plan covering both slaughter and processing. Developing and implementing a single HACCP plan for a single product often would be more efficient and cost effective than producing two plans (one for slaughter and one for processing). In many cases, FSIS inspection personnel will be able to more efficiently and effectively review a single HACCP plan that covers all of the processing (including slaughter) within a meat or poultry establishment.

Done in Washington, DC: March 18, 1998.

Thomas J. Billy,

Administrator, Food Safety Inspection Service.

[FR Doc. 98–8432 Filed 3–31–98; 8:45 am]

BILLING CODE 3410–DM–P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 1, 2, 4, 7, 9, 15, 16, 76, and 110

RIN 3150–AF89

Statement of Organization and General Information; Minor Amendments

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission is revising its statement of organization and general information to reflect the creation of the Office of the Chief Financial Officer (OCFO) and the Office of the Chief Information Officer (OCIO), the reorganization of the Office of Administration (ADM), and other minor changes. These amendments are necessary to inform the public of administrative changes within the NRC.

EFFECTIVE DATE: April 1, 1998.

FOR FURTHER INFORMATION CONTACT: David L. Meyer, Chief, Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–7162, e-mail: dlm1@nrc.gov.

SUPPLEMENTARY INFORMATION: On January 5, 1997, the Commission announced the creation of the OCFO and the OCIO. These offices report directly to the Chairman. These offices were established pursuant to the Chief Financial Officers Act of 1990 and the Clinger-Cohen Act of 1996, respectively. The responsibilities and functions of their predecessor organizations that reported to the Executive Director for Operations (EDO) were transferred to these offices, respectively. Accordingly, the Office of the Controller and the Office of Information Resources Management were abolished. In addition, publications, graphics, printing, and Freedom of Information Act and Privacy Act functions were transferred from the Office of Administration (ADM) to the OCIO.

This final rule also notes the name change of the Office of Personnel to the Office of Human Resources and other minor administrative changes.

Because these amendments deal with agency practice and procedures, the notice and comment provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). The amendments are effective upon publication in the **Federal Register**. Good cause exists to dispense with the usual 30-day delay in the effective date because these amendments are of a minor and administrative nature, dealing with the agency's reorganization.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22 (c) (2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects

10 CFR Part 1

Organization and functions (Government agencies)

10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Environmental protection, Nuclear materials, Nuclear power plants and reactors, Penalties, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

10 CFR Part 4

Administrative practice and procedure, Blind, Buildings, Civil rights, Employment, Equal employment opportunity, Federal aid programs, Grant programs, Handicapped, Loan programs, Reporting and recordkeeping requirements, Sex discrimination.

10 CFR Part 7

Advisory committees, Sunshine Act.

10 CFR Part 9

Criminal penalties, Freedom of Information, Privacy, Reporting and recordkeeping requirements, Sunshine Act.

10 CFR Part 15

Administrative practice and procedure, Debt collection.

10 CFR Part 16

Administrative practice and procedure, Debt collection.

10 CFR Part 76

Certification, Criminal penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Special nuclear material, Uranium enrichment by gaseous diffusion.

10 CFR Part 110

Administrative practice and procedure, Classified information, Criminal penalties, Export, Import, Intergovernmental relations, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Scientific equipment.

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 1, 2, 4, 7, 9, 15, 16, 76, and 110.

PART 1—STATEMENT OF ORGANIZATION AND GENERAL INFORMATION

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

Authority: Secs. 23, 161, 68 Stat. 925, 948, as amended (42 U.S.C 2033, 2201); sec. 29, Pub. L. 85–256, 71 Stat. 579, Pub. L. 95–209, 91 Stat. 1483 (42 U.S.C. 2039); sec. 191, Pub. L. 87–615, 76 Stat. 409 (42 U.S.C. 2241); secs. 201, 203, 204, 205, 209, 88 Stat. 1242, 1244, 1245, 1246, 1248, as amended (42 U.S.C. 5841, 5843, 5844, 5845, 5849); 5 U.S.C. 552, 553; Reorganization Plan No.1 of 1980, 45 FR 40561, June 16, 1980.

2. In § 1.3, paragraph (c), the first sentence is revised to read as follows:

§ 1.3 Sources of additional information.

* * * * *

(c) Information regarding the availability of NRC records under the Freedom of Information Act and the Privacy Act of 1974 may be obtained from the Information Management Division, Office of the Chief Information Officer * * *.

§ 1.25 [Amended]

3. In § 1.25, paragraph (h) is removed, and paragraphs (i) through (l) are redesignated as paragraphs (h) through (k).

§ 1.34 [Removed]

4. Section 1.34 is removed.

5. Sections 1.32 and 1.33 are redesignated as §§ 1.33 and 1.34 and revised to read as follows:

§ 1.33 Office of Enforcement.

The Office of Enforcement—

(a) Develops policies and programs for enforcement of NRC requirements;

(b) Manages major enforcement actions; and

(c) Assesses the effectiveness and uniformity of Regional enforcement actions.

§ 1.34 Office of Administration.

The Office of Administration—

(a) Develops and implements agencywide contracting policies and procedures;

(b) Develops policies and procedures and manages the operation and maintenance of NRC offices, facilities, and equipment;

(c) Plans, develops, establishes, and administers policies, standards, and procedures for the overall NRC security program; and

(d) Develops and implements policies and procedures for the review and publication of NRC rulemakings, and ensures compliance with the Regulatory Flexibility Act and the Small Business Regulatory Enforcement Fairness Act, manages the NRC management directives program, and provides translations services.

6. Under the undesignated center heading ''Executive Director for Operations,'' § 1.31 is redesignated as § 1.32, paragraph (d) is removed, and paragraph (b) is revised to read as follows:

Executive Director for Operations

§ 1.32 Office of the Executive Director for Operations.

* * * * *

(b) The EDO supervises and coordinates policy development and operational activities in the following line offices; the Office of Nuclear Reactor Regulation, the Office of Nuclear Material Safety and Safeguards, the Office of Nuclear Regulatory Research, and the NRC Regional Offices; and the following staff offices: The Office of Enforcement, the Office of Administration, the Office of Investigations, the Office for Analysis and Evaluation of Operational Data, the Office of Small Business and Civil Rights, the Office of Human Resources, the Office of State Programs, and other organizational units as shall be assigned by the Commission. The EDO is also responsible for implementation of the Commission's policy directives pertaining to these offices.

* * * * *

7. A new undesignated center heading and a new § 1.30 are added to read as follows:

Chief Information Officer

§ 1.30 Office of the Chief Information Officer.

The Office of the Chief Information Officer—

(a) Plans, directs, and oversees the NRC's information resources, including technology infrastructure and delivery of information management services, to meet the mission and goals of the agency;

(b) Provides principal advice to the Chairman to ensure that information technology (IT) is acquired and information resources across the agency are managed in a manner consistent with Federal information resources management (IRM) laws and regulations;

(c) Assists senior management in recognizing where information technology can add value while improving NRC operations and service delivery;

(d) Directs the implementation of a sound and integrated IT architecture to achieve NRC's strategic and IRM goals;

(e) Monitors and evaluates the performance of information technology and information management programs based on applicable performance measures and assesses the adequacy of IRM skills of the agency;

(f) Provides guidance and oversight for the selection, control and evaluation of information technology investments; and

(g) Provides oversight and quality assurance for the design and operation of the Licensing Support System (LSS) services and for the completeness and integrity of the LSS database, ensures that the LSS meets the requirements of 10 CFR part 2, subpart J, concerning the use of the LSS in the Commission's high-level waste licensing proceedings, and provides technical oversight of DOE in the design, development, and operation of the LSS.

8. A new undesignated center heading and a new § 1.31 are added to read as follows:

Chief Financial Officer

§ 1.31 Office of the Chief Financial Officer.

The Office of the Chief Financial Officer—

(a) Oversees all financial management activities relating to NRC's programs and operations and provides advice to the Chairman on financial management matters;

(b) Develops and transmits the NRC's budget estimates to the Office of Management and Budget (OMB) and Congress;

(c) Establishes financial management policy including accounting principles and standards for the agency and provides policy guidance to senior managers on the budget and all other financial management activities;

(d) Provides an agencywide management control program for financial and program managers that establishes internal control processes and provides for timely corrective actions regarding material weaknesses that are disclosed to comply with the Federal Manager's Financial Integrity Act of 1982;

(e) Develops and manages an agencywide planning, budgeting, and performance management process;

(f) Develops and maintains an integrated agency accounting and financial management system, including an accounting system, and financial reporting and internal controls;

(g) Directs, manages, and provides policy guidance and oversight of agency financial management personnel activities and operations;

(h) Prepares and transmits an annual financial management report to the Chairman and the Director, Office of Management and Budget, including an audited financial statement;

(i) Monitors the financial execution of NRC's budget in relation to actual expenditures, controls the use of NRC funds to ensure that they are expended in accordance with applicable laws and financial management principles, and prepares and submits to the Chairman timely cost and performance reports;

(j) Establishes, maintains, and oversees the implementation of license fee polices and regulations; and

(k) Reviews, on a periodic basis, fees and other charges imposed by NRC for services provided and makes recommendations for revising those charges, as appropriate.

§ 1.38 [Removed]

9. Section 1.38 is removed.

10. In § 1.39, the section heading and the introductory paragraph are revised to read as follows:

§ 1.39 Office of Human Resources.

The Office of Human Resources

* * * * *

PART 2—RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS AND ISSUANCE OF ORDERS

11. The authority citation for part 2 continues to read as follows:

Authority: Secs. 161, 181, 68 Stat. 948, 953, as amended (42 U.S.C. 2201, 2231); sec. 191, as amended, Pub. L. 87–615, 76 Stat. 409 (42 U.S.C. 2241); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); 5 U.S.C. 552.

Section 2.101 also issued under secs. 53, 62, 63, 81, 103, 104, 105, 68 Stat. 930, 932, 933, 935, 936, 937, 938, as amended (42 U.S.C. 2073, 2092, 2093, 2111, 2133, 2134, 2135); sec. 114(f), Pub. L. 97–425, 96 Stat. 2213, as amended (42 U.S.C. 10134(f)); sec. 102, Pub. L. 91–190, 83 Stat. 853, as amended (42 U.S.C. 4332); sec. 301, 88 Stat. 1248 (42 U.S.C. 5871). Sections 2.102, 2.103, 2.104, 2.105, 2.721 also issued under secs. 102, 103, 104, 105, 183, 189, 68 Stat. 936, 937, 938, 954, 955, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2233, 2239). Section 2.105 also issued under Pub. L. 97–415, 96 Stat. 2073 (42 U.S.C. 2239). Sections 2.200–2.206 also issued under secs. 161 b, i, o, 182, 186, 234, 68 Stat. 948–951, 955, 83 Stat. 444, as amended (42 U.S.C. 2201 (b), (i), (o), 2236, 2282); sec. 206, 88 Stat 1246 (42 U.S.C. 5846). Sections 2.205(j) also issued under Pub. L. 101–410, 104 Stat. 890, as amended by sec. 31001(s), Pub. L. 104–134, 110 Stat. 1321–373 (28 U.S.C. 2461 note). Sections 2.600–2.606 also issued under sec. 102, Pub. L. 91–190, 83 Stat. 853, as amended (42 U.S.C. 4332). Sections 2.700a, 2.719 also issued under 5 U.S.C. 554. Sections 2.754, 2.760, 2.770, 2.780 also issued under 5 U.S.C. 557. Section 2.764 also issued under secs. 135, 141, Pub. L. 97–425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 2.790 also issued under sec. 103, 68 Stat. 936, as amended (42 U.S.C. 2133) and 5 U.S.C. 552. Sections 2.800 and 2.808 also issued under 5 U.S.C. 553. Section 2.809 also issued under 5 U.S.C. 553 and sec. 29, Pub. L. 85–256, 71 Stat. 579, as amended (42 U.S.C. 2039). Subpart K 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). Subpart L also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Appendix A also issued under sec. 6, Pub. L. 91–560, 84 Stat. 1473 (42 U.S.C. 2135).

12. In § 2.802, the introductory text of paragraph (b), and paragraphs (e), and (g) are revised to read as follows:

§ 2.802 Petition for rulemaking.

* * * * *

(b) A prospective petitioner may consult with the NRC before filing a petition for rulemaking by writing to the Chief, Rules and Directives Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. A prospective petitioner also may telephone the Rules and Directives Branch on (301) 415–7163 or toll free on (800) 368–5642.

* * * * *

(e) If it is determined that the petition includes the information required by paragraph (c) of this section and is complete, the Chief, Rules and Directives Branch, or designee, will assign a docket number to the petition, will cause the petition to be formally docketed, and will deposit a copy of the docketed petition in the Commission's Public Document Room. Public comment may be requested by publication of a notice of the docketing of the petition in the **Federal Register** or, in appropriate cases, may be invited for the first time upon publication in the **Federal Register** of a proposed rule developed in response to the petition. Publication will be limited by the requirements of section 181 of the Atomic Energy Act of 1954, as amended, and may be limited by order of the Commission.

* * * * *

(g) The Chief, Rules and Directives Branch, will prepare on a semiannual basis a summary of petitions for rulemaking before the Commission, including the status of each petition. A copy of the report will be available for public inspection and copying for a fee in the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20555–0001.

13. In § 2.1007, paragraph (a)(2) is revised to read as follows:

§ 2.1007 Access.

(a) * * *

(2) Terminals for access to full headers for all documents in the Licensing Support System during the pre-license application phase, and images of the non-privileged documents of NRC will be provided at the Commission's Public Document Room of NRC, and at all NRC Local Public Document Rooms established in the vicinity of the likely candidate site for a geologic repository, and at the NRC Regional Field Offices.

* * * * *

PART 4—NONDISCRIMINATION IN FEDERALLY ASSISTED COMMISSION PROGRAMS

14. The authority citation for part 4 continues to read as follow:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 274, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 207, Pub. L. 95–604, 92 Stat. 3033.

Subpart A also issued under secs. 602–605, Pub. L. 88–352, 78 Stat. 252, 253 (42 U.S.C. 2000d–1–2000d–4); sec. 401, 88 Stat. 1254 (42 U.S.C. 5891). Subpart B also issued under sec. 504, Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 706); sec. 119, Pub. L. 95–602, 92 Stat. 2984 (29 U.S.C. 794); sec. 122, Pub. L. 95–602, 92 Stat. 2984 (29 U.S.C. 706(6)). Subpart C also issued under Title III of Pub. L. 94–135, 89 Stat. 728, as amended (42 U.S.C. 6101). Subpart E also issued under 29 U.S.C. 794.

15. In § 4.4, paragraph (i) is revised to read as follows:

§ 4.4 Definitions.

* * * * *

(i) *Responsible NRC official* means the Director of the Office of Small Business and Civil Rights or any other officer to whom the Executive Director for Operations has delegated the authority to act.

* * * * *

16. Section 4.5 is revised to read as follows:

§ 4.5 Communications and reports.

Except as otherwise indicated, all communications and reports relating to this part should be addressed to the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Communications and reports may be delivered in person to the Commission's offices at 11555 Rockville Pike, Rockville, Maryland 20852–2738.

PART 7—ADVISORY COMMITTEES

17. The authority citation for part 7 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); Pub. L. 92–463, 86 Stat. 770 (5 U.S.C. App.).

18. In § 7.22, paragraphs (a) and (b) are revised to read as follows:

§ 7.22 Fiscal and administrative responsibilities.

(a) The Office of the Chief Financial Officer shall keep such records as will fully disclose the disposition of any funds that may be at the disposal of NRC advisory committees.

(b) The Office of the Chief Information Officer shall keep such records as will fully disclose the nature and extent of activities of NRC advisory committees.

* * * * *

PART 9—PUBLIC RECORDS

19. The authority citation for part 9 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Subpart A also issued under 5 U.S.C. 552; 31 U.S.C. 9701; Pub. L. 99–570. Subpart B also issued under 5 U.S.C. 552a. Subpart C also issued under 5 U.S.C. 552b.

§ 9.53 [Amended]

20. In § 9.53, paragraph (a), remove the words ''Director, Office of Administration'' and ''Director, or his designee'' each time they appear, and add in their place the words ''Freedom of Information Act and Privacy Act Officer,'' and in paragraph (b), remove the words ''Director, Office of Administration'' each time they appear, and add in their place the words ''Freedom of Information Act and Privacy Act Officer.''

§ 9.54 [Amended]

21. In § 9.54, paragraph (b), remove the words ''Director, Office of Administration'' and add in their place the words ''Freedom of Information Act and Privacy Act Officer.''

§ 9.60 [Amended]

22. In § 9.60, paragraph (a), remove the words ''Director, Office of Administration, or his designee,'' and add in their place the words ''Freedom of Information Act and Privacy Act Officer.''

§ 9.65 [Amended]

23. In § 9.65, in paragraph (a), the introductory text, and paragraph (b), remove the words ''Director, Office of Administration, or the Director's designee'' each time they appear, and add in their place the words ''Freedom of Information Act and Privacy Act Officer'' and remove the words ''the Assistant Inspector General for Audits.''

24. In § 9.66, paragraph (a)(1), the introductory text, and in paragraphs (a)(2) and (a)(3), remove the words ''Director, Office of Administration, or the Director's Designee'' and add in their place the words ''Freedom of Information Act and Privacy Act Officer,'' in paragraph (c)(2), remove the words ''Director, Office of Administration,'' and add in their place the words '' Freedom of Information Act and Privacy Act Officer,'' in paragraphs (a)(1) and (a)(2) remove the words ''Assistant Inspector General for Audits,'' each time they appear, and revise paragraph (b) to read as follows:

§ 9.66 Determinations authorizing or denying correction of records; appeals.

* * * * *

(b) Appeals from initial adverse determinations. If an individual's request to amend or correct a record has been denied, in whole or in part, the individual may appeal that action and request a final review and determination of that individual's request by the Inspector General or the Executive Director for Operations, as appropriate. An appeal of an initial determination must be filed within 60 days of the receipt of the initial determination. The appeal must be in writing and addressed to the Freedom of Information Act and Privacy Act Officer, U.S. Nuclear Regulatory Commission, Washington DC 20555–0001, for submission to the appropriate appellate authority for a final determination. The appeal should clearly state on the envelope and in the letter ''Privacy Act Correction Appeal.'' The NRC does not consider an appeal that is not marked as indicated in this paragraph as received until it is actually received by the Inspector General or Executive Director for Operations. Requests for final review must set forth the specific item of information sought to be corrected or amended and should include, where appropriate, documents supporting the correction or amendment.

* * * * *

§ 9.69 [Amended]

25. In § 9.69, paragraph (a), remove the words, ''Director, Office of Administration, or his designee'' and add in their place the words ''Freedom of Information Act and Privacy Act Officer.''

§ 9.85 [Amended]

26. In § 9.85, remove the words, ''Director, Division of Freedom of Information and Publications Services'' and add in their place the words ''Freedom of Information Act and Privacy Act Officer.''

PART 15—DEBT COLLECTION PROCEDURES

27. The authority citation for part 15 continues to read as follows:

Authority: Secs. 161, 186, 68 Stat. 948, 955, as amended (42 U.S.C. 2201, 2236); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 3, Pub. L. 89–508, 80 Stat. 308, as amended (31 U.S.C. 3711, 3717, 3718); sec. 1, Pub. L. 97–258, 96 Stat. 972 (31 U.S.C. 3713); sec. 5, Pub. L. 89–508, 80 Stat. 308, as amended (31 U.S.C. 3716); Pub. L. 97–365, 96 Stat. 1749 (31 U.S.C. 3719); Federal Claims Collection Standards, 4 CFR 101–105.

28. Section 15.3 is revised to read as follows:

§ 15. 3 Communications.

Unless otherwise specified, all communications concerning the regulations in this part should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff. Communications may be delivered in person to the Commission's offices located at 11555 Rockville Pike, One White Flint North, Rockville, Maryland 20852–2738.

29. In § 15.35, the introductory text of paragraph (c) is revised to read as follows:

§ 15.35 Payments.

* * * * *

(c) To whom payment is made. Payment of a debt is made by check, electronic transfer, draft, or money order payable to the United States Nuclear Regulatory Commission and mailed or delivered to the Division of Accounting and Finance, Office of the Chief Financial Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, unless payment is—

* * * * *

PART 16—SALARY OFFSET PROCEDURES FOR COLLECTING DEBTS OWED BY FEDERAL EMPLOYEES TO THE FEDERAL GOVERNMENT

30. The authority citation for part 16 continues to read as follows:

Authority: Secs. 161, 186, 68 Stat. 948, 955, as amended (42 U.S.C. 2201, 2236); sec. 201, 88 Stat, 1242, as amended (42 U.S.C. 5841); sec. 3, Pub. L. 89–508, 80 Stat. 308, as amended (31 U.S.C. 3711, 3717, 3718); sec.1, Pub. L. 97–258, 96 Stat. 972 (31 U.S.C. 3713); sec. 5, Pub. L. 89–508, 80 Stat. 308, as amended (31 U.S.C. 3716); Pub. L. 97–365, 96 Stat. 1749 (31 U.S.C. 3719); Federal Claims Collection Standards, 4 CFR 101–105.

31. In § 16.1, paragraph (e) is revised to read as follows:

§ 16.1 Purpose and scope.

* * * * *

(e) This part does not preclude an employee from requesting waiver of an overpayment under 5 U.S.C. 5584, 10 U.S.C. 2774, or 32 U.S.C. 716 or in any way questioning the amount or validity of the debt by submitting a subsequent claim to the NRC. This part does not preclude an employee from requesting a waiver pursuant to other statutory provisions applicable to the particular debt being collected.

PART 76—CERTIFICATION OF GASEOUS DIFFUSION PLANTS

32. The authority citation for part 76 is revised to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended, secs. 1312, 1701, as amended, 106 Stat. 2932, 2951, 2952, 2953, 110 Stat. 1321–349 (42 U.S.C. 2201, 2297b–11, 2297f); secs. 201, as amended, 204, 206, 88 Stat. 1244, 1245, 1246 (42 U.S.C. 5841, 5842, 5845, 5846). Sec. 234(a), 83 Stat. 444, as amended by Pub. L. 104–134, 110 Stat. 1321, 1321–349 (42 U.S.C. 2243(a)).

Section 76.7 also issued under Pub. L. 95–601. sec. 10, 92 Stat 2951 (42 U.S.C. 5851).

Section 76.22 is also issued under sec.193(f), as amended, 104 Stat. 2835, as amended by Pub. L. 104–134, 110 Stat. 1321, 1321–349 (42 U.S.C. 2243(f)). Section 76.35(j) also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152).

33. In § 76.7, paragraph (e) (3) is revised to read as follows:

§ 76.7 Employee protection.

* * * * *

(e) * * *

(3) Copies of NRC Form 3 may be obtained by writing to the NRC Region III Office listed in appendix D to part 20 of this chapter or by contacting the NRC Publishing Services Branch.

* * * * *

PART 110—EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

34. The authority citation for part 110 continues to read as follows:

Authority: Secs. 51, 53, 54, 57, 63, 64, 65, 81, 82, 103, 104, 109, 111, 126, 127, 128, 129, 161, 181, 182, 183, 187, 189, 68 Stat. 929, 930, 931, 932, 933, 936, 937, 948, 953, 954, 955, 956, as amended (42 U.S.C. 2071, 2073, 2074, 2077, 2092–2095, 2111, 2112, 2133, 2134, 2139, 2139a, 2141, 2154–2158, 2201, 2231–2233, 2237, 2239); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 5, Pub. L. 101–575, 104 Stat 2835 (42 U.S.C.2243).

Sections 110.1(b)(2) and 110.1(b)(3) also issued under Pub. L. 96–92, 93 Stat. 710 (22 U.S.C. 2403). Section 110.11 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2152) and secs. 54c and 57d., 88 Stat. 473, 475 (42 U.S.C. 2074). Section 110.27 also issued under sec. 309(a), Pub. L. 99–440. Section 110.50(b)(3) also issued under sec. 123, 92 Stat. 142 (42 U.S.C. 2153). Section 110.51 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 110.52 also issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236). Sections 110.80–110.113 also issued under 5 U.S.C. 552, 554. Sections 110.130–110.135 also issued under 5 U.S.C. 553. Sections 110.2 and 110.42 (a)(9) also issued under sec. 903, Pub. L. 102–496 (42 U.S.C. 2151 *et seq.*).

35. In § 110.131, paragraph (a) is revised to read as follows:

§ 110.131 Petition for rulemaking.

(a) A petition for rulemaking should be addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff.

* * * * *

Dated at Rockville, Maryland, this 18th day of March 1998.

For the Nuclear Regulatory Commission.

L. Joseph Callan,

Executive Director for Operations.

[FR Doc. 98–8408 Filed 3–31–98; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Part 32

[Docket No. 98–04]

RIN 1557–AB55

Lending Limits

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Final rule.

SUMMARY: The Office of the Comptroller of the Currency (OCC) is revising its lending limits regulation by making several technical changes designed to clarify certain provisions in the current rule.

EFFECTIVE DATE: May 1, 1998.

FOR FURTHER INFORMATION CONTACT: William C. Kerr, Special Assistant, Special Supervision, (202) 874–5170; Saumya R. Bhavsar, Attorney, Legislative and Regulatory Activities, (202) 874–5090; or Aline J. Henderson, Senior Attorney, or Laura Goldman, Attorney, Bank Activities and Structure, (202) 874–5300. Office of the Comptroller of Currency, 250 E Street, SW, Washington, DC 20219.

SUPPLEMENTARY INFORMATION:

Background

The OCC comprehensively revised its regulations in 12 CFR part 32 in 1995 (60 FR 8526 (February 15, 1995)), as part of its Regulation Review Program (Program) to update and streamline the regulation and eliminate requirements that imposed inefficient and costly regulatory burdens on national banks. These amendments to part 32 included changing the definition of ''loans and extensions of credit'' to exempt, under certain circumstances, additional funds advanced for the payment of maintenance and operating expenses necessary to preserve the value of real property securing a loan. *See* 12 CFR 32.2(j)(2)(i). In addition, the amendments changed the definition of ''capital and surplus'' to allow a national bank, in most instances, to calculate its lending limit based on information contained in the bank's most recent quarterly Consolidated Report of Condition and Income (Call Report). *See* id. § 32.4.

Some of the part 32 changes prompted requests for: (a) further clarification and extension of the exemption for funds advanced to preserve and maintain collateral to loans secured by personal property as well as loans secured by real property; and (b) clarification of the date on which a national bank must recalculate its capital and surplus. In response to these requests, the OCC published a notice of proposed rulemaking (proposal) on July 17, 1996 (61 FR 37227), to address these issues. The proposal also made several technical changes designed to improve part 32 without changing its substance. The proposal reflected the OCC's continuing commitment to assess the effectiveness of the rules it has revised under the Program and to make further changes where necessary to improve a regulation.

Comments Received and Changes Made

The OCC received 11 comments on the proposal, six of which came from banks and bank holding companies and five from trade associations. Most commenters supported the OCC adding increased flexibility and clarity to the lending limits regulation. Commenters generally commended the OCC's efforts, while some commenters offered alternatives to certain of the proposed changes.

Upon further review, the OCC has decided not to adopt the proposal's exemption from the lending limit for additional funds advanced to preserve and maintain collateral to loans secured by personal property. However, the OCC has adopted the proposal's other changes.

Discussion

Exemption for Funds Advanced to Protect Personal Property Collateral (§ 32.2(j))

Under § 32.2(j)(2)(i), additional funds advanced for the benefit of a borrower by a bank for the payment of certain expenses necessary to preserve the value of real property are not considered to be a ''loan or extension of credit'' for purposes of 12 U.S.C. 84 and part 32 under certain circumstances. The OCC proposed amending § 32.2(j)(2)(i) to include advances to protect personal property collateral and to treat any additional advance to protect collateral—whether personal property or real property—the same.

Commenters supported this proposed amendment. Upon further review, however, the OCC has determined that it would be inappropriate to adopt the change to § 32.2(j)(2)(i) at this time. As a result of its continued monitoring of credit quality standards, the OCC is concerned that credit standards have been relaxed since the proposed rule was published. Accordingly, the OCC has decided it would not be appropriate at this time to modify this prudential