

Proposed Rules

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Vol. 57, No. 26

Friday, February 7, 1992

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 170 and 171

RIN 3150-AE13

Limited Revision of Fee Schedules; Correction

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule: correction.

SUMMARY: This document presents corrections to a proposed rule which was published January 9, 1992 (57 FR 847). This action is necessary to correct inadvertent errors in the percentage figures presented in a table and other minor typographical errors.

DATES: The comment period for the proposed rule expires February 10, 1992. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure only that comments received on or before this date will be considered. Because the Commission needs to incorporate the results of the proposed rule in developing the FY 1992 annual fees, including those reduced fees for small entities, requests for extensions of the comment period will not be granted.

ADDRESSES: Submit written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, ATTN: Docketing and Service Branch.

Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland, 20852, between 7:45 am and 4:15 pm Federal workdays. (Telephone 301-504-1966).

Copies of comments received may be examined at the NRC Public Document Room at 2120 L Street, NW., Washington, DC 20555 in the lower level of the Gelman Building.

The agency workpapers that support the proposed changes to 10 CFR parts

170 and 171 are available in the Public Document Room at 2120 L Street, NW., Washington DC 20555 in the lower level of the Gelman Building.

FOR FURTHER INFORMATION CONTACT:

C. James Holloway, Jr., Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone (301) 492-4301.

SUPPLEMENTARY INFORMATION: On January 9, 1992 (57 FR 847), the NRC published a proposed rule that would make two limited amendments to its regulations governing the assessment of license and annual fees. The Regulatory Flexibility Analysis which was presented as appendix A to this document contains errors which must be corrected to eliminate the potential for misunderstanding. Accordingly the January 9, 1992 proposed rule, which was the subject of FR Doc. 92-506, is corrected as follows:

1. In the third column of page 851, in the tenth line of the first paragraph under the heading "I. Background," the word "request" should read "requires."
2. In the second column of page 853, the seventh line of the first paragraph under the heading "IV. Maximum Fee" should read "that should be charged to a small entity."
3. In the second column of page 853, in the tenth line of the first paragraph under the heading "IV. Maximum Fee," the word "to" should read "10."
4. In table which appears in the second column of page 854, the percent of total entry for the population range "20,000-24,999" which reads "10" should read "9."
5. In table which appears in the second column of page 854, the percent of total entry for the population range "25,000-50,000" which reads "26" should read "33."

Dated at Bethesda, Maryland, this 3d day of February, 1992.

For the Nuclear Regulatory Commission,

Donnie H. Grimsley,

Director, Division of Freedom of Information and Publications Services, Office of Administration.

[FR Doc. 92-3000 Filed 2-6-92; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chapters I-III

23 CFR Chapters I-III

33 CFR Chapters I and IV

46 CFR Chapters I-III

48 CFR Chapter 12

49 CFR Subtitle A and Chapters I-VI

[Notice 92-1]

Regulatory Review

AGENCY: Department of Transportation.

ACTION: Request for comments.

SUMMARY: In response to the President's announcement of a federal regulatory review, this notice requests public comments on which Departmental regulations substantially impede economic growth, may no longer be necessary, are unnecessarily burdensome, or impose needless costs or red tape.

DATES: Comments should be received no later than March 2, 1992. Because of the short time provided to complete the review, we would appreciate comments being filed earlier, if possible.

ADDRESSES: Comments should be submitted to the docket section of the relevant modal administration, attention "Regulatory Review Docket." Multiple copies would be appreciated, but are not required.

The addresses of the docket sections are as follows:

Federal Aviation Administration, Rules Docket (AGC-10), Docket No. 26768, Office of Chief Counsel, 800 Independence Avenue SW., room 915G, Washington, DC 20591

Federal Highway Administration, Docket Room, Docket 92-12, 400 7th Street SW., room 4232 Washington, DC 20590

Federal Railroad Administration, Docket Clerk, Docket RSS 1-92-1, 400 Seventh Street SW., room 8201, Washington, DC 20950

Federal Transit Administration, Docket Clerk, Docket 92A, 400 Seventh Street SW., room 9316, Washington, DC 20590

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Maritime Administration; Docket Clerk,
Docket R-141, 400 Seventh Street SW.,
room 7300, Washington, DC 20590

*National Highway Traffic Safety
Administration, Docket Clerk, Docket*
92-04, Notice 1, 400 Seventh Street
SW., room 5109, Washington, DC
20590

*Office of the Secretary, U.S. Department
of Transportation, Documentary
Services Division, Docket Section,*
Docket 47978, 400 Seventh Street SW.,
room 4107 Washington, DC 20590

*Research and Special Programs
Administration, Docket Branch,*
Docket RR-1, 400 Seventh Street SW.,
room 8421, Washington, DC 20590

*Saint Lawrence Seaway Development
Corporation, 400 Seventh Street SW.,*
room 5424, Washington, DC 20590,
Attn: Marc Owen, Chief Counsel

*United States Coast Guard, Marine
Safety Council, Docket 92-005, 2100
Second Street SW., room 3406,*
Washington, DC 20593

FOR FURTHER INFORMATION CONTACT:

Neil R. Eisner, Assistant General
Counsel, Regulation and Enforcement,
U.S. Department of Transportation, 400
Seventh Street SW., Washington, DC
20590; (202) 366-4723.

SUPPLEMENTARY INFORMATION: In the
State of the Union address of January
28, 1992, President Bush announced a 90-
day moratorium and review of
regulations. In a memorandum to certain
Department and agency heads that
discussed the initiative in more detail,
the President noted, "[a] major part of
this undertaking must be to weed out
unnecessary and burdensome
government regulations, which impose
needless costs on consumers and
substantially impede economic growth."
The President ordered the Department
to work with the public, other interested
agencies, the Office of Information and
Regulatory Affairs in the Office of
Management and Budget and the
Council on Competitiveness to (i)
identify each of the "agency's
regulations and programs that impose a
substantial cost on the economy and (ii)
determine whether each such regulation
or program adheres to the following
standards:

(a) The expected benefits to society of
any regulation should clearly outweigh
the expected costs it imposes on society.

(b) Regulations should be fashioned to
maximize net benefits to society.

(c) To the maximum extent possible,
regulatory agencies should set
performance standards instead of
prescriptive command-and-control
requirements, thereby allowing the
regulated community to achieve

regulatory goals at the lowest possible
cost."

(d) Regulations should incorporate
market mechanisms to the maximum
extent possible.

(e) Regulations should provide clarity
and certainty to the regulated
community and should be designed to
avoid needless litigation."

As required by the memorandum, the
Department will propose any necessary
administrative changes (including
repeal, where appropriate) to bring DOT
regulations and programs into
conformity with the standards. At the
end of the review period, the
Department will submit a written report
to the President listing recommended
regulatory changes and the potential
savings to the economy of those
changes, including an estimate of the
number of jobs that will be created. In
addition, the Department will prepare a
report summarizing regulatory programs
that are left unchanged with an
explanation of how the programs are
consistent with the regulatory standards
set forth above.

This notice solicits public comment on
the Department's regulatory programs.
In particular, we would appreciate
commenters identifying regulations that
substantially impede economic growth,
may no longer be necessary, are
unnecessarily burdensome, or impose
needless costs or red tape. In some
cases, important innovations,
technologies, or new markets may have
taken place or have been created since
the rules were issued. In addition, we
would appreciate help in identifying
areas in which there are overlapping,
duplicative, inconsistent or conflicting
requirements with other Federal
agencies, as well as in the Department's
own programs.

Issued in Washington on February 4, 1992.

James B. Busey,

Acting Secretary.

[FR Doc. 92-3057 Filed 2-5-92; 11:06 am]

BILLING CODE 4910-63-16

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

RIN 1018-AB80

Endangered and Threatened Wildlife and Plants; Notice of Intent Concerning Manatee Protection Areas in Lake Woodruff National Wildlife Refuge, Florida

AGENCY: Fish and Wildlife Service,
Interior.

ACTION: Notice of intent.

SUMMARY: The Service gives notice that
regulations to establish manatee
protection areas in Lake Woodruff
National Wildlife Refuge, Volusia
County, Florida, will be promulgated
under the authority of the Endangered
Species Act of 1973, as amended, should
existing State protection be reduced or
removed. The Service would regulate
waterborne activities within these
protection areas. Regulations may
include excluding motorized vessels
from the refuge, imposing slow speed
zones, limiting boat size or horsepower,
limiting boat densities, or a combination
of methods. The effect of these
regulatory measures would most likely
be comparable to protection afforded by
the current State rule.

DATES: Comments from all interested
parties must be received by March 23,
1991.

ADDRESSES: Comments and materials
should be sent to U.S. Fish and Wildlife
Service, Jacksonville Field Office, 3100
University Blvd. South, Suite 120,
Jacksonville, Florida 32216.

FOR FURTHER INFORMATION CONTACT:
Robert O. Turner, at above address
(904/791-2580, FTS 946-2580).

SUPPLEMENTARY INFORMATION:

Background

Many manatees are known to move
through the waters of Lake Woodruff
NWR. Most of them belong to a sub-
population of Florida manatees
(*Trichechus manatus*) called the Blue
Springs population because it winters in
Blue Springs State Park on the St. Johns
River. The movements and habits of the
Blue Springs manatees have been
studied intensively in recent years. In
that time, their numbers have grown
from 11 animals in 1970 to over 60 in
1991. This increase is partly the result of
recruitment from other areas, and partly
due to reproduction by the original
animals.

Because refuge waters are darkly
colored, turbid, and contain abundant
vegetation, tending to conceal manatees,
manatee use of the refuge can only be
reliably determined by aerial surveys
and radio-tracking. Studies conducted
by John Bengtson in 1979 and 1980
(Bengtson 1981) and the Service's
Sirenia Research Project in Gainesville,
Florida in 1981 and 1983 (FWS
unpublished data) documented the
importance of waterways within Lake
Woodruff NWR as important manatee
habitat, particularly for the Blue Springs
population. Specifically, they
demonstrate that: (1) The Blue Springs



U.S. Department of
Transportation

General Counsel

400 Seventh St., S.W.
Washington, D.C. 20590

February 5, 1992

Ms. Martha L. Girard
Director
Office of the Federal Register
Room 8301
1100 L Street, N.W.
Washington, DC 20408

Dear Ms. Girard:

I am requesting a correction to a Department of Transportation document entitled "Regulatory Review" that is on file with the Federal Register and scheduled for publication on Friday, February 7, 1992.

On page 2 of that document, under Research and Special Programs Administration, please change "Docket HMA-212" to "Docket RR-1." Thank you for your cooperation.

Sincerely,


Neil R. Eisner

Assistant General Counsel
Regulation and Enforcement

038-5238



February 4, 1992

Office of the Federal Register
1100 L Street, N.W.
Room 8301
Washington, D.C.

ATTENTION: SCHEDULING DESK

We request that the attached notice be handled and posted as soon as possible, as it requests public comment in response to the President's announcement of a federal regulatory review.

Thank you,

Barbara Block

Barbara Block
Certifying Officer
366-9327

Please notify us of the scheduled publication date.

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice 92-1

REGULATORY REVIEW

14 CFR Chs. I-III; 23 CFR Chs. I-III;
33 CFR Chs. I and IV; 46 CFR Chs. I-III;
48 CFR Ch. 12; 49 CFR Subtitle A, Chs. I-VI

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2-7-92

Federal Highway Administration, Docket Room, Docket 92-12, 400
7th Street, SW, Room 4232, Washington, DC 20590

Federal Railroad Administration, Docket Clerk, Docket RSS 1-92-1,
400 Seventh Street, SW Room 8201, Washington, DC 20950

Federal Transit Administration, Docket Clerk, Docekt 92A, 400
Seventh Street, SW, Room 9316, Washington, DC 20590

Maritime Administration, Docket Clerk, Docket R-141, 400 Seventh
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National Highway Traffic Safety Administration, Docket Clerk,
Docket 92-04, Notice 1, 400 Seventh Street, SW, Room 5109,
Washington, DC 20590

Office of the Secretary, U.S. Department of Transportation,
Documentary Services Division, Docket Section, Docket 47978, 400
Seventh Street, SW, Room 4107, Washington, DC 20590

Research and Special Programs Administration, Docket Branch,
Docket ~~HMA-212~~^{RR-1}, 400 Seventh Street, SW, Room 8421, Washington,
DC 20590

Saint Lawrence Seaway Development Corporation, 400 Seventh Street, SW, Room 5424, Washington, DC 20590, Attn: Marc Owen, Chief Counsel

United States Coast Guard, Marine Safety Council, Docket 92-005, 2100 Second Street, SW, Room 3406, Washington DC 20593

FOR FURTHER INFORMATION CONTACT: Neil R. Eisner, Assistant General Counsel, Regulation and Enforcement, U.S. Department of Transportation, 400 Seventh Street, SW, Washington, DC 20590; (202) 366-4723.

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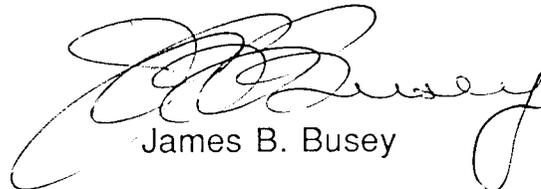
- (a) The expected benefits to society of any regulation should clearly outweigh the expected costs it imposes on society.
- (b) Regulations should be fashioned to maximize net benefits to society.
- (c) To the maximum extent possible, regulatory agencies should set performance standards instead of prescriptive command-and-control requirements, thereby allowing the regulated community to achieve regulatory goals at the lowest possible cost."
- (d) Regulations should incorporate market mechanisms to the maximum extent possible.
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Issued in Washington on February 4, 1992



James B. Busey
Acting Secretary