

- 10.416 Soil and Water Loans
 10.417 Very Low-Income Housing
 Repair Loans and Grants
 10.421 Indian Tribes and Tribal
 Corporation Loans
 10.435 Agricultural Loan Mediation
 Program
 10.437 Interest Assistance Program

List of Subjects in 7 CFR Part 1956

Accounting, Loan programs—
 Agriculture, Rural areas. Therefore,
 chapter XVIII, title 7, Code of Federal
 Regulations is amended as follows:

PART 1956—DEBT SETTLEMENT

1. The authority citation for part 1956
 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480;
 5 U.S.C. 301; 31 U.S.C. 3711; 7 CFR 2.23; 7
 CFR 2.70

Subpart B—Debt Settlement—Farmer Programs and Housing

§ 1956.86 [Removed]

2. Section 1956.86 is removed and
 reserved.

Subpart C—Debt Settlement— Community and Business Programs

§ 1956.146 [Removed]

3. Section 1956.146 is removed and
 reserved.

Dated: April 20, 1995.

Dallas R. Smith,

*Acting Under Secretary for Farm and Foreign
 Agricultural Services.*

Dated: April 6, 1995.

Michael V. Dunn,

*Acting, Under Secretary for Rural Economic
 and Community Development.*

[FR Doc. 95-13242 Filed 5-30-95; 8:45 am]

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Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 95-033-1]

Brucellosis in Cattle; State and Area Classifications; Nebraska

AGENCY: Animal and Plant Health
 Inspection Service, USDA.

ACTION: Interim rule and request for
 comments.

SUMMARY: We are amending the
 brucellosis regulations concerning the
 interstate movement of cattle by
 changing the classification of Nebraska
 from Class A to Class Free. We have
 determined that Nebraska meets the
 standards for Class Free status. This
 action relieves certain restrictions on

the interstate movement of cattle from
 Nebraska.

DATES: Interim rule effective May 31,
 1995. Consideration will be given only
 to comments received on or before July
 31, 1995.

ADDRESSES: Please send an original and
 three copies of your comments to
 Docket No. 95-033-1, Regulatory
 Analysis and Development, PPD,
 APHIS, Suite 3C03, 4700 River Road
 Unit 118, Riverdale, MD 20737-1238.
 Please state that your comments refer to
 Docket No. 95-033-1. Comments
 received may be inspected at USDA,
 room 1141, South Building, 14th Street
 and Independence Avenue, SW.,
 Washington, DC, between 8 a.m. and
 4:30 p.m., Monday through Friday,
 except holidays. Persons wishing to
 inspect comments are requested to call
 ahead on (202) 690-2817 to facilitate
 entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr.
 Michael J. Gilsdorf, Senior Staff
 Veterinarian, Cattle Diseases and
 Surveillance Staff, VS, APHIS, Suite
 3B08, 4700 River Road Unit 36,
 Riverdale, MD 20737-1231, (301) 734-
 7708.

SUPPLEMENTARY INFORMATION:

Background

Brucellosis is a contagious disease
 affecting animals and humans, caused
 by bacteria of the genus *Brucella*.

The brucellosis regulations, contained
 in 9 CFR part 78 (referred to below as
 the regulations), provide a system for
 classifying States or portions of States
 according to the rate of *Brucella*
 infection present, and the general
 effectiveness of a brucellosis control and
 eradication program. The classifications
 are Class Free, Class A, Class B, and
 Class C. States or areas that do not meet
 the minimum standards for Class C are
 required to be placed under Federal
 quarantine.

The brucellosis Class Free
 classification is based on a finding of no
 known brucellosis in cattle for the 12
 months preceding classification as Class
 Free. The Class C classification is for
 States or areas with the highest rate of
 brucellosis. Class B and Class A fall
 between these two extremes.
 Restrictions on moving cattle interstate
 become less stringent as a State
 approaches or achieves Class Free
 status.

The standards for the different
 classifications of States or areas entail
 (1) maintaining a cattle herd infection
 rate not to exceed a stated level during
 12 consecutive months; (2) tracing back
 to the farm of origin and successfully
 closing a stated percent of all brucellosis

reactors found in the course of Market
 Cattle Identification (MCI) testing; (3)
 maintaining a surveillance system that
 includes testing of dairy herds,
 participation of all recognized
 slaughtering establishments in the MCI
 program, identification and monitoring
 of herds at high risk of infection
 (including herds adjacent to infected
 herds and herds from which infected
 animals have been sold or received),
 and having an individual herd plan in
 effect within a stated number of days
 after the herd owner is notified of the
 finding of brucellosis in a herd he or she
 owns; and (4) maintaining minimum
 procedural standards for administering
 the program.

Before the effective date of this
 interim rule, Nebraska was classified as
 a Class A State.

To attain and maintain Class Free
 status, a State or area must (1) remain
 free from field strain *Brucella abortus*
 infection for 12 consecutive months or
 longer; (2) trace back at least 90 percent
 of all brucellosis reactors found in the
 course of MCI testing to the farm of
 origin; (3) successfully close at least 95
 percent of the MCI reactor cases traced
 to the farm of origin during the 12
 consecutive month period immediately
 prior to the most recent anniversary of
 the date the State or area was classified
 Class Free; and (4) have a specified
 surveillance system, as described above,
 including an approved individual herd
 plan in effect within 15 days of locating
 the source herd or recipient herd.

After reviewing the brucellosis
 program records for Nebraska, we have
 concluded that the State meets the
 standards for Class Free status.
 Therefore, we are removing Nebraska
 from the list of Class A States in
 § 78.41(b) and adding it to the list of
 Class Free States in § 78.41(a). This
 action relieves certain restrictions on
 moving cattle interstate from Nebraska.

Immediate Action

The Administrator of the Animal and
 Plant Health Inspection Service has
 determined that there is good cause for
 publishing this interim rule without
 prior opportunity for public comment.
 Immediate action is warranted to
 remove unnecessary restrictions on the
 interstate movement of cattle from
 Nebraska.

Because prior notice and other public
 procedures with respect to this action
 are impracticable and contrary to the
 public interest under these conditions,
 we find good cause under 5 U.S.C. 553
 to make it effective upon publication in
 the **Federal Register**. We will consider
 comments that are received within 60
 days of publication of this rule in the

Federal Register. After the comment period closes, we will publish another document in the **Federal Register**. It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

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.

Cattle moved interstate are moved for slaughter, for use as breeding stock, or for feeding. Changing the brucellosis status of Nebraska from Class A to Class Free will promote economic growth by reducing certain testing and other requirements governing the interstate movement of cattle from the State. Testing requirements for cattle moved interstate for immediate slaughter or to quarantined feedlots are not affected by this change. Cattle from certified brucellosis-free herds moving interstate are not affected by this change.

The groups affected by this action will be herd owners in Nebraska, as well as buyers and importers of cattle from the State.

There are an estimated 24,000 cattle herds in Nebraska that would be affected by this rule. Ninety-eight percent of these are owned by small entities. Test-eligible cattle offered for sale interstate from other than certified-free herds must have a negative test under present Class A status regulations, but not under regulations concerning Class Free status. If such testing were distributed equally among all herds affected by this rule, Class Free status would save approximately \$4.60 per herd.

Therefore, we believe that changing the brucellosis status of Nebraska would not have a significant economic impact on the small entities affected by this interim rule.

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 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 in conflict 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 78

Animal diseases, Bison, Cattle, Hogs, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 78 is amended as follows:

PART 78—BRUCELLOSIS

1. The authority citation for part 78 continues to read as follows:

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, and 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 78.41 [Amended]

2. In § 78.41, paragraph (a) is amended by adding "Nebraska," immediately after "Montana,".

3. In § 78.41, paragraph (b) is amended by removing "Nebraska,".

Done in Washington, DC, this 25th day of May 1995.

Terry L. Medley,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 95-13365 Filed 5-30-95; 8:45 am]

BILLING CODE 3410-34-P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 34

RIN 3150-AF28

Performance Requirements for Radiography Equipment

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending the regulations pertaining to performance requirements for radiography equipment. The amended provision permits a licensee to use an alternate value of torque for the performance

testing criteria. The specified torque test for the drive cable that is currently in the regulations is not practical to meet, given the design of radiographic equipment. Further, the amendment allows for the use of engineering analysis to demonstrate that a modest change in an already approved design is acceptable without the need to perform prototype tests. The amendment is necessary to relieve licensees from compliance with an impractical and unnecessary test criterion.

EFFECTIVE DATE: June 30, 1995.

FOR FURTHER INFORMATION CONTACT: Thomas Rich or J. Bruce Carrico, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-7893 or (301) 415-7826.

SUPPLEMENTARY INFORMATION:

Background

On January 10, 1990 (55 FR 843) the U.S. Nuclear Regulatory Commission published a revision to 10 CFR 34.20. This regulation required that significant safety improvements be made to radiography equipment. Some of these are stated explicitly in the regulation and some are required through an incorporation by reference of American National Standards Institute N432-1980 (ANSI-N432). All newly manufactured radiographic exposure devices and associated equipment acquired by NRC licensees after January 10, 1992, must meet the requirements specified in 10 CFR 34.20, including the provisions of ANSI-N432. All equipment in use after January 10, 1996, must meet these requirements. Vendors of source assemblies, associated equipment, and radiography exposure devices have registered their designs with the NRC or an Agreement State. This process allows both the user and regulatory agency to determine if the equipment meets the applicable safety requirements. Two vendors are located in Agreement States and three are under NRC jurisdiction.

It has come to the attention of the NRC staff that one of the test criteria specified in section 8.9.2(c) of ANSI-N432 is not practical and cannot be implemented. This test criterion is also not needed for demonstration of safety, given the current design and use of radiography equipment. The test in question is a prototype endurance test of the entire radiography system and, in particular, is intended to ensure the integrity of the source assembly for 20,000 operating cycles. The tests have been performed for the specified number of cycles and at the proper rotational speed, but not at the value of