

your properly completed application is received in our local office, unless we inspect the acreage during the 10 day period and determine that it does not meet the requirements contained in the insurance contract. You must provide any information that we require for the crop or to determine the condition of the orchard.

(2) The calendar date for the end of the insurance period for each crop year is December 31.

(b) In addition to the provisions of section 11 (Insurance Period) of the Basic Provisions (§ 457.8):

(1) If you acquire an insurable share in any insurable acreage after coverage begins but on or before the acreage reporting date for the crop year, and after an inspection we consider the acreage acceptable, insurance will be considered to have attached to such acreage on the calendar date for the beginning of the insurance period.

(2) If you relinquish your insurable share on any insurable acreage of macadamia trees on or before the acreage reporting date for the crop year, insurance will not be considered to have attached to, and no premium or indemnity will be due for, such acreage for that crop year unless:

(i) A transfer of coverage and right to an indemnity, or a similar form approved by us, is completed by all affected parties;

(ii) We are notified by you or the transferee in writing of such transfer on or before the acreage reporting date; and

(iii) The transferee is eligible for crop insurance.

9. Causes of Loss

(a) In accordance with the provisions of section 12 (Causes of Loss) of the Basic Provisions (§ 457.8), insurance is provided only against the following causes of loss that occur during the insurance period:

(1) Adverse weather conditions;

(2) Fire, unless weeds and other forms of undergrowth have not been controlled or pruning debris has not been removed from the orchard;

(3) Earthquake;

(4) Volcanic eruption;

(5) Wildlife, unless proper measures to control wildlife have not been taken; or

(6) Failure of irrigation water supply, if caused by an insured cause of loss that occurs during the insurance period.

(b) In addition to the causes of loss excluded in section 12 (Causes of Loss) of the Basic Provisions (§ 457.8), we will not insure against damage due to disease or insect infestation, unless adverse weather:

(1) Prevents the proper application of control measures or causes properly applied control measures to be ineffective; or

(2) Causes disease or insect infestation for which no effective control mechanism is available.

10. Duties in the Event of Damage or Loss

In addition to the requirements of section 14 (Duties in the Event of Damage or Loss) of the Basic Provisions (§ 457.8), in case of damage or probable loss, if you intend to claim an indemnity on any unit, you must allow us to inspect all insured acreage before pruning or removing of any damaged trees.

11. Settlement of Claim

(a) We will determine your loss on a unit basis.

(b) In the event of loss or damage covered by this policy, we will settle your claim by:

(1) Multiplying the insured acreage by the dollar amount of insurance per acre for each age group;

(2) Totaling the results in section 11(b)(1);

(3) Multiplying the total dollar amount of insurance obtained in section 11(b)(2) by the applicable percent of loss, which is determined as follows:

(i) Subtract the coverage level percent you elected from 100 percent;

(ii) Subtract the result obtained in section 11(b)(3)(i) from the actual percent of loss;

(iii) Divide the result in section 11(b)(3)(ii) by the coverage level you elected (For example, if you elected the 75 percent coverage level and your actual percent of loss was 70 percent, the percent of loss specified in section 11(b)(3) would be calculated as follows: $100\% - 75\% = 25\%$; $70\% - 25\% = 45\%$; $45\% \div 75\% = 60\%$.); and

(4) Multiply the result in section 11(b)(3) by your share.

(c) The total amount of loss will include both trees damaged and trees destroyed as follows:

(1) Any orchard with over 80 percent actual damage due to an insured cause of loss will be considered to be 100 percent damaged; and

(2) Any percent of damage by uninsured causes will not be included in the percent of loss.

12. Written Agreements

Designated terms of this policy may be altered by written agreement in accordance with the following:

(a) You must apply in writing for each written agreement no later than the sales closing date, except as provided in section 12(e);

(b) The application for a written agreement must contain all variable terms of the contract between you and us that will be in effect if the written agreement is not approved;

(c) If approved, the written agreement will include all variable terms of the contract, including, but not limited to, crop type or variety, the guarantee, premium rate, and dollar amount of insurance;

(d) Each written agreement will only be valid for one year (If the written agreement is not specifically renewed the following year, insurance coverage for subsequent crop years will be in accordance with the printed policy); and

(e) An application for a written agreement submitted after the sales closing date may be approved if, after a physical inspection of the acreage, it is determined that no loss has occurred and the crop is insurable in accordance with the policy and written agreement provisions.

Signed in Washington D.C., on April 10, 1997.

Kenneth D. Ackerman,
Manager, Federal Crop Insurance Corporation.

[FR Doc. 97-10041 Filed 4-17-97; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 20, 30, 40, 50, 51, 70, and 72

RIN 3150-AD65

Radiological Criteria for License Termination; Meeting Between EPA and NRC to Discuss Draft Final Rule

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of meeting between the Environmental Protection Agency (EPA) and the Nuclear Regulatory Commission (NRC) on draft final rule on radiological criteria for license termination.

SUMMARY: The NRC is developing a final rule on radiological criteria for license termination (SECY-97-046A). As part of its preparation of the final rule, the NRC is planning to hold a public meeting with the EPA to discuss their comments related to the final rule.

DATES: The meeting will be held on April 21, 1997, from 2:00 pm-3:00 pm.

ADDRESSES: Conference Room T-2-B-3, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: Cheryl A. Trottier (301) 415-6232 or Frank Cardile (301) 415-6185, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

SUPPLEMENTARY INFORMATION: The NRC is amending its regulations regarding decommissioning of licensed facilities to provide specific radiological criteria for the decommissioning of lands and structures. The intent of this rulemaking is to provide a clear and consistent regulatory basis for determining the extent to which lands and structures must be remediated before decommissioning of a site can be considered complete and the license terminated.

On August 22, 1994, the NRC published a proposed rule for comment in the **Federal Register** [59 FR 43200] to amend 10 CFR Part 20 of its regulations "Standards for Protection Against Radiation" to include radiological criteria for license termination. The public comment period closed on January 20, 1995. Over 100 organizations and individuals submitted comments on NRC's proposed rule. The nature of the comments was varied. For nearly every provision of the rule, there were viewpoints expressed both in support and in disagreement. Comments received on the proposed rule were summarized in NUREG/CR-6353.

Based on the public comments received, the NRC staff has prepared a

draft final rule for consideration by the Commission (SECY-97-046A). As part of its deliberations on SECY-97-046A, the NRC has decided to hold a public meeting with the EPA to discuss their comments on the draft final rule. The format of the meeting will consist of discussion between the EPA and NRC on issues related to the draft final rule. Seating for the public will be on a first come, first-served basis.

Dated at Rockville, Maryland, this 14th day of April 1997.

For the Nuclear Regulatory Commission.

Frank A. Costanzi,

Deputy Director, Division of Regulatory Applications, Office of Nuclear Regulatory Research.

[FR Doc. 97-10073 Filed 4-17-97; 8:45 am]

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RAILROAD RETIREMENT BOARD

20 CFR Part 335

RIN 3220-AB30

Sickness Benefits

AGENCY: Railroad Retirement Board.

ACTION: Proposed rule.

SUMMARY: The Railroad Retirement Board (Board) proposes to amend its regulations under the Railroad Unemployment Insurance Act (RUIA) to permit a substance-abuse professional to execute a statement of sickness in support of payment of sickness benefits under the RUIA.

DATES: Comments shall be submitted on or before June 17, 1997.

ADDRESSES: Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Thomas W. Sadler, Senior Attorney, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611, (312) 751-4513, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: Section 335.2(a)(2) of the Board's regulations provides that in order to be entitled to sickness benefits under the RUIA, a claimant must provide a "statement of sickness". Section 335.3(a) of the Board's regulations lists the individuals from whom the Board will accept a statement of sickness. That list does not currently include a "substance-abuse professional" (SAP), although employees may claim sickness benefits under circumstances resulting from alcohol or controlled-substances-related disorders. In proposing that an SAP under this part must meet the qualifications outlined in the

Department of Transportation (DOT) regulations at 49 CFR part 40.3, the Board recognizes the importance of nationally-accepted standards for SAPs. The DOT regulations define an SAP as a licensed physician (Medical Doctor or Doctor of Osteopathy), a licensed or certified psychologist, a licensed or certified social worker, or a licensed or certified employee assistance professional. The DOT regulations also include alcohol and drug abuse counselors certified by the National Association of Alcoholism and Drug Abuse Counselors (NAADAC) Certification Commission, a national organization imposing qualification standards for treatment of alcohol and drug-related disorders.

Under the DOT regulations, an SAP must have knowledge of, and clinical experience in, the diagnosis and treatment of alcohol and controlled substances-related disorders. Accordingly, those individuals who have the requisite degrees or certificates, but who lack knowledge and clinical experience in alcohol and substance abuse-related disorders, would not meet the criteria of a qualified SAP under this part.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulation action for purposes of Executive Order 12866. Therefore, no regulatory impact analysis is required. There are no information collections associated with this rule.

List of Subjects in 20 CFR Part 335

Railroad employees, Railroad sickness benefits.

For the reasons set out in the preamble, title 20, chapter II, part 335 of the Code of Federal Regulations is proposed to be amended as follows:

PART 335—SICKNESS BENEFITS

1. The authority citation for part 335 continues to read as follows:

Authority: 45 U.S.C. 362(i) and 362(l).

2. Section 335.3 is amended by removing "or" at the end of paragraph (a)(8) of this section, by removing the period at the end of paragraph (a)(9) of this section and adding "; or", and by adding a new paragraph (a)(10) to read as follows:

§ 335.3 Execution of statement of sickness and supplemental doctor's statement.

(a) * * *

(10) A substance-abuse professional as defined in 49 CFR 40.3, if the infirmity

involves alcohol or controlled substances-related disorders.

* * * * *

Dated: April 9, 1997.

By Authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 97-10009 Filed 4-17-97; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 25

[REG-209823-96]

RIN 1545-AU25

Guidance Regarding Charitable Remainder Trusts

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking and notice of public hearing.

SUMMARY: This document contains proposed amendments to the regulations under section 664 of the Internal Revenue Code of 1986 relating to charitable remainder trusts and under section 2702 relating to special valuation rules for transfers of interests in trusts. The proposed amendments contain rules on the conditions under which the governing instrument may provide for a change in the method of calculating the unitrust amount, the date by which the annuity amount or the unitrust amount under the fixed percentage method must be paid to the recipient, who is required to value unmarketable assets, and when section 2702 applies to certain charitable remainder unitrusts. The proposed regulations clarify existing law that prohibits allocating pre-contribution capital gain to trust income. The proposed amendments also contain an example illustrating how the ordering rule of section 664(b) applies to distributions from a charitable remainder unitrust using an income exception method to calculate the unitrust amount. This document also provides notice of a public hearing on these proposed regulations.

DATES: Comments and outlines of topics to be discussed at the public hearing scheduled for September 9, 1997, at 10 a.m. must be received by August 19, 1997.

ADDRESSES: Send submissions to: CC:DOM:CORP:R (REG-209823-96), room 5228, Internal Revenue Service, POB 7604, Ben Franklin Station,