

prior opportunity for public comment. The portion of Dade County, FL, affected by this document was quarantined to prevent the Medfly from spreading to noninfested areas of the United States. Because the Medfly has been eradicated from this area, and because the continued quarantined status of that portion of Dade County, FL, would impose unnecessary regulatory restrictions on the public, immediate action is warranted to relieve restrictions.

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 this action effective August 24, 1998. 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**. The document 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.

This interim rule amends the Medfly regulations by removing a portion of Dade County, FL, from quarantine for Medfly. This action affects the intrastate and interstate movement of regulated articles from this area. We estimate that there are seven entities in the quarantined area of Dade County, FL, that sell, process, handle, or move regulated articles; this estimate includes one mobile vendor and six stores/markets. The number of these entities that meet the U.S. Small Business Administration's (SBA) definition of a small entity is unknown, since the information needed to make that determination (i.e., each entity's gross receipts or number of employees) is not currently available. However, it is reasonable to assume that most of the seven entities are small in size, since the overwhelming majority of businesses in Florida, as well as the rest of the United States, are small entities by SBA standards.

The effect of this action on small entities should be minimally positive, as they will no longer be required to treat articles to be moved intrastate and interstate for Medfly.

Therefore, termination of the quarantine of that portion of Dade

County, FL, should have a minimal economic effect on the small entities operating in this area. We anticipate that the economic impact of lifting the quarantine, though positive, will be no more significant than was the minimal impact of its imposition.

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 12988**

This rule has been reviewed under Executive Order 12988, 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 1995 (44 U.S.C. 3501 *et seq.*).

#### **List of Subjects in 7 CFR Part 301**

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, we are amending 7 CFR part 301 as follows:

#### **PART 301—DOMESTIC QUARANTINE NOTICES**

1. The authority citation for part 301 continues to read as follows:

**Authority:** 7 U.S.C. 147a, 150bb, 150dd, 150ee, 150ff, 161, 162, and 164–167; 7 CFR 2.22, 2.80, and 371.2(c).

##### **§ 301.78–3 [Amended]**

2. In § 301.78–3, paragraph (c), the entry for Florida is amended by removing the entry for Dade County.

Done in Washington, DC, this 21st day of August 1998.

**Craig A. Reed,**

*Administrator, Animal and Plant Health Inspection Service.*

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## **NUCLEAR REGULATORY COMMISSION**

### **10 CFR Parts 20, 32, 35, 36, and 39**

**RIN 3150—AF46**

#### **Minor Corrections, Clarifying Changes, and a Minor Policy Change; Delay of Effective Date**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** This document delays the effective date of a final rule that appeared in the **Federal Register** on July 23, 1998 (63 FR 39477), that makes minor corrections and clarifying changes to 10 CFR Part 20 and conforms other regulations with the Commission's 1991 revised radiation protection requirements. In addition, the final rule includes a minor policy change that raises the monitoring criteria for minors from 0.05 rem (0.5 mSv) to 0.1 rem (1 mSv) in a year and for declared pregnant women from 0.05 rem (.5 mSv) to 0.1 rem (1 mSv) during their pregnancies.

**DATES:** This document is effective on August 21, 1998. The effective date of the rule published at 63 FR 39477 is delayed until October 26, 1998.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415–6219.

**SUPPLEMENTARY INFORMATION:** The Nuclear Regulatory Commission (NRC) issued a final rule on July 23, 1998 (63 FR 39477) that presented minor corrections, clarifying changes, and a minor policy change to 10 CFR Parts 20, 32, 35, 36, and 39. The effective date noted in that rule was August 24, 1998. A request was made by industry to delay the effective date to allow sufficient time for modification of procedures to comply with the new requirements. In response to this request, NRC is delaying the effective date of the final rule to October 26, 1998.

Dated at Rockville, Maryland, this 20th day of August, 1998.

For the Nuclear Regulatory Commission.

**L. Joseph Callan,**

*Executive Director for Operations.*

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