

August 3, 2000 (65 FR 47695) with public comments invited through October 2, 2000. No comments were received.

List of Subjects in 7 CFR Part 1940

Administrative practice and procedure, Agriculture, Allocations, Grant programs—Housing and community development, Loan programs—Agriculture, Rural areas.

Therefore, chapter XVIII, title 7, Code of Federal Regulations, is amended as follows:

PART 1940—GENERAL

1. The authority citation for part 1940 continues to read as follows:

Authority: 5 U.S.C. 301, 7 U.S.C. 1989, 42 U.S.C. 1480.

Subpart L—Methodology and Formulas for Allocation of Loan and Grant Program Funds

2. Amend section 1940.588 by removing paragraph (k) and revising the heading and paragraphs (d), (g), (h), and (j) to read as follows:

§ 1940.588 Business and Industry Guaranteed and Direct Loans.

* * * * *

(d) *Transition formula.* The transition formula is not used for B&I Guaranteed and Direct Loans.

* * * * *

(g) *Reserve.* See § 1940.552(g). States may request reserve funds from the B&I reserve when all of the state allocation has been obligated or will be obligated to the project for which the request is made.

(h) *Pooling of funds.* See § 1940.552(h). Funds are pooled near fiscal year-end. Pooled funds will be placed in a reserve and made available on a priority basis to all States.

* * * * *

(j) *Suballocation by the State Director.* Suballocation by the State Director is authorized for this program.

3. Amend section 1940.589 by removing paragraph (k) and revising paragraphs (b)(1)(ii), (g), and (h) to read as follows:

§ 1940.589 Rural Business Enterprise Grants.

* * * * *

(b) * * *

(1) * * *

(ii) State's percentage of national rural population with incomes below the poverty level—25 percent.

* * * * *

(g) *Reserve.* See § 1940.552(g).

(h) *Pooling of funds.* See § 1940.552(h). Funds are pooled near

fiscal year-end. Pooled funds will be placed in the National Office reserve and will be made available administratively.

* * * * *

4. Add section 1940.593 to read as follows:

§ 1940.593 Rural Business Opportunity Grants.

(a) *Amount available for allocations.* See § 1940.552(a).

(b) *Basic formula criteria, data source, and weight.* See § 1940.552(b).

(1) The criteria used in the basic formula are:

(i) State's percentage of national rural population—50 percent.

(ii) State's percentage of national rural population with incomes below the poverty level—25 percent.

(iii) State's percentage of national nonmetropolitan unemployment—25 percent.

(2) The data source for each criterion is based on the latest census data available. The percentage representing each criterion is multiplied by the weight factor and added to arrive at a State Factor (SF). The SF cannot exceed .05.

$$SF = (\text{criterion (b)(1)(i)} \times 50 \text{ percent}) + (\text{criterion (b)(1)(ii)} \times 25 \text{ percent}) + (\text{criterion (b)(1)(iii)} \times 25 \text{ percent})$$

(c) *Basic formula allocation.* See § 1940.552(c).

(d) *Transition formula.* The transition formula is not used for Rural Business Opportunity Grants (RBOG).

(e) *Base allocation.* See § 1940.552(e).

(f) *Administrative allocation.* The administrative allocation is not used for RBOG.

(a) *Reserve.* See § 1940.552(g).

(h) *Pooling of funds.* See § 1940.552(h). Funds are pooled near fiscal year-end. Pooled funds will be placed in the National Office reserve and will be made available administratively.

(i) *Availability of the allocation.* See § 1940.552(i). The allocation of funds is made available to States on an annual basis.

(j) *Suballocation by the State Director.* Suballocation by the State Director is authorized for this program.

Dated: March 17, 2003.

Thomas C. Dorr,

Under Secretary, Rural Development.

[FR Doc. 03-7237 Filed 3-25-03; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 70, 71, and 73

RIN 3150-AH09

Filing and Notification Requirements for the Shipments of Certain Radioactive Materials

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to revise filing and advance notification requirements for the shipments of certain radioactive materials. These amendments are necessary to reflect the recent organizational and administrative changes within NRC and to inform the public and licensees of these changes.

EFFECTIVE DATE: March 26, 2003.

FOR FURTHER INFORMATION, CONTACT:

Kim Karcagi, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6701, e-mail: kxk2@nrc.gov, or Philip Brochman, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6557, e-mail: PGB@nrc.gov.

SUPPLEMENTARY INFORMATION: In 1995, NRC transferred responsibility for receiving advance notification of shipments of certain licensed radioactive material from the Office of Nuclear Material Safety and Safeguards (NMSS), Division of Industrial and Medical Nuclear Safety, and NRC Regional Administrators, to the Spent Fuel Project Office (SFPO) in NMSS. On January 25, 2002, NRC issued a final rule (67 FR 3584) that amended the regulations in 10 CFR Parts 1, 20, 34, 70, 71, 72, and 73, to reflect these and other changes. On April 2, 2002, the Commission created the Office of Nuclear Security and Incident Response (NSIR). The Division of Nuclear Security (DNS) within NSIR was assigned the responsibility for receiving advance notifications, under Parts 70, 71, and 73, for shipments of certain radioactive materials. Accordingly, licensees should address these advance notifications to the DNS, rather than the SFPO. This final rule will inform licensees and the public of these organizational changes.

Because these minor amendments only reflect organizational changes, the notice and comment provisions of the Administrative Procedures Act do not

apply, pursuant to 5 U.S.C. 553(b)(A). These amendments are effective on publication in the **Federal Register**. Good cause exists to dispense with the usual 30-day delay in the effective date, pursuant to 5 U.S.C. 553(d)(3), because these amendments are of a minor and administrative nature, dealing with NRC's organization.

Environmental Impact: Categorical Exclusion

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 does not contain new or amended information collection requirements 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 numbers 3150-0009, 3150-0008, and 3150-0002.

Public Protection Notification

The NRC may not conduct nor sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

Regulatory Analysis

A regulatory analysis has not been prepared for this final rule, because this rule is administrative, in that it amends the regulations to update the filing and advance notification requirements. These are considered minor non-substantive amendments and will not have a significant impact on NRC licensees or the public.

Backfit Analysis

NRC has determined that the backfit rules do not apply to this final rule, because this rule does not involve any provisions that would impose a backfit, as defined in 10 CFR Chapter 1. Therefore, a backfit analysis is not required for this rule.

List of Subjects

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 71

Criminal penalties, Hazardous materials transportation, Nuclear materials, Packaging and containers, Reporting and recordkeeping requirements.

10 CFR Part 73

Criminal penalties, Export, Hazardous materials transportation, Import, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Security measures.

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, NRC is adopting the following amendments to 10 CFR Parts 70, 71, and 73.

PART 70—DOMESTIC LICENSING OF SPECIAL NUCLEAR MATERIAL

1. 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 (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). Sec. 193, 104 Stat. 2835, as amended by Pub. L. 104-134, 110 Stat. 1321, 1321-349 (42 U.S.C. 2243).

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 70.81 also issued under secs. 186, 187, 68 Stat. 955 (42 U.S.C. 2236, 2237). Section 70.82 also issued under sec. 108, 68 Stat. 939, as amended (42 U.S.C. 2138).

§ 70.5 [Amended]

2. Section 70.5 is amended as follows:

a. In paragraphs (a)(1) and (a)(2), after the words "Director, Office of Nuclear Material Safety and Safeguards" add the words "and Director, Office of Nuclear Security and Incident Response,".

b. In paragraph (b), remove the word "five" and add, in its place, the word "four".

§ 70.20b [Amended]

3. Section 70.20b is amended as follows:

a. In paragraphs (f)(1) and (g)(1), remove the words "Director, Spent Fuel Project Office," and add, in their place, the words "Director, Office of Nuclear

Security and Incident Response, Division of Nuclear Security,".

b. In paragraphs (f)(2)(ii) and (f)(2)(iii), remove the words "Director, Spent Fuel Project Office has been notified by telephone at (301) 415-8500," and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security has been notified by telephone at (301) 415-6828,".

§ 70.32 [Amended]

4. Section 70.32 is amended as follows:

a. In paragraph (c)(2), remove the word "five" and add, in its place, the word "four".

b. In paragraph (c)(2), after the words "Director, Office of Nuclear Material Safety and Safeguards," add the words "and Director, Office of Nuclear Security and Incident Response,".

c. In paragraph (e), after the words "Director, Office of Nuclear Material Safety and Safeguards," add the words "and Director, Office of Nuclear Security and Incident Response,".

d. In paragraph (i), after the words "Director, Office of Nuclear Material Safety and Safeguards," add the words "and Director, Office of Nuclear Security and Incident Response,".

PART 71—PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL

5. The authority citation for Part 71 continues to read as follows:

Authority: Secs. 53, 57, 62, 63, 81, 161, 182, 183, 68 Stat. 930, 932, 933, 935, 948, 953, 954, as amended, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 2073, 2077, 2092, 2093, 2111, 2201, 2232, 2233, 2297f); secs. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846).

Section 71.97 also issued under sec. 301, Pub. L. 96-295, 94 Stat. 789-790.

§ 71.97 [Amended]

6. Section 71.97 is amended as follows:

a. In paragraphs (c)(1) and (f)(1), remove the words "Director, Spent Fuel Project Office." and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security,".

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

7. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 53, 161, 68 Stat. 930, 948, as amended, sec. 147, 94 Stat. 780 (42 U.S.C. 2073, 2167, 2201); sec. 201, as amended, 204, 88 Stat. 1242, as amended, 1245, sec. 1701,

106 Stat. 2951, 2952, 2953 (42 U.S.C. 5841, 5844, 2297f).

Section 73.1 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 73.37(f) also issued under sec. 301, Pub. L. 96-295, 94 Stat. 789 (42 U.S.C. 5841 note). Section 73.57 is issued under sec. 606, Pub. L. 99-399, 100 Stat. 876 (42 U.S.C. 2169).

§ 73.4 [Amended]

8. Section 73.4 is amended as follows:

a. In the first sentence, after the words "as appropriate," add the words "and Director, Office of Nuclear Security and Incident Response,".

§ 73.26 [Amended]

9. Section 73.26 is amended as follows:

a. In paragraph (i)(6), remove the words "Director, Spent Fuel Project Office" and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security".

§ 73.27 [Amended]

10. Section 73.27 is amended as follows:

a. In paragraph (b), in the first, second, third, and fourth sentences, remove the words "Director, Spent Fuel Project Office" and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security".

§ 73.67 [Amended]

11. Section 73.67 is amended as follows:

a. In paragraph (e)(7)(ii), remove the words "Director, Spent Fuel Project Office" and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security".

§ 73.71 [Amended]

12. Section 73.71 is amended as follows:

a. In paragraph (a)(4), remove the words "Director, Spent Fuel Project Office." and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security".

§ 73.72 [Amended]

13. Section 73.72 is amended as follows:

a. In paragraph (a)(1), remove the words "Director, Spent Fuel Project Office," and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security,".

b. In paragraphs (a)(4) and (a)(5), remove the words "Director, Spent Fuel Project Office by telephone at (301) 415-

8500" and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security at (301) 415-6828".

§ 73.73 [Amended]

14. Section 73.73 is amended as follows:

a. In paragraph (a)(1), remove the words "Director, Spent Fuel Project Office," and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security,".

b. In paragraph (b), remove the words "Director, Spent Fuel Project Office at (301) 415-8500." and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security at (301) 415-6828".

§ 73.74 [Amended]

15. Section 73.74 is amended as follows:

a. In paragraph (a)(1), remove the words "Director, Spent Fuel Project Office," and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security,".

b. In paragraph (b), remove the words "Director, Spent Fuel Project Office at (301) 415-8500." and add, in their place, the words "Director, Office of Nuclear Security and Incident Response, Division of Nuclear Security at (301) 415-6828".

Dated at Rockville, Maryland, this 11th day of March, 2003.

For the Nuclear Regulatory Commission.

William D. Travers,

Executive Director for Operations.

[FR Doc. 03-7265 Filed 3-25-03; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2001-NM-18-AD; Amendment 39-13093; AD 2003-06-06]

RIN 2120-AA64

Airworthiness Directives; Raytheon Model Hawker 800XP and 800 (Including Variant U-125A) Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Raytheon Model

Hawker 800XP and 800 (including variant U-125A) airplanes, that requires a one-time inspection to identify the bolts installed at certain locations in the wing or fuselage, and corrective actions if necessary. The actions specified by this AD are intended to prevent failure of certain attachment bolts due to manufacturing discrepancies, which could result in reduced structural integrity of the airplane, and loss of system function for flaps, controls, and landing gear. This action is intended to address the identified unsafe condition.

DATES: Effective April 30, 2003.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of April 30, 2003.

ADDRESSES: The service information referenced in this AD may be obtained from Raytheon Aircraft Company, Department 62, P.O. Box 85, Wichita, Kansas 67201-0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

David Ostrodka, Senior Aerospace Engineer, Airframe Branch, ACE-118W, FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946-4129; fax (316) 946-4407.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Raytheon Model Hawker 800XP and 800 (including variant U-125A) airplanes was published in the **Federal Register** on December 2, 2002 (67 FR 71505). That action proposed to require a one-time inspection to identify the bolts installed at certain locations in the wing or fuselage, and corrective actions if necessary.

Comments

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Explanation of Editorial Changes

In the notice of proposed rulemaking (NPRM) we stated that, for Model