

materials and is included in RUS Forms 764, 830, and 831.

11. RUS Form 254, Rev. 2-95, Construction Inventory. This form is used for the closeout of RUS Forms 203, 764, 830, and 831. This form is available from RUS.

12. RUS Form 307, Rev. 2-95, Bid Bond. This form is used to obtain a bid bond and is included in RUS Forms 200, 203, 257, 764, 830, and 831.

13. RUS Form 792b, Rev. 2-95, Certificate of Construction and Indemnity Agreement. This form is used for the closeout of and is included in RUS Forms 201, 790, 792.

14. RUS Form 792c, Rev. 2-95, Supplemental Contract for Additional Project. This form is used to amend and is included in RUS Forms 201, 790, 792.

Guidance Forms

1. RUS Form 172, Rev. 9-58, Certificate of Inspection, Contract Construction. This form is used to notify RUS that construction is ready for inspection.

2. RUS Form 173, Rev. 3-55, Materials Contract. This form is used for distribution, transmission, and general plant material purchases.

3. RUS Form 274, Rev. 6-81, Bidder's Qualifications. This form is used to document bidder's qualifications.

4. RUS Form 282, Rev. 11-53, Subcontract. This form is used for subcontracting.

5. RUS Form 458, Rev. 3-55, Materials Contract. This form is used to obtain generation plant material and equipment purchases not requiring acceptance tests at the project site.

Our plans for revising and updating these forms include:

1. Eliminate unneeded forms. This would include merging the Form 181 into the Form 187, merging the Form 180 into the Form 238, merging the Form 201, 203, and 764 into the Form 830, and eliminating Forms 181, 180, 201, 203, and 764. We are also considering eliminating infrequently used guidance forms (Forms 172, 173, 274, 282, and 458.)

2. Make forms suitable for "subject to" or "not subject to" RUS approval. This would include merging the Form 831 into the Form 830 and eliminating Form 831.

3. Make construction contract forms suitable for "labor only" or "labor and material." This would include merging the Form 792 into the Form 790 and eliminating Form 792.

4. Standardize tables and information pages and incorporate them as separate attachments. We are considering publishing the "Construction Units" pages as a separate bulletin. This would

allow the borrower to include in the bid package only those construction unit pages that are relevant to a particular project.

5. Maximize consistency among forms. This would include standardizing common provisions and terminology, and adding a "Notice and Instructions to Bidders" to forms not having one.

6. Include an estimated or base quantity provision in unit price contract forms.

7. Add a provision regarding assignment of the contract to RUS.

8. Update and clarify contract provisions as necessary. This would include:

a. Clarifying that the contractor (not the owner or engineer) is solely responsible for the means and methods of construction and for the supervision of the contractor's employees.

b. Deleting the reference to a "Supervisor" appointed by RUS.

c. Delete the reference to the loan contract and owner's access to funding.

d. Deleting the option for eliminating retainage after the contract is 50 percent complete.

e. Updating the "Buy American" requirement.

f. Eliminating gender specific terms (him, his, materialmen, etc.)

RUS invites comments from the public about our plans to update, consolidate, and streamline the standard forms of contracts listed above. We are specifically interested in comments on the following questions:

- Are the guidance forms used often or should they be eliminated?
- Are there provisions in the contract forms that should be updated (in addition to the provisions indicated above)?
- Does the proposed revision/consolidation plan meet the needs of most borrowers?

Dated: September 9, 1998.

Inga Smulkstys,

Acting Under Secretary, Rural Development.

[FR Doc. 98-24763 Filed 9-15-98; 8:45 am]

BILLING CODE 3410-15-P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1755

RIN 0572-AB41

Telecommunications System Construction Contract and Specifications

AGENCY: Rural Utilities Service, USDA.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: The Rural Utilities Service (RUS) is considering possible revisions that may be desirable in form and content of RUS Contract Form 515, Telephone System Construction Contract. This action will amend the Telephone System Specifications which include RUS Bulletin 345-150, Specifications and Drawings for Construction of Direct Buried Plant (Form 515a); RUS Bulletin 345-151, Specifications and Drawings for Conduit and Manhole Construction (Form 515c); RUS Bulletin 345-152, Specifications and Drawings for Underground Cable Installation (Form 515d); RUS Bulletin 345-153, Specifications and Drawings for Construction of Pole Lines, Aerial Cables and Wires (Form 515f); and RUS Bulletin 345-154, Specifications and Drawings for Service Entrance and Station Protector Installation (Form 515g). Changes to the Telephone System Construction Contract and Specifications will incorporate the latest technology, remove redundant or outdated requirements, and simplify the specification format.

DATES: Written comments must be received by RUS, or bear a postmark or equivalent, no later than December 15, 1998.

ADDRESSES: Comments should be mailed to Charlie I. Harper, Jr., Chief, Outside Plant Branch, Telecommunications Standards Division, Rural Utilities Service, STOP 1598, United States Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250-1598. RUS requests an original and three copies of all comments (7 CFR part 1700.4). All comments received will be available for public inspection at room 2835 South Building (above address) during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Charlie I. Harper, Jr., Chief, Outside Plant Branch, Telecommunications Standards Division, Rural Utilities Service, STOP 1598, United States Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC 20250-1598. Telephone: (202) 720-0680. Fax: (202) 720-4099.

SUPPLEMENTARY INFORMATION: The Telephone System Construction Contract and Specifications are used by borrowers of RUS funds to secure the services of a contractor for the construction of telecommunications facilities. The present form of the contract and specifications has not been

revised since January 1990. RUS is requesting comments from borrowers, consulting engineers, contractors, and other interested parties on recommended changes to the contract form and specifications.

Dated: September 9, 1998.

Inga Smulkstys,

Acting Under Secretary, Rural Development.

[FR Doc. 98-24764 Filed 9-15-98; 8:45 am]

BILLING CODE 3410-15-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

RIN 3150-AG00

Physical Protection for Spent Nuclear Fuel and High-Level Radioactive Waste: Technical Amendment

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission is proposing to amend its regulations concerning physical protection of spent nuclear fuel and high-level radioactive waste stored at independent spent fuel storage installations, monitored-retrievable storage installations, and geologic repository operations areas. This action is necessary to correct the inappropriate inclusion of surveillance/assessment and illumination systems within the requirement for tamper indication and line supervision.

DATES: Comments must be received on or before October 16, 1998.

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

Deliver comments to 11555 Rockville Pike, Maryland, between 7:30 am and 4:15 pm on Federal workdays.

Copies of any comments received may be examined at the NRC Public Document Room, 2120 L Street NW (Lower Level), Washington, DC.

You may also provide comments via the NRC's interactive rulemaking website through the NRC home page (<http://www.nrc.gov>). From the home page, select "Rulemaking" from the tool bar. The interactive rulemaking website can then be accessed by selecting "New Rulemaking Website." The site provides the ability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking

website, contact Ms. Carol Gallagher, (301) 415-5905, e-mail cag@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Barry Mendelsohn, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-7262.

SUPPLEMENTARY INFORMATION: For additional information see the Direct Final Rule published in the Rules and Regulations section of this **Federal Register**.

Because NRC considers this action noncontroversial, we are publishing this proposed rule concurrently with a direct final rule. The direct final rule will become effective on November 12, 1998. However, if the NRC receives significant adverse comment on the direct final rule by October 16, 1998, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments received in response to the direct final rule in a subsequent final rule. The NRC will not initiate a second comment period for this action in the event the direct final rule is withdrawn.

Environmental Impact: Categorical Exclusion

The Commission has determined that this proposed rule is the type of action described in categorical exclusion 10 CFR 51.22 (c)(2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this proposed rule.

Paperwork Reduction Act Statement

This proposed rule does not contain a new or amended information collection requirement subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing requirements were approved by the Office of Management and Budget, approval number 3150-0002.

Public Protection Notification

If an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

Regulatory Analysis

A regulatory analysis has not been prepared for this proposed rule because this rule is considered corrective in nature and a minor, nonsubstantive amendment; it has no adverse economic impact on NRC licensees or the public.

Regulatory Flexibility Certification

As required by the Regulatory Flexibility Act of 1989, 5 U.S.C. 605(b), the Commission certifies that this rule

does not have a significant impact upon a substantial number of small entities. The regulation would affect entities licensed to operate independent spent fuel storage installations, monitored-retrievable storage installations, and geologic repository operations areas. These entities do not fall within the definition of small entities.

Backfit Analysis

The NRC has determined that the backfit rule does not apply to this rule, and therefore, a backfit analysis is not required because these amendments do not involve any provisions that would impose backfits as defined in 10 CFR Chapter I.

List of Subjects in 10 CFR Part 73

Criminal penalties, Hazardous materials transportation, Exports, Imports, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Security measures.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is proposing to adopt the following amendment to 10 CFR Part 73.

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

1. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 53, 161, 68 Stat. 930, 948, as amended, sec. 147, 94 Stat. 780 (42 U.S.C. 2073, 2167, 2201); sec. 201, as amended, 204, 88 Stat. 1242, as amended, 1245, sec. 1701, 106 Stat. 2951, 2952, 2953 (42 U.S.C. 5841, 5844, 2297f).

Section 73.1 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 73.37(f) also issued under sec. 301, Pub. L. 96-295, 94 Stat. 789 (42 U.S.C. 5841 note). Section 73.57 is issued under sec. 606, Pub. L. 99-399, 100 Stat. 876 (42 U.S.C. 2169).

2. Section 73.51(d)(11) is revised to read as follows:

§ 73.51 Requirements for the physical protection of stored spent nuclear fuel and high-level radioactive waste.

* * * * *

(d) * * *

(11) All detection systems and supporting subsystems must be tamper indicating with line supervision. These systems, as well as surveillance/assessment and illumination systems, must be maintained in operable condition. Timely compensatory measures must be taken after discovery