

# Rules and Regulations

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## DEPARTMENT OF AGRICULTURE

### Animal and Plant Health Inspection Service

#### 7 CFR Part 301

[Docket No. APHIS-2007-0072]

#### Black Stem Rust; Addition of Rust-Resistant Varieties; Correction

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Direct final rule; correction.

**SUMMARY:** We are correcting an error in the amendatory instructions in our direct final rule that added four varieties to the list of rust-resistant *Berberis* species or cultivars in the black stem rust quarantine and regulations. The direct final rule was published in the **Federal Register** on June 12, 2007 (72 FR 32165-32167, Docket No. APHIS-2007-0072) and became effective on August 13, 2007.

**DATES:** *Effective Date:* December 20, 2007.

**FOR FURTHER INFORMATION CONTACT:** Dr. Vedpal Malik, Agriculturalist, Invasive Species and Pest Management, PPQ, APHIS, 4700 River Road, Unit 134, Riverdale, MD 20737-1236; (301) 734-6774.

**SUPPLEMENTARY INFORMATION:** In a direct final rule published in the **Federal Register** on June 12, 2007 (72 FR 32165-32167, Docket No. APHIS-2007-0072) and effective on August 13, 2007, we amended the black stem rust quarantine and regulations in 7 CFR part 301 by adding four varieties to the list of rust-resistant *Berberis* species or cultivars in § 301.38-2 of the regulations.

In the amendatory instructions we stated that we were amending paragraph (b) of § 301.38-2 in order to add the four varieties to the list of rust-resistant *Berberis* species or cultivars. However, this was incorrect. We should have

stated that we were amending paragraph (a)(1) of § 301.38-2. This document corrects that error.

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

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

■ Accordingly, 7 CFR part 301 is amended as follows:

#### PART 301—DOMESTIC QUARANTINE NOTICES

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

**Authority:** 7 U.S.C. 7701-7772 and 7781-7786; 7 CFR 2.22, 2.80, and 371.3.

Section 301.75-15 issued under Sec. 204, Title II, Public Law 106-113, 113 Stat. 1501A-293; sections 301.75-15 and 301.75-16 issued under Sec. 203, Title II, Public Law 106-224, 114 Stat. 400 (7 U.S.C. 1421 note).

■ 2. In § 301.38-2, paragraph (a)(1) is amended by adding, in alphabetical order, the following rust-resistant *Berberis* species:

#### § 301.38-2 Regulated articles.

- (a) \* \* \*
- (1) \* \* \*

\* \* \* \* \*  
*B. thunbergii atropurpurea* 'Moretti Select'

\* \* \* \* \*

*B. thunbergii* 'Fireball'

\* \* \* \* \*

*B. thunbergii* 'Orange Rocket'

\* \* \* \* \*

*B. thunbergii* 'Sparkler'

\* \* \* \* \*

Done in Washington, DC, this 14th day of December 2007.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. E7-24678 Filed 12-19-07; 8:45 am]

**BILLING CODE 3410-34-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 19, 20, and 50

RIN 3150-AH40

#### Occupational Dose Records, Labeling Containers, and the Total Effective Dose Equivalent; Deferral of Effective Date

**AGENCY:** Nuclear Regulatory Commission.

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

**SUMMARY:** The Nuclear Regulatory Commission published a final rule amending regulations that would become effective January 3, 2008. The final rule, published December 4, 2007 (72 FR 68043) related to the reporting of annual dose to workers, the definition of Total Effective Dose Equivalent (TEDE), the labeling of certain containers holding licensed material, and the determination of cumulative occupational radiation dose. The NRC is deferring the effective date of the final rule until Office of Budget and Management (OMB) review and clearance of the rule's information collections is completed. NRC anticipates the new effective date for this rule will be February 15, 2008. The NRC will publish a subsequent document to confirm this effective date.

**DATES:** *Effective Date:* The effective date of the final rule published December 4, 2007 (72 FR 68043) is deferred until February 15, 2008.

**ADDRESSES:** Publicly available documents related to this rulemaking may be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), Room O1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The PDR reproduction contractor will copy documents for a fee. Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/NRC/reading-rm/adams.html>. From this site, the public can gain entry into the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents

located in ADAMS, contact the NRC's PDR Reference staff at (800) 397-4209, (301) 415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Stewart Schneider, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-4123; e-mail [sxs4@nrc.gov](mailto:sxs4@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The Nuclear Regulatory Commission published a final rule amending regulations that would become effective January 3, 2008. The final rule, published December 4, 2007 (72 FR 68043) related to the reporting of annual dose to workers, the definition of Total Effective Dose Equivalent (TEDE), the labeling of certain containers holding licensed material, and the determination of cumulative occupational radiation dose. This final rule will limit the routine reporting of annual doses to those workers whose annual dose exceeds a specific dose threshold or who request a report. The rule will also modify the labeling requirements for certain containers holding licensed material within posted areas in nuclear power facilities, and will amend the definition of TEDE to be consistent with current Commission policy. Finally, this rule will remove the requirement that licensees attempt to obtain cumulative exposure records for workers unless these individuals are being authorized to receive a planned special exposure. These revisions will reduce the administrative and information collection burdens on NRC and Agreement State licensees without affecting the level of protection for either the health and safety of workers and the public, or for the environment.

This final rule will amend information collection requirements contained in 10 CFR parts 19, 20, and 50, and NRC Form 4 that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). These information collection requirements were sent for approval to the Office of Management and Budget on November 28, 2007; while the changes to 10 CFR parts 19, 20, and 50, and NRC Form 4 do not contain a new or amended information collection requirements, the NRC has not received final clearance for these amended requirements. Because the rule will reduce the burden for existing information collection requirements, the public burden for the information collections in 10 CFR part 19 and NRC Form 4 is expected to be decreased by 235 and 44 hours per licensee, respectively. This reduction includes the time required for reviewing

instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the information collection. Existing requirements were approved by the Office of Management and Budget, approval number(s) 3150-0044, 3150-0014, 3150-0011, and 3150-0005.

In order to allow sufficient time for OMB to complete its review of the information collections requirements imposed in this rule, the NRC is deferring the effective date of the December 4, 2007, amendments to 10 CFR parts 19, 20, and 50 until February 15, 2008.

Dated at Rockville, Maryland, this 13th day of December 2007.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**  
*Secretary of the Commission.*

[FR Doc. E7-24636 Filed 12-19-07; 8:45 am]

**BILLING CODE 7590-01-P**

## FEDERAL RESERVE SYSTEM

### 12 CFR Part 203

[Regulation C; Docket No. R-1303]

#### Home Mortgage Disclosure

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; staff commentary.

**SUMMARY:** The Board is publishing a final rule amending the staff commentary that interprets the requirements of Regulation C (Home Mortgage Disclosure). The staff commentary is amended to increase the asset-size exemption threshold for depository institutions based on the annual percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers. The adjustment from \$36 million to \$37 million reflects the increase of that index by 2.70% percent during the twelve-month period ending in November 2007. Thus, depository institutions with assets of \$37 million or less as of December 31, 2007, are exempt from collecting data in 2008.

**DATES:** Effective January 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Dan S. Sokolov or John C. Wood, Counsels, Division of Consumer and Community Affairs, at (202) 452-3667; for users of Telecommunications Device for the Deaf (TDD) only, contact (202) 263-4869.

**SUPPLEMENTARY INFORMATION:** The Home Mortgage Disclosure Act (HMDA; 12 U.S.C. 2801 *et seq.*) requires most mortgage lenders located in metropolitan areas to collect data about

their housing-related lending activity. Annually, lenders must report that data to their federal supervisory agencies and make the data available to the public. The Board's Regulation C (12 CFR part 203) implements HMDA.

Prior to 1997, HMDA exempted depository institutions with assets totaling \$10 million or less, as of the preceding year-end. Provisions of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (codified at 12 U.S.C. 2808(b)) amended HMDA to expand the exemption for small depository institutions. The statutory amendment increased the asset-size exemption threshold by requiring a one-time adjustment of the \$10 million figure based on the percentage by which the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPIW) for 1996 exceeded the CPIW for 1975, and provided for annual adjustments thereafter based on the annual percentage increase in the CPIW. The one-time adjustment increased the exemption threshold to \$28 million for 1997 data collection.

Section 203.2(e)(1)(i) of Regulation C provides that the Board will adjust the threshold based on the year-to-year change in the average of the CPIW, not seasonally adjusted, for each twelve-month period ending in November, rounded to the nearest million. Pursuant to this section, the Board has adjusted the threshold annually, as appropriate.

For 2007, the threshold was \$36 million. During the twelve-month period ending in November 2007, the CPIW increased by 2.70% percent. As a result, the exemption threshold is raised to \$37 million. Thus, depository institutions with assets of \$37 million or less as of December 31, 2007, are exempt from collecting data in 2008. An institution's exemption from collecting data in 2008 does not affect its responsibility to report data it was required to collect in 2007.

#### Final Rule

Under the Administrative Procedure Act, notice and opportunity for public comment are not required if the Board finds that notice and public comment are unnecessary. 5 U.S.C. 553(b)(B). The amendment in this notice is technical. Comment 2(e)-2 to section 203.2 of the regulation is amended to implement the increase in the exemption threshold. This amendment merely applies the formula established by Regulation C for determining adjustments to the exemption threshold. For these reasons, the Board has determined that publishing a notice of proposed rulemaking and providing opportunity