

Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 91

[Docket No. 96-054-1]

Ports Designated for the Exportation of Animals; Georgia

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the "Inspection and Handling of Livestock for Exportation" regulations by adding Atlanta Hartsfield International Airport, Atlanta, GA, as a port of embarkation from which animals may be exported from the United States and by adding three Georgia facilities, the Atlanta Equine Complex in Atlanta, Tumbleweed Farm in Mableton, and Southern Cross Ranch in Madison, to the list of approved export inspection facilities. These proposed actions would update the regulations by adding a port and three inspection facilities through which animals may be processed for export.

DATES: Consideration will be given only to comments received on or before December 6, 1996.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 96-054-1, Regulatory Analysis and Development, PPD, APHIS, suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comments refer to Docket No. 96-054-1. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing to inspect comments are requested to call ahead on (202) 690-2817 to facilitate entry into the comment reading room.

FOR FURTHER INFORMATION CONTACT: Dr. Andrea Morgan, Senior Staff

Veterinarian, Import/Export Animals, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 39, Riverdale, MD 20737-1231, (301) 734-8354.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 91, "Inspection and Handling of Livestock for Exportation" (referred to below as the regulations), prescribe conditions for exporting animals from the United States. The regulations state, among other things, that all animals, except animals being exported by land to Canada or Mexico, must be exported through designated ports of embarkation.

Section 91.14(a) contains a list of designated ports of embarkation and export inspection facilities. To receive designation as a port of embarkation, a port must have export inspection facilities available for the inspection, holding, feeding, and watering of animals prior to exportation to ensure that the animals meet certain requirements specified in the regulations. To receive approval as an export inspection facility, the regulations provide that a facility must meet specified standards in § 91.14(c) concerning materials, size, inspection implements, cleaning and disinfection, feed and water, access, testing and treatment, location, disposal of animal wastes, lighting, office and restroom facilities, and walkways.

We believe that the Atlanta Equine Complex, 1270 Woolman Place, Atlanta, GA 30354, (404) 767-1700; Tumbleweed Farm, 1677 Buckner Road, Mableton, GA 30059, (770) 948-3556; and Southern Cross Ranch, 1670 Bethany Church Road, Madison, GA 30650, (706) 342-8027, meet the requirements of § 91.14(c). The Atlanta Equine Complex is located at the Atlanta Hartsfield International Airport; Tumbleweed Farm is located in the immediate vicinity of the airport; and Southern Cross Ranch is located less than 60 miles from the airport. If these facilities become approved export inspection facilities, veterinarians of the Animal and Plant Health Inspection Service would conduct export inspections of animals at these facilities by appointment. Exporters using the Atlanta Equine Complex would have direct access to the airport, and

exporters using Tumbleweed Farm would be able to transport their animals to the airport in approximately 15 minutes. Exporters using Southern Cross Ranch would be able to transport their animals to the airport in approximately 1 hour.

Therefore, we are proposing to amend § 91.14(a) to add Atlanta Hartsfield International Airport, Atlanta, GA, as a port of embarkation and add the Atlanta Equine Center, Atlanta, GA, Tumbleweed Farm, Mableton, GA, and Southern Cross Ranch, Madison, GA, to the list of export inspection facilities.

Executive Order 12866 and Regulatory Flexibility Act

This proposed rule has been reviewed under Executive Order 12866. For this action, the Office of Management and Budget has waived its review process required by Executive Order 12866.

This proposed rule would designate Atlanta Hartsfield International Airport as a port of embarkation and three facilities in Georgia—the Atlanta Equine Complex in Atlanta, Tumbleweed Farm in Mableton, and Southern Cross Ranch in Madison—as approved export inspection facilities. The Atlanta Equine Complex and Tumbleweed Farm are located in the immediate vicinity of the Atlanta Hartsfield International Airport. The location of Southern Cross Ranch is less than 60 miles from the airport, or approximately an hour's driving time, and would offer businesses within the Madison, GA, area a convenient alternative location at which animals destined for export could receive inspections.

We do not expect that designating these three facilities as export inspection facilities and Atlanta Hartsfield International Airport as a port of embarkation would have any adverse impact on businesses. These proposed actions should benefit exporters of animals in the region by reducing their animal transportation costs. Currently, the closest designated ports of embarkation from which exporters in Georgia may ship their animals are in Kentucky and Florida. From past export activity in the area, we anticipate that, at least initially, if these proposed actions are made final, a yearly average of about 50 exportations of animals, mostly horses and some goats, would take place through Atlanta.

Under these circumstances, the Administrator of the Animal and Plant

Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. If this proposed rule is adopted: (1) All State and local laws and regulations that are inconsistent with this rule will be preempted; (2) no retroactive effect will be given to this rule; and (3) administrative proceedings will not be required before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This proposed rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Livestock, Reporting and recordkeeping requirements, Transportation.

Accordingly, 9 CFR part 91 would be amended as follows:

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

1. The authority citation for part 91 would continue to read as follows:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 136, 136a, 612, 613, 614, 618; 46 U.S.C. 466a, 466b; 49 U.S.C. 1509(d); 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 91.14, paragraphs (a)(3) through (a)(17) would be redesignated as paragraphs (a)(4) through (a)(18), and a new paragraph (a)(3) would be added to read as follows.

§ 91.14 Ports of embarkation and export inspection facilities.

(a) * * *

(3) *Georgia*.

(i) Atlanta Hartsfield International Airport.

(A) Atlanta Equine Complex, 1270 Woolman Place, Atlanta, GA 30354, (404) 767-1700.

(B) Tumbleweed Farm (horses only), 1677 Buckner Road, Mableton, GA 30059, (770) 948-3556.

(C) Southern Cross Ranch (horses only), 1670 Bethany Church Road, Madison, GA 30650, (706) 342-8027.

* * * * *

Done in Washington, DC, this 1st day of October 1996.

A. Strating,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 96-25638 Filed 10-04-96; 8:45 am]

BILLING CODE 3410-34-P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 20, 32, 35, 36, 39

RIN 3150-AF46

Minor Corrections, Clarifying Changes, and a Minor Policy Change

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission is proposing to amend its regulations to make minor corrections and clarifying changes to the standards for protection against radiation. The proposed amendments would also conform other parts with the Commission's revised radiation protection requirements. In addition, a minor policy change is proposed that would revise the monitoring criterion for minors from 0.05 rem (0.5 mSv) to 0.1 rem (1 mSv) in a year and for declared pregnant women from 0.05 rem (0.5 mSv) to 0.1 rem (1 mSv) during their pregnancies. Revising the monitoring criterion would not, in any way, raise the dose limit for declared pregnant women and minors. Licensees would still be required to ensure that the dose limit of 0.5 rem (5 mSv) for minors is not exceeded in a year and that the dose limit of 0.5 rem (5 mSv) for declared pregnant women is not exceeded during the period of their pregnancy. The dose limit for the embryo/fetus is unchanged. This proposed rule is necessary to inform the public of these minor changes to the NRC's regulations and invite comments.

DATES: Comment period expires December 23, 1996. Comments received after this date will be considered if it is practical to do so, but the Commission is able to assure consideration only for comments received on or before this date.

ADDRESSES: Mail written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Attention: Docketing and Service Branch.

Deliver comments to: 11555 Rockville Pike, Rockville, Maryland, between 7:45 am and 4:15 pm Federal workdays.

Copies of the supporting statement submitted to OMB and comments received may be examined at the NRC Public Document Room at 2120 L Street NW. (Lower Level), Washington, DC.

For information on submitting comments electronically, see the discussion under Electronic Access in the Supplementary Information section.

FOR FURTHER INFORMATION CONTACT:

Jayne M. McCausland, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6219, e-mail JMM2@nrc.gov.

SUPPLEMENTARY INFORMATION:

On May 21, 1991 (56 FR 23360), a final rule was published in the Federal Register that amended 10 CFR Part 20 to update the NRC's "Standards for Protection Against Radiation." Subsequent amendments were published to (1) change the mandatory implementation date to January 1, 1994, and make conforming changes to the text to reflect the new implementation date (57 FR 38588; August 26, 1992), (2) remove or modify provisions to reflect the new implementation date for NRC's revised "Standards for Protection Against Radiation" (58 FR 67657; December 22, 1993), and (3) restore provisions inadvertently removed or modified (59 FR 41641; August 15, 1994; and 60 FR 20183; April 25, 1995). This proposed rule would make additional minor corrections and clarifying changes to the NRC regulation for greater clarity and to further facilitate implementation. The proposed rule would also make conforming amendments to 10 CFR Parts 32, 35, 36, and 39. In addition, a minor policy change is proposed that would revise the monitoring criterion for minors from 0.05 rem (0.5 mSv) to 0.1 rem (1 mSv) in a year and for declared pregnant women from 0.05 rem (0.5 mSv) to 0.1 rem (1 mSv) during their pregnancies.

This proposed rule would make the following changes:

(1) In § 20.1003, "Definitions," clarifying changes and minor corrections would be made to the following:

(a) The term "Airborne radioactivity area" would be replaced with "Airborne radioactive material area" to clarify that radioactivity is a property of matter and, as such, cannot be airborne. A conforming change would also be made in § 20.1902(d) to permit licensees the option of either using the current signs or posting new signs to reflect this change.