

The quantity of assessable avocados for the 2005–06 fiscal year is estimated at 900,000 55-pound bushels. Thus, the \$0.27 rate should provide \$243,000 in assessment income and be adequate to meet expenses.

The major expenditures recommended by the Committee for the 2005–06 year include \$90,235 for salaries, \$24,203 for insurance and bonds, \$22,730 for employee benefits, \$15,000 for research, and \$10,000 for local and national enforcement. Budgeted expenses for these items in 2004–05 were \$79,800, \$26,093, \$23,643, \$21,000, and \$43,135, respectively. The budget item local and national enforcement was reduced for 2005–06 because the compliance officer was hired as Committee manager and this person will perform both compliance and managerial functions. The budget item salaries, reflects these function changes.

The Committee recommended the increase in the assessment rate to rebuild its reserves which have been reduced in recent years. In 2003–04, the Committee estimated assessable production at one million containers, but only harvested 660,000, causing the Committee to use its reserves to cover necessary expenses. For the 2004–05 season, it appears there will be another production shortfall of approximately 100,000 containers below the Committee's estimate. Thus, 2004–2005 assessments will be about \$20,000 less than expected and the Committee will again have to use its reserves to cover expenses.

The Committee reserves are estimated to be approximately \$110,000 at the start of the new fiscal year that began April 1, 2005. The Committee estimates 900,000 55-pound bushel containers will be harvested during the 2005–06 fiscal year. This is expected to result in \$32,000 in excess assessment income, which would increase the Committee's reserves to around \$142,000.

The Committee reviewed and recommended 2005–06 expenditures of \$211,038 which included increases in administrative and office salaries, and insurance and bond programs. Prior to arriving at this budget, the Committee considered information from various sources, such as the Committee's Budget Subcommittee. Several alternative assessment and expenditure levels were discussed by these groups based on at what level to fund a research project and on how much they wanted to add to reserves. The assessment rate of \$0.27 per 55-pound bushel container of assessable avocados was then determined by dividing the total recommended budget, including the

increase in reserves, by the quantity of assessable avocados, estimated at 900,000 55-pound bushel containers or equivalents for the 2005–06 fiscal year. This is approximately \$32,000 above the anticipated expenses, which the Committee determined to be acceptable.

A review of historical information and preliminary information pertaining to the upcoming fiscal year indicates that the average Florida grower price for the 2005–06 marketing season could range between around \$15.00 and \$22.00 per 55-pound bushel container or equivalent of avocados. Therefore, the estimated assessment revenue for the 2005–06 fiscal year as a percentage of total grower revenue could range between 1.2 and 1.8 percent.

This action would increase the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be offset by the benefits derived by the operation of the marketing order. In addition, the Committee's meeting was widely publicized throughout the Florida avocado industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the February 17, 2005, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit information on the regulatory and informational impacts of this action on small businesses.

This proposed rule would impose no additional reporting or recordkeeping requirements on either small or large Florida avocado handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

USDA has not identified any relevant Federal rules that duplicate, overlap, or conflict with this rule.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 30-day comment period is provided to allow interested persons to respond to this proposed rule. Thirty days is deemed appropriate because: (1) The 2005–06 fiscal year began on April 1,

2005, and the marketing order requires that the rate of assessment for each fiscal year apply to all assessable avocados handled during such fiscal year; (2) the Committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis; and (3) handlers are aware of this action which was recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years.

List of Subjects in 7 CFR Part 915

Avocados, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 915 is proposed to be amended as follows:

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

1. The authority citation for 7 CFR part 915 continues to read as follows:

Authority: 7 U.S.C. 601–674.

2. Section 915.235 is revised to read as follows:

§ 915.235 Assessment rate.

On and after April 1, 2005, an assessment rate of \$0.27 per 55-pound container or equivalent is established for avocados grown in South Florida.

Dated: April 21, 2005.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 71

Regulations for the Safe Transport of Radioactive Material; Solicitation of Comments on Proposed Changes

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Solicitation of comments on proposed changes.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) and the U.S. Department of Transportation (DOT) are jointly seeking comments on proposed changes to the International Atomic Energy Agency (IAEA) Regulations for the Safe Transport of Radioactive Material (referred to as TS–R–1). The proposed changes were submitted by the U.S. and other IAEA member states and International Organizations, and might necessitate subsequent domestic

compatibility rulemakings by both the NRC and the DOT.

DATES: Proposed changes will be accepted until July 1, 2005. Proposed changes received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for proposed changes received on or before this date.

ADDRESSES: Mail proposed changes to Michael Lesar, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Hand deliver proposed changes to Two White Flint North, 11545 Rockville Pike (Mail Stop T6D59), Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. Federal workdays.

FOR FURTHER INFORMATION CONTACT: John Cook, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: (301) 415-8521; e-mail: jrc1@nrc.gov.

SUPPLEMENTARY INFORMATION:

Background

The IAEA periodically revises its Regulations for the Safe Transport of Radioactive Material (TS-R-1) to reflect new information and accumulated experience. The DOT is the U.S. competent authority before the IAEA for radioactive material transportation matters. The NRC provides technical support to the DOT in this regard, particularly with respect to Type B and fissile packages.

On April 7, 2005, the IAEA posted for comment 28 proposed changes to TS-R-1. The IAEA's review process calls for Member States and International Organizations to provide comments to the IAEA by August 5, 2005. The proposed changes may be incorporated in a revised edition of the regulations in 2007, nominally to become effective worldwide in 2009. To assure opportunity for public involvement in the international regulatory development process, the DOT and the NRC are soliciting comments on the proposed changes at this time. This information will assist the DOT and the NRC in having a full range of views as the agencies develop comments the U.S. will submit to the IAEA.

The following documents are available for viewing and downloading on the Internet at: <http://hazmat.dot.gov/regs/files/IAEADraftChanges.htm>.

- Table of the regulatory changes proposed by the IAEA.

- A consolidated draft of the proposed TS-R-1 revision.
- A standard comment form for the proposed TS-R-1 revision.
- Table of the advisory material changes proposed by the IAEA.
- A consolidated draft of the proposed TS-G-1.1 revision.
- A standard comment form for the proposed TS-G-1.1 revisions.

Public comments on proposed changes must be submitted in writing (electronic file on disk in Word format preferred) using the standard comment forms referred to above. The NRC and the DOT will review the public comments received by July 1, 2005. Based in part on the information, the agencies will determine the U.S. comments on the proposed changes to be submitted to IAEA by August 5, 2005.

Comments on the proposed changes from the U.S., other Member States and International Organizations will be considered at an IAEA Review Panel Meeting to be convened by IAEA on September 5-9, 2005, in Vienna, Austria. Note that future domestic rulemakings, if necessary, will continue to follow established rulemaking procedures, including the opportunity to formally comment on proposed rules.

Dated in Rockville, Maryland, this 21st day of April 2005.

For the Nuclear Regulatory Commission.

David W. Pstrak,

*Transportation and Storage Project Manager,
Office of Nuclear Material Safety and Safeguards.*

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FARM CREDIT ADMINISTRATION

12 CFR Part 627

RIN 3052-AC26

Title IV Conservators, Receivers, and Voluntary Liquidations; Receivership Repudiation Authorities

AGENCY: Farm Credit Administration.

ACTION: Proposed rule.

SUMMARY: The Farm Credit Administration (FCA) is proposing a rule on how the Farm Credit System Insurance Corporation (FCSIC), as receiver or conservator of a Farm Credit System (System) institution, will treat financial assets transferred by the institution in connection with a securitization or in the form of a participation. The rule would resolve issues raised by Financial Accounting Standards Board (FASB) Statement No.

140, Accounting for Transfers and Servicing of Financial Assets and Extinguishment of Liabilities (SFAS 140). Under conditions described in the rule, the FCSIC will not seek to recover or reclaim certain financial assets in exercising its authority to repudiate or disaffirm contracts pursuant to 12 CFR 627.2725(b)(2), (b)(14) and 627.2780(b) and (d). The proposed rule also provides that the FCSIC will not seek to enforce the "contemporaneous" requirement of section 5.61(d) of the Farm Credit Act of 1971, as amended (Act) (12 U.S.C. 2277a-10(d)). The proposed rule is substantially identical to receivership rules issued by the Federal Deposit Insurance Corporation (FDIC) and the National Credit Union Administration (NCUA).

DATES: Please send your comments to us by June 27, 2005.

ADDRESSES: You may send comments by electronic mail to "reg-comm@fca.gov," through the Pending Regulations section of FCA's Web site, "<http://www.fca.gov>," or through the Governmentwide "<http://www.regulations.gov>" Web site. You may also send comments to S. Robert Coleman, Director, Regulation and Policy Division, Office of Policy and Analysis, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 or by fax to (703) 734-5784. You may review copies of comments we receive at our office in McLean, Virginia, or from our Web site at <http://www.fca.gov>. Once you are in the Web site, select "Legal Info," and then select "Public Comments." We will show your comments as submitted, but for technical reasons we may omit items such as logos and special characters. Identifying information you provide, such as phone numbers and addresses, will be publicly available. However, we will attempt to remove electronic-mail addresses to help reduce Internet spam.

FOR FURTHER INFORMATION CONTACT: Robert E. Donnelly, Senior Accountant, Office of Policy and Analysis, Farm Credit Administration, McLean, VA 22102-5090, 703-883-4498, TTY (703) 883-4434, or Rebecca S. Orlich, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, 703-883-4020, TTY (703) 883-4020.

SUPPLEMENTARY INFORMATION:

I. Objective

Our objective in proposing this rule is to give certainty to System institutions regarding how participations and securitizations engaged in by a System institution will be treated by the FCSIC if the institution is subsequently placed