

owners of rental properties, co-ops for housing preservation or for replacement housing as described in § 1944.656 of this subpart.

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(d) Authorized replacement housing assistance includes, but is not limited to:

(1) Building a dwelling and providing related facilities for use by the individual homeowner as a permanent resident;

(2) Providing a safe and sanitary water and waste disposal system, together with related plumbing and fixtures, which will meet local health department requirements;

(3) Providing minimum site preparation, including grading, foundation plantings, and minimal landscaping;

(4) Providing special design features or equipment when necessary because of physical handicap or disability of the HPG recipient or member of the household;

(5) Purchasing and installing approved energy saving measures and approved furnaces and space heaters which use a type of fuel that is commonly used, and is economical and dependably available;

(6) Providing storm cellars and similar protective structures, if typical for the area;

(7) Paying real estate taxes which are due and payable on the existing dwelling/site at the time of closing, if this amount is not a substantial part of the HPG assistance;

(8) Providing living area for the HPG recipient and all members of the household as specified in § 1944.16 (c) of subpart A of this part; and

(9) Moving a dwelling onto the site of the demolished, previously existing housing and meeting all HPG housing preservation requirements for repair and rehabilitation;

(10) Providing funds for demolishing the existing housing; and

(11) Any other cost that is reasonable and justifiable directly related to replacement activities.

* * * * *

(h) * * *

(1) Assist in the construction or completion of an addition (excluding paragraph (c)(11) of this section) or a new dwelling. This paragraph does not apply to replacement housing.

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(3) Repair or rehabilitate, as well as replace any property located in the Coastal Barrier Resources System.

10. Section 1944.665 is amended by revising the heading and the first sentence to read as follows:

§ 1944.665 Supervision and inspection of work.

Grantees are responsible for supervising all rehabilitation and repair work, as well as replacement housing financed with HPG assistance. * * *

§ 1944.666 [Amended]

11. Section 1944.666 is amended by revising the reference “§ 1944.64 (f)” to read “§ 1944.664 (g)” in the last sentence of paragraph (b)(3), and by adding the words “, as well as for replacement housing (individual homeowners only)” after the word “rehabilitation” in paragraph (b)(6).

§ 1944.667 [Amended]

12. Section 1944.667 is amended by adding the words “, or for individual homes replaced,” after the word “rehabilitated” in the second sentence of the introductory text of paragraph (a).

13. Section 1944.670 is amended by revising paragraph (b) to read as follows:

§ 1944.670 Project income.

* * * * *

(b) Grantees are encouraged to establish a program which reuses income from loans after the grant period for continuing repair and rehabilitation activities, as well as for individual housing replaced.

14. Section 1944.671 is amended by revising paragraph (a)(2) to read as follows:

§ 1944.671 Equal opportunity requirements and outreach efforts.

* * * * *

(a) * * *

(2) The term “residential real estate-related transaction” includes the making or purchasing of loans, grants, or other financial assistance for purchasing, constructing, improving, repairing, or rehabilitating a unit or dwelling, as well as for replacement housing for individual homeowners.

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15. Section 1944.672 is amended by adding the words “or housing replacement” after the word “preservation” in the fourth sentence of paragraph (b); in paragraph (d), by revising the reference “Paragraph VII of exhibit C of this subpart” to read “Paragraph VIII of exhibit C of this subpart”; and by revising the first sentence of paragraphs (a) and (b) to read as follows:

§ 1944.672 Environmental requirements.

* * * * *

(a) The approval of an HPG grant for the repair, rehabilitation, or replacement of dwellings shall be a Class I action.

* * *

(b) The use of HPG funds by the grantee to repair, rehabilitate, or replace specific dwellings is generally exempt from an RHCDS environmental review. * * *

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§ 1944.673 [Amended]

16. Section 1944.673 is amended by adding the words “and replacement housing” after the word “preservation” in the section heading, and by revising the words “rehabilitation or repair” to read “rehabilitation, repair, or replacement” in the first sentence of paragraph (b).

17. Section 1944.683 is amended by redesignating paragraphs (b)(3) through (b)(7) as paragraphs (b)(4), through (b)(8) respectively, by adding the words “, as well as for replacement housing,” after the word “rehabilitation” in newly redesignated paragraph (b)(4)(i) and after the word “financed” in newly redesignated paragraph (b)(8), and by adding a new paragraph (b)(3) to read as follows:

§ 1944.683 Reporting requirements.

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(b) * * *

(3) The use of HPG and any other funds for replacement housing.

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Dated: March 22, 1995.

Michael V. Dunn,

Acting Under Secretary, Rural Economic and Community Development.

[FR Doc. 95-9262 Filed 4-14-95; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50 and 70

RIN 3150-AF27

Physical Security Plan Format Changes

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to eliminate the requirement for applicants for power reactor and Category I fuel cycle licenses to submit physical security plans in two parts. This action is necessary to allow for a quicker and more efficient review of the physical security plans.

DATES: The comment period expires May 17, 1995. Comments received after this date will be considered if it is

practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: Mail written comments to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Deliver comments to One White Flint North, 11555 Rockville Pike, Rockville, Maryland, between 7:30 am and 4:15 pm, Federal workdays.

Copies of the comments received may be examined at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Room LL6, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Carrie Brown, Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-8092.

SUPPLEMENTARY INFORMATION: Under current NRC regulations, applicants for power reactor and Category I fuel cycle licenses must submit physical security plans in two parts. Applicants for power reactor and Category I fuel cycle licenses are required to address in Part 1 of their plans how they will comply with the applicable regulations of 10 CFR parts 11 and 73. They are required to list in Part 2 of their plans any test, inspections, audits and any other means to be used to demonstrate compliance with the regulations.

The two part format is restrictive and has no regulatory advantage. If this rule is adopted as a final rule, existing licensees with physical security plans approved before the effective date would not be required to revise their plans. These licensees may however, revise their plans on a voluntary basis, pursuant to the rules that permit licensees to make changes in security plans that do not decrease the effectiveness of the plans. This rule, if adopted, will not change any of the substantive content currently required in the physical security plans.

The benefit of this rulemaking would be the elimination of an unnecessary requirement and there are no expected adverse impacts. For those licensees who desire to revise their physical security plans, the staff has revised Regulatory Guide 5.52, "Standard Format and Content of a Licensee Physical Protection Plan for Strategic Special Nuclear Material at Fixed Sites (Other than Nuclear Power Plants)," for use as guidance. The NRC encourages, but does not require, applicants or licensees to follow this guidance which would allow for a quicker and more efficient review of the plans.

Environmental Impact: Categorical Exclusion

The NRC has determined that this proposed rule is the type of action described as a categorical exclusion in 10 CFR 51.22(c)(2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this proposed rule.

Paperwork Reduction Act Statement

This 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 0011.

Regulatory Analysis

The Commission has not prepared a regulatory analysis on this regulation because the amendment does not involve a question of policy, will have no impact on public health and safety, and would impose no additional burden on licensees.

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this proposed rule, if adopted, will not have a significant economic impact upon a substantial number of small entities. This proposed rule would affect applicants for power reactor and Category I fuel cycle licenses. Because these licensees are not classified as small entities as defined by the NRC's size standards (December 9, 1985; 50 FR 50241), the Commission finds that this proposed rule does not have a significant economic impact upon a substantial number of small entities.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this proposed rule, and therefore, that a backfit analysis is not required because this amendment does not involve any provisions which would impose backfits as defined in 10 CFR 50.109(a)(1).

List of Subjects

10 CFR Part 50

Antitrust, Classified information, Criminal penalties, Fire protection, Intergovernmental relations, Nuclear power plants and reactors, Radiation protection, Reactor siting criteria, Reporting and recordkeeping requirements.

10 CFR Part 70

Criminal penalties, Hazardous materials transportation, Material control and accounting, Nuclear materials, Packaging and containers, Radiation protection, Reporting and recordkeeping requirements, Scientific equipment, Security measures, 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. 553, the NRC is proposing to adopt the following amendments to 10 CFR parts 50 and 70.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for part 50 continues to read as follows:

Authority: Secs. 102, 103, 104, 105, 161, 182, 183, 186, 189, 68 Stat. 936, 937, 938, 948, 953, 954, 955, 956, as amended, sec. 234, Stat. 1244, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2201, 2232, 2233, 2236, 2239, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851). Section 50.10 also issued under secs. 101, 185, 68 Stat. 936, 955, as amended (42 U.S.C. 2131, 2235); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.13, 50.54(dd), and 50.103 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138). Sections 50.23, 50.35, 50.55, and 50.56 also issued under sec. 185, 68 Stat. 955 (42 U.S.C. 2235). Sections 50.33a, 50.55a and Appendix Q also issued under sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332). Sections 50.34 and 50.54 also issued under sec. 204, 88 Stat. 1245 (42 U.S.C. 5844). Sections 50.58, 50.91, and 50.92 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239). Section 50.78 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Sections 50.80, 50.81 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Appendix F also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

2. In § 50.34, paragraph (c) is revised to read as follows:

§ 50.34 Contents of applications, technical information.

* * * * *

(c) Each application for a license to operate a production or utilization facility must include a physical security plan. The plan must describe how the applicant will meet the requirements of 10 CFR part 73 (and 10 CFR part 11, if applicable, including the identification and description of jobs as required by § 11.11(a), at the proposed facility). The plan must list tests, inspections, audits,

and other means to be used to demonstrate compliance with the requirements of 10 CFR parts 11 and 73, if applicable.

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PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

3. The authority citation for part 70 continues to read as follows:

Authority: Secs. 51, 53, 161, 182, 183, 68 Stat. 929, 930, 948, 953, 954, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282); secs. 201, as amended, 202, 204, 206, 88 Stat. 1242, as amended, 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846).

Sections 70.1(c) and 70.20a(b) also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 70.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851). Section 70.21(g) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152). Section 70.31 also issued under sec. 57d, Pub. L. 93-377, 88 Stat. 475 (42 U.S.C. 2077). Sections 70.36 and 70.44 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 70.61 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.62 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

4. In § 70.22, paragraph (h)(1) is revised to read as follows:

§ 70.22 Contents of applications.

* * * * *

(h)(1) Each application for a license to possess or use at any site or contiguous sites subject to licensee control, a formula quantity of strategic special nuclear material as defined in § 70.4 other than a license for possession or use of this material in the operation of a nuclear reactor licensed pursuant to part 50 of this chapter, must include a physical security plan. The plan must describe how the applicant will meet the applicable requirements of part 73 of this chapter in the conduct of the activity to be licensed, including the identification and description of jobs as required by 10 CFR 11.11(a). The plan must list tests, inspections, audits, and other means to be used to demonstrate compliance with the requirements of 10 CFR parts 11 and 73, if applicable.

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Dated at Rockville, Maryland, this 5th day of April, 1995.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 95-9369 Filed 4-14-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 94-CE-33-AD]

Airworthiness Directives; Beech Aircraft Corporation Model 1900D Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes to adopt a new airworthiness directive (AD) that would apply to Beech Aircraft Corporation (Beech) Model 1900D airplanes. The proposed action would require inspecting the cabin partition to ensure that a right-hand forward partition bracket exists on certain airplanes, installing this bracket if it does not exist, and improving the right-hand forward partition installation on all affected airplanes. Deficiencies found during a structural analysis of the cabin partition prompted the proposed action. The actions specified by the proposed AD are intended to prevent cabin partition failure because of a structural deficiency, which, if not detected and corrected, could cause passenger injury if the partition could not withstand the load incurred with the baggage compartment loaded to its 250-pound limit.

DATES: Comments must be received on or before June 19, 1995.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-CE-33-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

Service information that applies to the proposed AD may be obtained from the Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201-0085. This information also may be examined at the Rules Docket at the address above.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Potter, Aerospace Engineer, Wichita Aircraft Certification Office, FAA, 1801 Airport Road, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4124; facsimile (316) 946-4407.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the

proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 94-CE-33-AD." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 94-CE-33-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Discussion

The FAA has received a report from the Beech Aircraft Corporation (Beech) of a structural deficiency on Model 1900D airplanes. Beech reports that certain Model 1900D airplanes may be missing a bracket on the right-hand forward cabin partition, and that, even with this bracket installed, the airplane model design may not be capable of withstanding the load incurred with the baggage compartment loaded to its 250-pound limit. This condition, if not detected and corrected, could result in passenger injury if this load is incurred with the airplane occupied.

Beech has issued Service Bulletin (SB) No. 2556, Revision 1, dated February 1995, which references Kit Drawing No. 129-5007 and Kit No. 129-5007-1 S. Kit Drawing No. 129-5007 specifies the design location of the bracket that may be missing, and Kit No. 129-5007-1 S includes parts and instructions necessary to improve the