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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 95 and 140

Deletion of reference to Panama Canal Zone;
Minor Amendments

AGENCY: U.S. Nuclear Regulatory Commission

ACTION: Final rule

SUMMARY: The Nuclear Regulatory Commission (NRC) is deleting references to the Panama Canal Zone in Parts 95 and 140 of its regulations. This action was taken in regard to all other parts of the Commission's regulations on March 24, 1980 (45 FR 18905). Parts 95 and 140 were inadvertently excluded from that previous action. These minor amendments reflect the provisions of the Panama Canal Treaty of 1977 and the recently enacted Panama Canal Defense Act of 1979. Under the Act and the Treaty, the U.S. Government relinquished jurisdiction over the Panama Canal Zone to the Republic of Panama. These amendments revise portions of the Commission's regulations to reflect the revised status of the Canal Zone.

EFFECTIVE DATE: JUN 3 1980

FOR FURTHER INFORMATION CONTACT: Joseph M. Felton, Director, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-492-7211.

SUPPLEMENTARY INFORMATION: Under the Panama Canal Treaty of 1977, the territory of the former Panama Canal Zone became subject to the jurisdiction of the Republic of Panama on October 1, 1979. The Treaty, and the recently enacted Panama Canal Defense Act of 1979 (P.L. 96-70) passed on September 27, 1979, supersede all previous legislation. Thus, all references in the Atomic Energy

Act to the Canal Zone as being jurisdictionally part of the United States are no longer valid. Therefore, the Nuclear Regulatory Commission is deleting references to the Canal Zone from Parts 95 and 140 of its regulations in Title 10, Chapter 1 of the Code of Federal Regulations.

Since these amendments are corrective and relate solely to minor procedural matters, notice of proposed rulemaking and public procedure thereon are unnecessary and good cause exists to make the amendments effective upon publication in the Federal Register.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendments to Title 10, Chapter 1, Code of Federal Regulations, Parts 95 and 140 are published as a document subject to codification.

PART 95 - SECURITY FACILITY
APPROVAL AND SAFEGUARDING OF NATIONAL
SECURITY INFORMATION AND RESTRICTED DATA

1. The second sentence of paragraph (c)(2) of §95.39 is revised to read as follows:

§95.39 External transmission of documents and material

* * * * *

(c) Methods of Transportation

* * * * *

(2) * * * First Class, express, or certified mail may be used in transmission of Confidential documents to Puerto Rico or any United States territory or possession.

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PART 140 - FINANCIAL PROTECTION REQUIREMENTS
AND INDEMNITY AGREEMENTS

1. Part 140 is amended by revising the definition of "United States" wherever it appears, namely in each of the following sections:
- a. §140.92, Article I, paragraph 10
 - b. §140.93, Article I, paragraph 10
 - c. §140.94, Article I, paragraph 9
 - d. §140.95, Article I, paragraph 9
 - e. §140.107, Article I, paragraph 9
 - f. §140.108, Article I, paragraph 9


The defining sentence is revised to read as follows:

"United States", when used in a geographical sense, includes Puerto Rico and all territories and possessions of the United States.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); sec. 201, as amended, Pub. L. 93-438, 88 Stat. 1242 (42 U.S.C. 5841)).

Dated at Bethesda, Maryland, this 22nd day of *MAY* 1980.

For the Nuclear Regulatory Commission



William J. Dircks
Acting Executive Director for Operations



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

May 28, 1980

Director
Office of the Federal Register
National Archives and Records Service
Washington, D. C. 20403

Dear Sir:

Enclosed for publication in the Federal Register are an original and two certified copies of a document entitled:

10 CFR PARTS 25 and 140

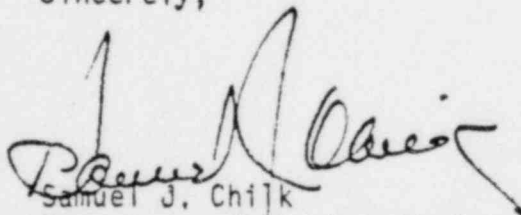
DELETION OF REFERENCE TO PANAMA CANAL ZONE;

Minor Amendments

Please publish on June 3, 1980.

This material is to be charged to requisition number F-131.

Sincerely,


Samuel J. Chirk
Secretary of the Commission

Enclosures:
Original and 2 certified copies

bcc: ~~Record Services Branch~~
Office of Public Affairs
Executive Legal Director
Office of Congressional Affairs
Office of the General Counsel

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