

to an aging management review or evaluation of time-limited aging analyses in accordance with § 54.21. This FSAR update must describe how the effects of aging will be managed such that the intended function(s) in § 54.4(b) will be effectively maintained during the period of extended operation.

#### § 54.41 Violations.

(a) The Commission may obtain an injunction or other court order to prevent a violation of the provisions of the following acts—

(1) The Atomic Energy Act of 1954, as amended.

(2) Title II of the Energy Reorganization Act of 1974, as amended or

(3) A regulation or order issued pursuant to those acts.

(b) The Commission may obtain a court order for the payment of a civil penalty imposed under Section 234 of the Atomic Energy Act—

(1) For violations of the following—

(i) Sections 53, 57, 62, 63, 81, 82, 101, 103, 104, 107, or 109 of the Atomic Energy Act of 1954, as amended;

(ii) Section 206 of the Energy

Reorganization Act;

(iii) Any rule, regulation, or order issued pursuant to the sections specified in paragraph (b)(1)(i) of this section;

(iv) Any term, condition, or limitation of any license issued under the sections specified in paragraph (b)(1)(i) of this section.

(2) For any violation for which a license may be revoked under Section 186 of the Atomic Energy Act of 1954, as amended.

#### § 54.43 Criminal penalties.

(a) Section 223 of the Atomic Energy Act of 1954, as amended, provides for criminal sanctions for willful violations of, attempted violation of, or conspiracy to violate, any regulation issued under sections 161b, 161i, or 161o of the Act. For purposes of section 223, all the regulations in Part 54 are issued under one or more of sections 161b, 161i, or 161o, except for the sections listed in paragraph (b) of this section.

(b) The regulations in Part 54 that are not issued under Sections 161b, 161i, or 161o for the purposes of Section 223 are as follows: §§ 54.1, 54.3, 54.4, 54.5, 54.7, 54.9, 54.11, 54.15, 54.17, 54.19, 54.21, 54.22, 54.23, 54.25, 54.27, 54.29, 54.31, 54.41, and 54.43.

Dated at Rockville, Maryland, this 1st day of May, 1995.

For the Nuclear Regulatory Commission.

**John C. Hoyle,**

*Secretary of the Commission.*

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## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 123

#### Disaster—Waiver of Judgment Lien Restriction

**AGENCY:** Small Business Administration.  
**ACTION:** Final rule.

**SUMMARY:** This final rule applies only to disaster loan assistance. It will enable SBA to waive, for good cause shown, the restriction in the Federal Debt Collection Procedures Act of 1990 prohibiting debtors on whose property the United States has an outstanding judgment lien from receiving disaster loan assistance from the Federal Government.

**EFFECTIVE DATE:** This regulation is effective on May 8, 1995.

**FOR FURTHER INFORMATION CONTACT:** Bernard Kulik at 202/205-6734, Associate Administrator for Disaster Assistance, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The Federal Debt Collection Procedures Act of 1990 (28 U.S.C. 3201(e)) provides that a debtor who owns property which is subject to a judgment lien for a debt owed to the United States shall not be eligible to receive any grant or loan which is made, insured, guaranteed or financed directly or indirectly by the United States. It also provides that such debtor shall not be eligible to receive funds directly from the Federal Government in any program, except funds to which the debtor is entitled as beneficiary, until the judgment is paid in full or otherwise satisfied. However, the statute permits any agency responsible for such grants or loans to promulgate regulations to allow for waivers of this restriction. As an agency authorized to provide several forms of assistance proscribed by this restriction, including disaster loan assistance and other types of direct and guaranteed loans, SBA also has the waiver authority conferred by the statute.

SBA recognizes that disaster losses may strain the financial resources of responsible debtors to such extent as to prevent them from meeting their financial obligations to the United States. Such losses also may prevent debtors who have been complying with agreements to satisfy one or more judgments in favor of the United States from continuing to comply with the terms of those agreements. Therefore, by publication in the **Federal Register** on June 29, 1994, 59 FR 33456, SBA proposed to issue a regulation permitting it to waive the restriction on

eligibility for physical and economic injury disaster assistance provided under section (7)(b) (1) and (2) of the Small Business Act, 15 U.S.C. 636(b) (1) and (2), where there exists good cause to do so.

The proposed regulation applied to applicants for disaster assistance who have outstanding judgment liens in favor of SBA or in favor of other agencies. It identified two nonexclusive instances in which good cause will ordinarily be found to exist, both of them involving adverse circumstances occasioned by the disaster for which the assistance is sought.

Waivers would be granted denying the eligibility review of an application for either physical or economic injury disaster assistance, but only upon a demonstration of good cause by the applicant. Examples of good cause include, but are not limited to: (1) Delinquencies leading to a judgment lien, which are caused by a disaster, whether the original debt was incurred prior to or after the disaster, and (2) defaults in any agreement to satisfy a judgment lien, which are caused by a disaster, whether the agreement has been made with SBA, another creditor agency, or any other Federal entity holding the lien, such as the Resolution Trust Corporation or the Federal Deposit Insurance Corporation. In the case of agreements with other agencies, SBA will not waive the restriction on eligibility until the appropriate Federal entity has certified that the debtor had made adhering satisfactorily to the terms of the agreement prior to the commencement date of the disaster.

The proposed regulation contemplates that SBA's Associate Administrator for Disaster Assistance, or his/her designee, will make the determination as to whether good cause for waiving the restriction has been demonstrated by the applicant. Although such determinations are subject to the provisions of § 123.12 governing requests for reconsideration, no appeal from an adverse determination is contemplated.

SBA received no comments from the public in response to the June 29, 1994, Notice of Proposed Rulemaking. Therefore, by this publication, SBA is finalizing the rule as proposed.

**Compliance With Executive Orders 12866, 12612 and 12778; the Regulatory Flexibility Act, 5 U.S.C. 601 et seq.; and The Paperwork Reduction Act, 44 U.S.C. CH 35**

SBA submitted this final rule to the Office of Management and Budget for purposes of Executive Order 12866.

For purposes of Executive Order 12612, SBA certifies that this final rule would not have Federalism implications warranting the preparation of a Federalism assessment.

For purposes of Executive Order 12778, SBA certifies that the final rule is drafted, to the extent practicable, in accordance with the standards set forth in section 2 of that Order.

For purposes of the Regulatory Flexibility Act, SBA certifies that this final rule will not have a significant economic effect on a substantial number of small entities because, even though it would render previously ineligible applicants eligible for disaster loan assistance, SBA does not expect the number of affected applicants to be significant.

For purposes of the Paperwork Reduction Act, SBA certifies that this final rule will not impose a new recordkeeping or reporting requirement.

#### List of Subjects in 13 CFR Part 123

Disaster, Physical disaster and economic injury loans.

Pursuant to the authority conferred in section 5(b)(6) of the Small Business Act (15 U.S.C. 634(b)(6)), SBA amends Part 123, Chapter I, Title 13, Code of Federal Regulations, as follows:

#### PART 123—DISASTER—PHYSICAL DISASTER AND ECONOMIC INJURY LOANS

1. The authority citation for part 123 is revised to read as follows:

**Authority:** 15 U.S.C. 634(b)(6), 636(b), (c), (f).

2. Section 123.2 is amended by adding the following text at the end to read as follows:

##### § 123.2 Introduction.

\* \* \* Under the Federal Debt Collection Procedures Act of 1990 (28 U.S.C. 3201(e)), a debtor who owns property which is subject to an outstanding judgment lien for a debt owed to the United States is not eligible to receive certain assistance from the Federal Government, including physical and economic injury disaster loans covered by this part. This restriction against receiving disaster loans may be waived by SBA's Associate Administrator for Disaster Assistance or his/her designee (deciding official) upon a demonstration of good cause by the applicant for assistance. Good cause may be demonstrated by a credible representation under oath, which convinces the deciding official that it is more likely than not that the disaster for which such assistance is requested caused the delinquency upon which the

judgment is based, whether the debt was incurred before or after the commencement date for such disaster; or such disaster prevented the debtor from adhering to the terms of an agreement to satisfy the judgment lien, made with SBA or another agency in whose favor the judgment was entered or with any other Federal Government entity as may be appropriate, provided that such agency or entity certifies that, prior to the commencement date for the disaster, the debtor had been adhering satisfactorily to the terms of its agreement; or such other circumstances exist as may demonstrate good cause sufficient to waive the statutory prohibition. Subject to the provisions of § 123.12 concerning requests for reconsideration, a determination of the Associate Administrator for Disaster Assistance or his/her designee under this section is a final, nonappealable decision of the SBA.

Dated: March 14, 1995.

**Philip Lader,**

*Administrator.*

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#### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. 94-CE-06-AD; Amendment 39-9217; AD 95-09-13]

#### Airworthiness Directives; Cessna Aircraft Company Models T303, 402C, 404, 414A, and 421C Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment supersedes AD 93-05-03, which currently requires repetitively inspecting each fuel inlet float valve in accordance with certain test procedures on Cessna Aircraft Company (Cessna) Models T303, 402C, 404, 414A, and 421C airplanes, and replacing any valve that does not pass this test. The manufacturer has developed fuel inlet float valves of improved design, and the Federal Aviation Administration (FAA) has determined that the improved valves should be installed to reduce the number of repetitive tests currently required by AD 93-05-03. This action requires installing these fuel inlet float valves of improved design. The actions specified by this AD are intended to prevent possible loss of engine power caused by failure of a fuel inlet float valve.

**DATES:** Effective June 14, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 14, 1995.

**ADDRESSES:** Service information that applies to this AD may be obtained from the Cessna Aircraft Company, Customer Services, P.O. Box 1521, Wichita, Kansas 67201. This information may also be examined at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles D. Riddle, Aerospace Engineer, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Wichita, Kansas 67209; telephone (316) 946-4144; facsimile (316) 946-4407.

**SUPPLEMENTARY INFORMATION:** A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to certain Cessna Models T303, 401C, 404, 414A, and 421C airplanes was published in the **Federal Register** on September 19, 1994 (59 FR 47818). The action proposed to require replacing the fuel inlet float valves with parts of improved design or modifying the existing part and periodically accomplishing functional tests to assure proper operation. Accomplishment of the proposed actions would be in accordance with the ACCOMPLISHMENT INSTRUCTIONS supplement to Cessna Service Bulletin (SB) MEB93-10, dated December 3, 1993.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

Since issuance of the proposal, the manufacturer has revised Cessna SB MEB93-10 to incorporate editorial corrections and add serial number 689 to the Cessna Model 402C airplane applicability list. Cessna has informed the FAA that improved design fuel valves have been incorporated on this airplane at Cessna's maintenance facilities.

After careful review of all available information, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections and the incorporation of the service bulletin revision. The FAA has determined that the minor editorial