Reserved].

(b) The applicable section of §§ 20.1001–20.2402 must be used in lieu of requirements in the standards for protection against radiation in effect prior to January 1, 1994 [1] that are cited in license conditions or technical specifications, except as specified in paragraphs (c), (d), and (e) of this section. If the requirements of this part are more restrictive than the existing license condition, then the licensee shall comply with this part unless exempted by paragraph (d) of this section.

(c) Any existing license condition or technical specification that is more restrictive than a requirement in §§ 20.1001–20.2402 remains in force until there is a technical specification change, license amendment, or license renewal.

(d) If a license condition or technical specification exempted a licensee from a requirement in the standards for protection against radiation in effect prior to January 1, 1994,[1] it continues to exempt a licensee from the corresponding provision of §§ 20.1001–20.2402.

(e) If a license condition cites provisions in requirements in the standards for protection against radiation in effect prior to January 1, 1994 [1] and there are no corresponding provisions in §§ 20.1001–20.2402, then the license condition remains in force until there is a technical specification change, license amendment, or license renewal that modifies or removes this condition.

[1] See §§ 20.1–20.602 codified as of January 1, 1993.

[1] See §§ 20.1–20.602 codified as of January 1, 1993.

[1] See §§ 20.1–20.602 codified as of January 1, 1993.

PART 35—MEDICAL USE OF BYPRODUCT MATERIAL

5. The authority citation for Part 35 continues to read as follows:

Authority: Secs. 81, 161, 182, 183, 68 Stat. 935, 948, 953, 954, as amended (42 U.S.C. 2111, 2201, 2232, 2233); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

6. In § 35.205, paragraphs (a) and (c) are revised to read as follows:

§ 35.205 Control of aerosols and gases.

(a) A licensee that administers radioactive aerosols or gases shall do so in a room with a system that will keep airborne concentrations low enough so as not to exceed the limits prescribed by §§ 20.1201 and 20.1301 of this chapter. The system must either be directly vented to the atmosphere through an air exhaust or provide for collection and decay or disposal of the aerosol or gas in a shielded container.

* * * * *

(c) Before receiving, using, or storing a radioactive gas, the licensee shall calculate the amount of time needed after a spill to reduce the concentration in the room low enough so as not to exceed the limits prescribed by § 20.1201 of this chapter. The calculation must be based on the highest activity of gas handled in a single container, the air volume of the room, and the measured available air exhaust rate.

* * * * *

PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL

7. The authority citation for Part 40 continues to read as follows:

Authority: Sec. 62, 63, 64, 65, 81, 161, 182, 183, 186, 68 Stat. 932, 933, 935, 948, 953, 954, 955, as amended, secs. 11e(2), 83, 84, Public Law 95–604, 92 Stat. 3033, as amended, 3039, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2014(e)(2), 2092, 2093, 2094, 2095, 2111, 2113, 2114, 2201, 2232, 2233, 2236, 2282); sec. 274, Public Law 86–373, 73 Stat. 688 (42 U.S.C. 2021); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246, (42 U.S.C. 5841, 5842, 5846); sec. 275, 92 Stat. 3021, as amended by Public Law 97–415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 also issued under Public Law 95–602, sec. 10, 92 Stat. 2951, as amended by Public Law 102–486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851). Section 40.31(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 40.46 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 40.71 also issued under sec. 187, 68 Stat 955 (42 U.S.C. 2237).

§ 40.34 [Amended]

8. In § 40.34, paragraph (a)(2) is amended by revising the reference to "§ 20.2101(a)" to read "§ 20.1201(a)."

Dated at Rockville, Maryland, this 9th day of August 1994.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 94–19900 Filed 8–12–94; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92–ASW–50; Amendment 39–8934; AD 94–12–06]

Airworthiness Directives; Schweizer Aircraft Corporation and Hughes Helicopters, Inc. Model 269A, 269A–1, 269B, 269C, and TH–55A Series Helicopters

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to Schweizer Aircraft Corporation and Hughes Helicopters, Inc. Model 269A, 269A–1, 269B, 269C, and TH–55A series helicopters, that currently requires repetitive inspections and replacement of certain lower belt drive pulley bearings (pulley bearings). This amendment retains the present AD requirements and adds an alternate pulley bearing to the requirements of the AD. This amendment is prompted by the introduction of an alternate pulley bearing into service by Schweizer Aircraft Corporation. The actions specified by this AD are intended to prevent failure of the pulley bearings, loss of power to the rotor systems, and subsequent loss of control of the helicopter.

DATES: Effective on September 19, 1994

The incorporation by reference of certain publications listed in the