

Rules and Regulations

Federal Register

Vol. 68, No. 224

Thursday, November 20, 2003

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1464

RIN 0560-AH06

Purchase of Crop Insurance for Tobacco Price Support Eligibility

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: This action amends the Tobacco Loan Program regulations to reflect a statutory change that removes the former statutory requirement that tobacco must be insured to be eligible for price support loans and to revise various organizational titles and OMB information collection control numbers.

EFFECTIVE DATE: November 20, 2003.

FOR FURTHER INFORMATION CONTACT: Ann Wortham, Agricultural Program Specialist, Tobacco Division, Farm Service Agency, USDA, STOP 0514, 1400 Independence Avenue, SW., Washington, DC 20250-0514; Telephone: (202) 720-2715; e-mail: ann_wortham@wdc.usda.gov.

SUPPLEMENTARY INFORMATION:

Discussion of Final Rule

This rule will remove the requirement that eligible producers must purchase crop insurance on their tobacco in order to be eligible to receive price support loans under the Tobacco Loan Program. At one time, but not presently, section 508(b)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(7)) required

tobacco producers to purchase crop insurance in order to be eligible to receive a loan. Section 192(a)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (Pub. L. 104-127) removed that requirement. This rule removes the crop insurance provisions of § 1464.7(f). Also, this rule implements name changes in certain USDA institutions. Finally, the rule will correct the Office of Management and Budget (OMB) control numbers for the forms used in administering the regulations in the part. Because this rule removes requirements or makes technical changes only, withholding the publication of this rule for comment would be contrary to the public interest and unnecessary.

Executive Order 12866

This final rule is issued in conformance with Executive Order 12866, has been determined to be not significant, and therefore has not been reviewed by the Office of Management and Budget.

Regulatory Flexibility Act

The Regulatory Flexibility Act is not applicable to this rule because the United States Department of Agriculture (USDA) is not required by 5 U.S.C. 553 or any other law to publish a notice of proposed rulemaking with respect to the substance of this rule.

Environmental Review

FSA has determined that this action does not constitute a major Federal action significantly affecting the quality of the human environment. In accordance with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*), and the FSA regulations for NEPA at 7 CFR part 799, neither an Environmental Impact Statement nor an environmental assessment is required. A copy of the environmental evaluation used to make this determination is available for inspection and review upon request.

Executive Order 12372

These corrections are not subject to the provisions of Executive Order 12372, which require consultation with State and local officials. See the notice related to 7 CFR part 3015, subpart V, published at 48 FR 29115 (June 24, 1983).

Unfunded Mandates

This rule contains no Federal mandates under the provisions of Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) for State, local and tribal governments or the private sector. Therefore this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

Federal Assistance Program

The number and title of the Federal assistance program, as found in the Catalogue of Federal Domestic Assistance, to which this rule applies are:

10.051—Commodity Loans and Loan Deficiency Payments

Paperwork Reduction Act

This rule does not affect the information collection requirements of 7 CFR part 1464 approved by OMB and assigned OMB control numbers 0560-0058 and 0560-0182.

List of Subjects in Part 1464

Eligibility, Price support, Tobacco.

■ Accordingly, as set forth in the preamble, 7 CFR part 1464 is amended as follows:

PART 1464—TOBACCO

■ 1. The authority citation for 7 CFR part 1464 continues to read as follows:

Authority: 7 U.S.C. 1421, 1423, 1441, 1445, 1445-1, and 1445-2; 15 U.S.C. 714b, 714c.

■ 2. In the table below, for each section indicated in the left column, remove the phrase indicated in the middle column wherever it appears in the section, and add the phrase indicated in the right column:

Section	Remove	Add
1464.1(a); 1464.101(b); 1464.105 1464.2(b)(2)(iii); 1464.2(b)(2)(iv); 1464.2(b)(2)(v); 1464.2(b)(2)(vii).	Tobacco and Peanuts Division County FSA office	Tobacco Division. FSA county office.
1464.8(e)(2); 1464.10(e) 1464.10(j)(2); 1464.10(j)(3) 1464.108	County ASC committee State ASC committee National Appeals Division, FSA	FSA county committee. FSA State committee. National Appeals Division, USDA.

Section	Remove	Add
Part 1464, Appendix A	Agricultural Stabilization and Conservation Service.	Farm Service Agency.

§ 1464.4 [Amended]

■ 2. In the first sentence of § 1464.4(b), revise the phrase "Claim Control Record, Form ASCS-604" to read "Claim Control Record."

§ 1464.7 [Amended]

- 3. In § 1464.7, remove paragraph (f).
 ■ 4. Revise § 1464.24 to read as follows:

§ 1464.24 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

The information collection requirements contained in this part have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. chapter 35 and have been assigned OMB control numbers 0560-0058 and 0560-0182.

Signed at Washington, DC, on November 14, 2003.

James R. Little,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 03-28990 Filed 11-19-03; 8:45 am]

BILLING CODE 3410-05-P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

RIN 3150-AH32

Minor Changes to Decommissioning Trust Fund Provisions

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations related to decommissioning trust fund provisions to correct typographical errors and make minor changes to a final rule promulgated by the NRC in December of 2002. This action adds clarifying language to amendments regarding notification requirements, investment prohibitions, and the option for licensees to retain their existing license conditions.

EFFECTIVE DATE: The final rule will become effective December 24, 2003, unless significant adverse comments on the amendment are received by December 22, 2003. If the rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. Comments received

after December 22, 2003, will be considered if it is practical to do so, but the NRC is able to ensure only that comments received on or before this date will be considered.

ADDRESSES: You may submit comments by any one of the following methods. Please include the following number (RIN 3150-AH32) in the subject line of your comments. Comments on rulemakings submitted in writing or in electronic form will be made available to the public in their entirety on the NRC rulemaking web site. Personal information will not be removed from your comments.

Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

E-mail comments to: SECY@nrc.gov. If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at (301) 415-1966. You may also submit comments via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol Gallagher (301) 415-5905; email cag@nrc.gov.

Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 am and 4:15 pm Federal workdays. (Telephone (301) 415-1966).

Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at (301) 415-1101.

Publicly available documents related to this rulemaking may be viewed electronically on the public computers located at the NRC's Public Document Room (PDR), O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The PDR reproduction contractor will copy documents for a fee. Selected documents, including comments, may be viewed and downloaded electronically via the NRC rulemaking Web site at <http://ruleforum.llnl.gov>.

Publicly available documents created or received at the NRC after November 1, 1999, are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/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 Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to pdr@nrc.gov.

FOR FURTHER INFORMATION CONTACT:

Brian J. Richter, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-1978; e-mail bjr@nrc.gov.

SUPPLEMENTARY INFORMATION: Because NRC considers this action to be noncontroversial, the NRC is using the direct final rule process for this rule. The amendments in this rule will become effective on December 24, 2003. However, if the NRC receives significant adverse comments on this direct final rule by December 22, 2003, then the NRC will publish a document that withdraws this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published elsewhere in this **Federal Register**. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when—

(a) The comment causes the staff to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the staff.

(2) The comment proposes a change or an addition to the rule and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the staff to make a change (other than editorial) to the rule.