

in any one year. When such a statement is needed for a rule, section 205 of UMRA generally requires RBS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost effective or least burdensome alternative that achieves the objectives of the rule.

This rule contains no federal Mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector. Thus today's rule is not subject to the requirements of sections 202 and 205 of UMRA.

**Background**

This regulatory package is an agency initiative to make the IRP more effective at stimulating rural community economic development. The current regulation prohibits approval of any IRP loan that would result in any one intermediary having an outstanding IRP indebtedness exceeding \$2 million. RBS is still not encouraging initial loans of more than \$2 million. However, some intermediaries have received and reloaned \$2 million and have demand for additional funding to meet the needs of the communities they serve.

The primary reason for this action is to allow subsequent loans to those successful intermediaries that have reached the current limit. Intermediaries in several States including: Vermont, Maine, Minnesota, Michigan, Colorado, North Carolina, Oklahoma, and Louisiana are currently at the limit of \$2 million, and faced by additional demand for funds. Because of this program's role in the President's Rural Development Initiative, the fact that the efforts of some successful lenders are impeded by the \$2 million limit, and the potential of attracting other lenders as a result of efforts to target the program more effectively to underserved areas, a decision has been made to increase the maximum loan limit to \$4 million for a maximum period ending August 28. The anticipated benefits are increased lending activity, particularly by successful lenders and the creation of new business opportunities and employment, particularly in areas experiencing economic distress.

There are no anticipated costs associated with this decision. The cost of expanding the potential of the program is already built into the budget estimates and there should be no increase in delinquencies because of this action.

**Discussion of Interim Final Rule**

It is the policy of this Department that rules relating to public property, loans, grants, benefits or contracts shall be

published for comment notwithstanding the exemption of 5 U.S.C. 553 with respect to such rules. However, the Agency is making this action effective upon publication in the Federal Register without securing prior public comment. It would be contrary to the public interest to wait for public comment before implementing an increase in the loan ceiling. There is an immediate need to provide funds to the public to help alleviate severe economic hardship which exists in many rural areas as a result of high unemployment and poverty level wages. Numerous intermediaries have received the maximum of \$2 million, have successfully used the funds to assist rural businesses, and have urgent need for additional loan funds. These intermediaries have proven their ability to play a major and successful role in stimulating the economy and developing jobs in rural areas experiencing high unemployment and depressed economies. Increasing the loan ceiling quickly will allow them to receive additional funds to continue to provide needed assistance. Delaying action will only deprive them of opportunities to provide assistance. Comments will be accepted for 60 days after publication and, if appropriate, adjustments will be made in the regulation based on the comments.

**List of Subjects in 7 CFR Part 1948**

Business and industry, Credit, Economic development, Rural areas.

Accordingly, Part 1948, Chapter XVIII, Title 7 of the Code of Federal Regulations is amended as follows:

**PART 1948—RURAL DEVELOPMENT**

1. The authority citation for part 1948 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1932 note; 7 CFR 2.23, and 2.70.

**Subpart C—Intermediary Relending Program (IRP)**

2. Section 1948.103 is amended by revising paragraph (c) (4) to read as follows:

**§ 1948.103 Eligibility requirements.**

\* \* \* \* \*

(c) \* \* \*

(4) The total amount of Agency loan funds requested by the intermediary plus the outstanding balance of existing IRP loan(s) will meet one of the following conditions:

(i) IRP loan funds will not exceed \$4 million per intermediary for loans approved on or before August 28, 1996.

(ii) IRP loan funds will not exceed \$2 million per intermediary for loans approved after August 28, 1996.

\* \* \* \* \*

Dated: February 7, 1996.

Wally B. Beyer,

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

[FR Doc. 96-4018 Filed 2-21-96; 8:45 am]

BILLING CODE 3410-32-P

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Parts 19, 30, 40, 50, 60, 61, 70, and 72**

**RIN 3150-AF45**

**Employee Protection Policies; Minor Amendments**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is amending its regulations related to notices to workers and to employee protection policies. This action is necessary to require the use of an updated NRC Form 3, update a telephone number, and to clarify the applicability of employment discrimination policies.

**EFFECTIVE DATE:** The final rule is effective April 22, 1996, unless significant adverse comments are received by March 25, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Service Branch. Hand deliver comments to 11555 Rockville Pike, Maryland, between 7:45 am and 4:15 pm on Federal workdays.

For information on submitting comments electronically, see the discussion under Electronic Access in the Supplementary Information Section.

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

**FOR FURTHER INFORMATION CONTACT:** Mark Haisfield, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6196, e-mail MFH@NRC.GOV.

**SUPPLEMENTARY INFORMATION:****Background**

The purpose of these amendments to 10 CFR Part 19, and related sections, is to promulgate a change to incorporate a reference to the most recent revision of NRC Form 3, update a telephone number, and clarify the applicability of employment discrimination policies to 10 CFR Parts 61 and 76.

NRC regulations in § 19.11, "Posting of notices to workers," specify the June 1993 revision of NRC Form 3, "Notice to Employees," and an old NRC telephone number for obtaining NRC Form 3. A new version of the form was issued in January 1996, and because licensees and applicants are required to prominently post the most current version of NRC Form 3, § 19.11 is being updated. Related sections in Parts 30, 40, 50, 60, 61, 70, and 72 also have the old NRC telephone number and are being updated.

The primary differences between the old and new NRC Form 3 are related to reporting violations and safety concerns, the addition of an NRC Safety Hotline and other NRC toll-free numbers, what constitutes discrimination, the realignment of NRC Regions, and the actions NRC will take for allegations of harassment, intimidation, or discrimination.

NRC regulations in § 19.20, "Employee protection," were adopted in July 1982. Part 61, "Licensing Requirements for Land Disposal of Radioactive Waste," was adopted in 1982 (47 FR 57446; December 27, 1982); and Part 76, "Certification of Gaseous Diffusion Plants," was adopted in 1994 (59 FR 48944; September 23, 1994). Both Parts 61 and 76 adopted the July 1982 employee protection provisions incorporated into Parts 30, 40, 50, 60, 70, and 72. Section 19.20 is being updated to refer to Parts 61 and 76 for consistency and clarification of employee protection policies.

**Electronic Access**

Comments may be submitted electronically, in either ASCII text or Wordperfect format (version 5.1 or later), by calling the NRC Electronic Bulletin Board on FedWorld. The bulletin board may be accessed using a personal computer, a modem, and one of the commonly available communications software packages, or directly via Internet.

If using a personal computer and modem, the NRC subsystem on FedWorld can be accessed directly by dialing the toll free number: 1-800-303-9672. Communication software parameters should be set as follows:

parity to none, data bits to 8, and stop bits to 1 (N,8,1). Using ANSI or VT-100 terminal emulation, the NRC NUREGs and RegGuides for Comment subsystem can then be accessed by selecting the "Rules Menu" option from the "NRC Main Menu." For further information about options available for NRC at FedWorld, consult the "Help/Information Center" from the "NRC Main Menu." Users will find the "FedWorld Online User's Guides" particularly helpful. Many NRC subsystems and databases also have a "Help/Information Center" option that is tailored to the particular subsystem.

The NRC subsystem on FedWorld can also be accessed by a direct dial phone number for the main FedWorld BBS, 703-321-3339, or by using Telnet via Internet, fedworld.gov. If using 703-321-3339 to contact FedWorld, the NRC subsystem will be accessed from the main FedWorld menu by selecting the "Regulatory, Government Administration and State Systems," then selecting "Regulatory Information Mall." At that point, a menu will be displayed that has an option "U.S. Nuclear Regulatory Commission" that will take you to the NRC Online main menu. The NRC Online area also can be accessed directly by typing "/go nrc" at a FedWorld command line. If you access NRC from FedWorld's main menu, you may return to FedWorld by selecting the "Return to FedWorld" option from the NRC Online Main Menu. However, if you access NRC at FedWorld by using NRC's toll-free number, you will have full access to all NRC systems but you will not have access to the main FedWorld system.

If you contact FedWorld using Telnet, you will see the NRC area and menus, including the Rules menu. Although you will be able to download documents and leave messages, you will not be able to write comments or upload files (comments). If you contact FedWorld using FTP, all files can be accessed and downloaded but uploads are not allowed; all you will see is a list of files without descriptions (normal Gopher look). An index file listing all files within a subdirectory, with descriptions, is included. There is a 15-minute time limit for FTP access.

Although FedWorld can be accessed through the World Wide Web, like FTP that mode only provides access for downloading files and does not display the NRC Rules menu.

For more information on NRC bulletin boards call Mr. Arthur Davis, Systems Integration and Development Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-5780; e-mail AXD3@nrc.gov.

**Procedural Background**

Because NRC considers this action noncontroversial and routine, we are approving it without seeking public comments on proposed amendments. This action will become effective on April 22, 1996. However, if the NRC receives significant adverse comments by March 25, 1996, then the NRC will publish a document that withdraws this action, and will address the comments received in response to the requested revisions which have been proposed for approval and are being concurrently published in the proposed rules section of this Federal Register. Comments will be addressed in the final rule on this proposal. The NRC will not initiate a second comment period on this action.

**Environmental Impact: Categorical Exclusion**

The Commission has determined that this final rule is the type of action described in categorical exclusions 10 CFR 51.22(c)(1). 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 1995 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the Office of Management and Budget, approval 3150-0044, 10 CFR Part 19; 3150-0017, 10 CFR Part 30; 3150-0020, 10 CFR Part 40; 3150-0011, 10 CFR Part 50; 3150-0127, 10 CFR Part 60; 3150-0135, 10 CFR Part 61; 3150-0009, 10 CFR Part 70; and 3150-0132, 10 CFR Part 72.

**Public Protection Notification**

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

**Regulatory Analysis**

A regulatory analysis has not been prepared for this Direct Final Rule because this rule is considered minor and not a substantial amendment; it has no economic impact on NRC licensees or the public.

**Regulatory Flexibility Certification**

As required by the Regulatory Flexibility Act of 1980, 5 U.S.C. 605(b), the Commission certifies that this rule does not have a significant economic impact upon a substantial number of small entities.

Any small entity subject to this regulation which determines that,

because of its size, it is likely to bear a disproportionate adverse economic impact should notify the Commission of this in a comment that indicates the following:

- (a) The licensee's size and how the regulation would result in a significant economic burden upon the licensee as compared to the economic burden on a larger licensee.
- (b) How the regulations could be modified to take into account the licensee's differing needs or capabilities.
- (c) The benefits that would accrue, or the detriments that would be avoided, if the regulations were modified as suggested by the licensee.
- (d) How the regulation, as modified, would more closely equalize the impact of regulations or create more equal access to the benefits of Federal programs as opposed to providing special advantages to any individual or group.
- (e) How the regulation, as modified, would still adequately protect public health and safety.

**Backfit Analysis**

The NRC has determined that the backfit rule, 10 CFR 50.109, does not apply to this rule, and therefore, a backfit analysis is not required because these amendments do not involve any provisions 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 30*

Byproduct material, Criminal penalties, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Radiation protection, Reporting and recordkeeping requirements.

*10 CFR Part 40*

Criminal penalties, Government contracts, Hazardous materials transportation, Nuclear materials, Reporting and recordkeeping requirements, Source material, Special nuclear material.

*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 60*

Criminal penalties, High-level waste, Nuclear power plants and reactors, Nuclear materials, Reporting and recordkeeping requirements, Waste treatment and disposal.

*10 CFR Part 61*

Criminal penalties, Low-level waste, Nuclear materials, Reporting and recordkeeping requirements, Waste treatment and disposal.

*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.

*10 CFR Part 72*

Manpower training programs, Nuclear materials, Occupational safety and health, Reporting and recordkeeping requirements, Security measures, Spent fuel.

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. 552 and 553, the NRC is adopting the following amendments to 10 CFR Parts 19, 30, 40, 50, 60, 61, 70, and 72.

**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, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2093, 2111, 2133, 2134, 2201, 2236, 2282, 2297f); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Pub. L. 95-601, sec. 10, 92 Stat. 2951 (42 U.S.C. 5851).

2. In § 19.11, the note following paragraph (c) is removed and paragraph (c) is revised to read as follows:

**§ 19.11 Posting of notices to workers.**

\* \* \* \* \*

(c)(1) Each licensee and each applicant for a specific license shall prominently post NRC Form 3 (Revision dated January 1996), "Notice to Employees."

(2) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S.

Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

3. Section 19.20 is revised to read as follows:

**§ 19.20 Employee protection.**

Employment discrimination by a licensee (or a holder of a certificate of compliance issued pursuant to Part 76) or a contractor or subcontractor of a licensee (or a holder of a certificate of compliance issued pursuant to Part 76) against an employee for engaging in protected activities under this part or Parts 30, 40, 50, 60, 61, 70, 72, 76, or 150 of this chapter is prohibited.

**PART 30—RULES OF GENERAL APPLICABILITY TO DOMESTIC LICENSING OF BYPRODUCT MATERIAL**

4. The authority citation for Part 30 continues to read as follows:

Authority: Secs. 81, 82, 161, 182, 183, 186, 68 Stat. 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2111, 2112, 2201, 2232, 2233, 2236, 2282); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 30.7 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 30.34(b) also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 30.61 also issued under sec. 187, 68 Stat. 955 (42 U.S.C. 2237).

5. In § 30.7, the note to paragraph (e)(2) is redesignated as paragraph (e)(3) and revised to read as follows:

**§ 30.7 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(3) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 40—DOMESTIC LICENSING OF SOURCE MATERIAL**

6. The authority citation for part 40 continues to read as follows:

Authority: Secs. 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, Pub. L. 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, Pub. L. 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 Pub. L. 97-415, 96 Stat. 2067 (42 U.S.C. 2022).

Section 40.7 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 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).

7. In § 40.7, the note to paragraph (e)(2) is redesignated as paragraph (e)(3) and revised to read as follows:

**§ 40.7 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(3) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES**

8. 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, 83 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).

9. In § 50.7, paragraph (e) is redesignated as (e)(1) and the note to

paragraph (e) is redesignated as paragraph (e)(2) and revised to read as follows:

**§ 50.7 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(2) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 60—DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTE IN GEOLOGIC REPOSITORIES**

10. The authority citation for Part 60 continues to read as follows:

Authority: Secs. 51, 53, 62, 63, 65, 81, 161, 182, 183, 68 Stat. 929, 930, 932, 933, 935, 948, 953, 954, as amended (42 U.S.C. 2071, 2073, 2092, 2093, 2095, 2111, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846); secs. 10 and 14, Pub. L. 95-601, 92 Stat. 2951 (42 U.S.C. 2021a and 5851); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332); secs. 114, 121, Pub. L. 97-425, 96 Stat. 2213g, 2228, as amended (42 U.S.C. 10134, 10141) and Pub. L. 102-486, sec. 2902, 106 Stat. 3123 (42 U.S.C. 5851).

11. In § 60.9, paragraph (e) is redesignated as (e)(1) and the note to paragraph (e) is redesignated as paragraph (e)(2) and revised to read as follows:

**§ 60.9 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(2) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 61—LICENSING REQUIREMENTS FOR LAND DISPOSAL OF RADIOACTIVE WASTE**

12. The authority citation for Part 61 continues to read as follows:

Authority: Secs. 53, 57, 62, 63, 65, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended (42 U.S.C. 2073, 2077, 2092, 2093, 2095, 2111, 2201, 2232, 2233); secs. 202, 206, 88 Stat. 1244, 1246 (42 U.S.C. 5842, 5846); secs. 10 and 14, Pub. L. 95-601, 92 Stat. 2951 (42 U.S.C. 2021a and 5851) and Pub. L. 102-486, sec. 2902, 106 Stat. 3123, (42 U.S.C. 5851).

13. In § 61.9, paragraph (e) is redesignated as (e)(1) and the note to

paragraph (e) is redesignated as paragraph (e)(2) and revised to read as follows:

**§ 61.9 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(2) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL**

14. 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, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2071, 2073, 2201, 2232, 2233, 2282, 2297f); 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 (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).

15. In § 70.7, the note to paragraph (e)(2) is redesignated as paragraph (e)(3) and revised to read as follows:

**§ 70.7 Employee protection.**

\* \* \* \* \*

(e) \* \* \*

(3) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

\* \* \* \* \*

**PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE**

16. The authority citation for Part 72 continues to read as follows:

Authority: Secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 68 Stat.

929, 930, 932, 933, 934, 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2238, 2282); sec. 274, Pub. L. 86-373, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 7902, 106 Stat. 3123 (42 U.S.C. 5851); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332); secs. 131, 132, 133, 135, 137, 141, Pub. L. 97-425, 96 Stat. 2229, 2230, 2232, 2241, sec. 148, Pub. L. 100-203, 101 Stat. 1330-235 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168).

Section 72.44(g) also issued under secs. 142(b) and 148(c), (d), Pub. L. 100-203, 101 Stat. 1330-232, 1330-236 (42 U.S.C. 10162(b), 10168(c), (d)). Section 72.46 also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97-425, 96 Stat. 2230 (42 U.S.C. 10154). Section 72.96(d) also issued under sec. 145(g), Pub. L. 100-203, 101 Stat. 1330-235 (42 U.S.C. 10165(g)). Subpart J also issued under secs. 2(2), 2(15), 2(19), 117(a), 141(h), Pub. L. 97-425, 96 Stat. 2202, 2203, 2204, 2222, 2224 (42 U.S.C. 10101, 10137(a), 10161(h)). Subparts K and L are also issued under sec. 133, 98 Stat. 2230 (42 U.S.C. 10153) and sec. 218(a), 96 Stat. 2252 (42 U.S.C. 10198).

17. In § 72.10, paragraph (e)(2) is revised to read as follows:

**§ 72.10 Employee protection.**

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(e) \* \* \*  
 (2) Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in Appendix D to Part 20 of this chapter or by calling the NRC Information and Records Management Branch at (301) 415-7230.

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Dated at Rockville, Maryland this 7th day of February, 1996.

For the Nuclear Regulatory Commission,  
 James M. Taylor,  
*Executive Director for Operations.*

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 95-ANE-08; Amendment 39-9459; AD 95-26-01]

**Airworthiness Directives; AlliedSignal, Inc. (formerly Textron Lycoming) Models LTS101-650B1, -750B1, -650C, and -750C Turboshaft Engines**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD), applicable to AlliedSignal, Inc. (formerly Textron Lycoming) Models LTS101-650B1, -750B1, -650C, and -750C turboshaft engines, that requires installation of an improved power turbine (PT) rotor and electronic PT rotor overspeed controller as a terminating action to the currently required inspections of AD 88-14-01. This amendment is prompted by reports of additional bearing failures since publication of AD 88-14-01, including one additional uncontained PT disk failure. The actions specified by this AD are intended to prevent PT overspeed and uncontained engine failure.

**DATES:** Effective April 22, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 22, 1996.

**ADDRESSES:** The service information referenced in this AD may be obtained from AlliedSignal Inc., 550 Main Street, Stratford, CT 06497. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Eugene Triozzi, Aerospace Engineer, Engine Certification Office, FAA, Engine and Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803-5299; telephone (617) 238-7148, fax (617) 238-7199.

**SUPPLEMENTARY INFORMATION:** On May 26, 1988, the Federal Aviation Administration (FAA) issued airworthiness directive (AD) 88-14-01, Amendment 39-5952 (53 FR 25317, July 6, 1988), to require initial and repetitive inspections of the engine lubrication and bearing systems on AlliedSignal, Inc. (formerly Textron Lycoming) LTS101 series turboshaft engines. That action was prompted by reports of four uncontained power turbine (PT) disk failures. Subsequent investigation revealed that the PT disk failures were caused by bearing failures resulting in PT shaft disengagement from the gear train drive, unloading the PT and causing rotor overspeed. Two other PT disk failures involved No. 4 bearing failure, followed by power pinion gear teeth failure, thereby unloading the PT and causing PT rotor overspeed. This condition, if not corrected, could result

in PT overspeed and uncontained engine failure.

Since the issuance of that AD, the FAA has received reports of additional bearing failures with resultant loss of PT rotor location, including one additional uncontained PT disk failure. In order to minimize the possibility of an uncontained engine failure, the manufacturer has developed an improved PT rotor with retention capability and an improved electronic PT rotor overspeed controller. These improvements are only available for AlliedSignal, Inc. Models LTS101-650B1, -750B1, -650C, and -750C turboshaft engines, installed on Bell Helicopter Textron 222 series and Messerschmitt-Bolkow-Blohm (MBB) BK117 series helicopters.

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that is applicable to AlliedSignal, Inc. (formerly Textron Lycoming) Models LTS101-650B1, -750B1, -650C, and -750C turboshaft engines was published in the Federal Register on May 19, 1995 (60 FR 26846). That action proposed to require installation of an improved PT rotor with retention capability and an electronic PT rotor overspeed controller at the next shop visit when the PT rotor is removed after the effective date of this AD, but prior to December 31, 1997, as a terminating action to the currently required inspections of AD 88-14-01.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter states that the requirement to incorporate an electronic PT overspeed controller should be deleted from the AD, as the additional economic impact is not justified from the basis of increased safety, or the basis of reliability in adverse operating conditions. The FAA does not concur. The FAA has determined that the electronic PT overspeed controller will increase flight safety by providing overspeed protection in the event of a No. 4 bearing failure. As stated in the NPRM, the current PT rotor overspeed controller, in two cases of No. 4 bearing failure, has allowed PT rotor overspeed and uncontained PT disk failures. The FAA has also determined that the electronic PT overspeed protection system provides an acceptable level of reliability in adverse environmental operating conditions consistent with that required for engine digital electronic controls.

One commenter states that the pneumatic portion of the PT retention system should be enabled in lieu of