

this action will have a negative economic impact on the few existing export inspection facilities without drainage systems or 12 foot high ceilings in inspection areas for horses.

Information was not available to us for determining the economic impact of requiring that water drainage systems be installed in facilities not already so equipped. However, we are trying to minimize any economic impact by allowing these facilities 2 years from the effective date of the final version of this rule to install water drainage systems. Allowing these facilities 2 years to install the water drainage systems will ease the economic impact of this new standard, as affected facilities will have additional time to shop for different drainage system options and will be able to spread out the costs of installation. We did not receive any comments objecting to our requiring a water drainage system.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This document contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 91 is amended as follows:

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 continues to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 136, 136a, 612, 613, 614, and 618; 46 U.S.C. 466a and 466b; 49

U.S.C. 1509(d); 7 CFR 2.17, 2.51, and 371.2(d).

§ 91.3 [Amended]

2. In § 91.3, paragraph (a), the third sentence is amended by removing the phrase "sound, healthy," and adding the word "healthy" in its place.

3. Section 91.14 is amended as follows:

a. Paragraph (c)(2) is amended by adding a new sentence at the end of the paragraph to read as set forth below.

b. Paragraph (c)(4) is amended by adding three new sentences at the end of the paragraph to read as set forth below.

c. Paragraph (c)(5) is amended by adding the word "running," immediately following the phrase "An ample supply of" in the first sentence.

d. Paragraph (c)(11) is amended by adding a new sentence at the end of the paragraph to read as set forth below.

e. A new paragraph (c)(12) is added to read as set forth below.

§ 91.14 Ports of embarkation and export inspection facilities.

* * * * *

(c) * * *

(2) * * * Facilities that inspect horses must have ceilings at least 12 feet high in any areas where horses are inspected.

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(4) * * * All facilities must have running water available to wash and disinfect the facilities. On and after March 23, 1995, facilities to be approved must have a drainage system; and, on and after March 23, 1997, every facility approved before March 23, 1995 must have a drainage system. The drainage system must control surface drainage into or from the facility in a manner that prevents any significant risk of livestock diseases being spread into or from the facility.

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(11) * * * The facility must have a working telephone.

(12) *Walkways.* Facilities where horses are inspected must have walkways in front of horse stalls wide enough to allow APHIS personnel to safely remove horses from the stalls for inspection, if necessary.

§ 91.15 [Amended]

8. In § 91.15, paragraph (a), the phrase "within 24 hours of embarkation" is added immediately following the phrase "shall be inspected".

Done in Washington, DC, this 14th day of February 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-4177 Filed 2-17-95; 8:45 am]

BILLING CODE 3410-34-P

9 CFR Part 92

[Docket No. 94-097-2]

Horses From Spain; Change in Disease Status

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning the importation of horses to remove Spain from the list of countries in which African horse sickness exists. We have determined that Spain is free of African horse sickness, and that restrictions on the importation of horses from Spain to prevent the spread of African horse sickness into the United States are no longer necessary. This action relieves unnecessary restrictions on the importation of horses from Spain.

EFFECTIVE DATE: March 8, 1995.

FOR FURTHER INFORMATION CONTACT: Dr. John Cougill, Staff Veterinarian, Animal and Plant Health Inspection Service, Veterinary Services, Import/Export Products, 4700 River Road Unit 40, Riverdale, MD 20737-1231; (301) 734-7834.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 92 (referred to below as the regulations) state the provisions for the importation into the United States of specified animals to prevent the introduction of various animal diseases, including African horse sickness (AHS). AHS, a fatal equine viral disease, is not known to exist in the United States. Section 92.308(a)(2) of the regulations lists countries that the Animal and Plant Health Inspection Service (APHIS) considers affected with AHS, and sets forth specific requirements for horses which are imported from those countries. APHIS requires horses intended for importation from any of the countries listed, including horses that have stopped in or transited those countries, to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days.

On October 31, 1994, we published in the **Federal Register** (59 FR 54398–54399, Docket No. 94–097–1) a proposal to amend the regulations by removing Spain from the list of countries in § 92.308(a)(2), which APHIS considers affected with AHS.

We solicited comments concerning our proposal for 60 days ending December 30, 1994. We did not receive any comments. The facts presented in the proposed rule still provide the basis for this final rule.

Therefore, based on the rationale set forth in the proposed rule, we are adopting the provisions of the proposal as a final rule without change.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**. This rule relieves restrictions which require horses imported from Spain to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days. This rule allows horses from Spain to be shipped to and quarantined at ports designated in § 92.303, and reduces the quarantine period to an average of three days to meet the quarantine and testing requirements specified in § 92.308. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be made effective 15 days after publication in the **Federal Register**.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This rule amends the regulations in part 92 by removing Spain from the list of countries that APHIS considers affected with AHS. This action relieves unnecessary restrictions on the importation of horses from Spain. The primary impact of this rule will be on U.S. importers of horses from Spain, none of whom can be considered a small entity. These importers will no longer be required to quarantine horses from Spain for 60 days at the New York Animal Import Center in Newburgh, NY. The rule will allow horses from Spain to be shipped to and quarantined at ports designated in § 92.303, and will reduce the quarantine and testing period to an average of three days to meet quarantine requirements specified in § 92.308.

The number of horses imported from Spain each year is extremely small. In 1993, the United States imported 20,715 horses, mules, and burros, of which only nine came from Spain. Removing the requirement for a 60-day quarantine at the New York Animal Import Center in Newburgh, NY, for horses from Spain will make the importation of these horses less expensive and logistically easier. We anticipate that the number of horses imported from Spain may slightly increase. However, with the very small number of horses imported from Spain, we anticipate the overall economic impact on businesses and individuals will be minimal.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities. Executive Order 12778

This rule has been reviewed under Executive Order 12778, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.).

List of Subjects in 9 CFR Part 92

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, 9 CFR part 92 is amended as follows:

PART 92—IMPORTATION OF CERTAIN ANIMALS AND POULTRY AND CERTAIN ANIMAL AND POULTRY PRODUCTS; INSPECTION AND OTHER REQUIREMENTS FOR CERTAIN MEANS OF CONVEYANCE AND SHIPPING CONTAINERS THEREON

1. The authority citation for part 92 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 135, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.17, 2.51, and 371.2(d).

§ 92.308 [Amended]

2. In § 92.308, paragraph (a)(2) is amended by removing “Spain,”.

Done in Washington, DC, this 14th day of February 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95–4176 Filed 2–17–95; 8:45 am]

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EXPORT-IMPORT BANK OF THE UNITED STATES

12 CFR Part 409

Environmental Review Procedures

AGENCY: Export-Import Bank of the United States.

ACTION: Final rule.

SUMMARY: As part of the implementation of 1992 amendments to the Charter of the Export-Import Bank (“Ex-Im Bank”), Ex-Im Bank is removing its existing environmental regulations at 12 CFR part 409.

EFFECTIVE DATE: The removal of 12 CFR part 409 is effective as of February 21, 1995.

FOR FURTHER INFORMATION CONTACT: Popi Artavanis, Export-Import Bank of the United States, Engineering and Environment Division, 811 Vermont Ave. NW., Washington, DC 20571, tel. (202) 565–3570.

SUPPLEMENTARY INFORMATION: Section 106 of the Export Enhancement Act (12 U.S.C. 6351–5) (“Section 106”) provides that Ex-IM Bank shall establish environmental review procedures consistent with the Bank’s overall mandate to maintain U.S. export competitiveness. The procedures to be issued under Section 106 are intended to inform relevant decision-makers of potential beneficial and adverse environmental effects of goods and services for which financing is requested, so that such information will be taken into account in the decision to grant or withhold financing. Section 106 also grants the Ex-Im Bank Board of Directors explicit authority to withhold financing in a particular transaction solely for environmental reasons.

Ex-Im Bank is removing the regulations at title 12, chapter IV, of the Code of Federal Regulations, part 409 (promulgated under E.O. 12114), which were issued in 1979. In place of these regulations, the Ex-Im Bank Board of Directors has approved a set of Environmental Procedures and Guidelines after informal consultations with exporters, environmental groups, and other government agencies. The new procedures and guidelines will be effective on a one-year trial basis until