

leave may be considered for restoration, it must have been scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year. We are concerned about the possible consequences of requiring advance scheduling for an employee who transfers from a position deemed necessary for Y2K conversion efforts to another position during the latter portion of leave year 1999. It is possible that such employees would have leave in excess of the maximum limitation, but would still be unable to schedule it. Therefore, § 630.310(e) would allow an agency to consider restoration of annual leave forfeited at the end of leave year 1999 to an employee whose involvement in Y2K conversion efforts ends during the leave year if the agency determines that there is a correlation between the lack of advance scheduling and the employee's Y2K conversion efforts.

OPM believes such annual leave may be considered for restoration. Section 630.310(e) would require affected employees to make a reasonable effort to comply with the advance scheduling requirement in § 630.308(a). However, the head of an agency could exempt an employee from the advance scheduling requirement if the employee could show that he or she was involved in Y2K conversion efforts during the leave year and was unable to comply with the scheduling requirement due to circumstances beyond his or her control. Since the agency may determine that there was sufficient time for the employee to schedule and use annual leave before the end of leave year 1999, this provision would not guarantee that excess annual leave would be restored.

Annual leave restored to an employee in leave year 2000 as a result of the Y2K conversion exigency, but unused by the end of leave year 2002, will be forfeited, with no possibility of further restoration.

#### Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would affect only Federal agencies and employees.

#### E.O. 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

#### List of Subjects 5 in CFR Part 630

Government employees.

Office of Personnel Management.

**Janice Lachance,**  
*Director.*

Accordingly, OPM is proposing to amend part 630 of title 5 of the Code of Federal Regulations as follows:

#### PART 630—ABSENCE AND LEAVE

1. The authority citation for part 630 continues to read as follows:

**Authority:** 5 U.S.C. 6311; § 630.301 also issued under Pub. L. 103-356, 108 Stat. 3410; § 630.303 also issued under 5 U.S.C. 6133(a); §§ 630.306 and 630.308 also issued under 5 U.S.C. 6304(d)(3), Pub. L. 102-484, 106 Stat. 2722, and Pub. L. 103-337, 108 Stat. 2663; subpart D also issued under Pub. L. 103-329, 108 Stat. 2423; § 630.501 and subpart F also issued under E.O. 11228, 30 FR 7739, 3 CFR, 1974 Comp., p. 163; subpart G also issued under 5 U.S.C. 6305; subpart H also issued under 5 U.S.C. 6326; subpart I also issued under 5 U.S.C. 6332, Pub. L. 100-566, 102 Stat. 2834, and Pub. L. 103-103, 107 Stat. 1022; subpart J also issued under 5 U.S.C. 6362, Pub. L. 100-566, and Pub. L. 103-103; subpart K also issued under Pub. L. 102-25, 105 Stat. 92; and subpart L also issued under 5 U.S.C. 6387 and Pub. L. 103-3, 107 Stat. 23.

#### Subpart C—Annual Leave

2. In § 630.308, paragraph (a) is revised to read as follows:

##### § 630.308 Scheduling of annual leave.

(a) Except as provided in paragraph (b) of this section and § 630.310, before annual leave forfeited under section 6304 of title 5, United States Code, may be considered for restoration under that section, use of the annual leave must have been scheduled in writing before the start of the third biweekly pay period prior to the end of the leave year.

\* \* \* \* \*

3. A new § 630.310 is added to read as follows:

##### § 630.310 Scheduling of annual leave by employees determined necessary for Year 2000 computer conversion efforts.

(a) Year 2000 computer conversion efforts are deemed to be an exigency of the public business for the purpose of restoring annual leave forfeited under 5 U.S.C. 6304. This exigency terminates on January 31, 2000.

(b) For any employee who forfeits annual leave under 5 U.S.C. 6304 at the beginning of leave year 2000 because the agency determined the employee's services were required during the Year 2000 computer conversion exigency, the forfeited annual leave is deemed to have been scheduled in advance for the purpose of 5 U.S.C. 6304(d)(1)(B) and § 630.208.

(c) Annual leave restored under 5 U.S.C. 6304(d) because of the Year 2000

computer conversion exigency must be scheduled and used not later than the end of leave year 2002.

(d) The time limits established under paragraphs (a) and (b) of § 630.308 for using previously restored annual leave do not apply for the period during which an employee's services were determined necessary for the completion of Year 2000 computer conversion efforts. On January 31, 2000, a new time limit will be established under paragraph (c) of this section for all annual leave restored to such an employee.

(e) An employee whose services were determined necessary during the Year 2000 computer conversion exigency for a portion of leave year 1999, but who subsequently moves to a position not involving Year 2000 computer conversion efforts, must make a reasonable effort to comply with the scheduling requirement in § 630.308(a). The head of the agency or his or her designee may exempt such an employee from the advance scheduling requirement in § 630.308(a) if coverage under paragraphs (a) and (b) of this section terminated during leave year 1999 and the employee can demonstrate that he or she was unable to comply with the advance scheduling requirement due to circumstances beyond his or her control.

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#### DEPARTMENT OF AGRICULTURE

#### Agriculture Marketing Service

#### 7 CFR Part 1216

[FV-98-702-PR3]

#### Peanut Promotion, Research, and Information Order; Extension of Voting Period

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule and referendum order; Amendment to referendum Order.

**SUMMARY:** This action extends the voting period for the referendum during which peanut producers will vote on whether the Peanut Promotion, Research, and Information Order will become effective. The voting period has been extended an additional 21 days to conclude on July 2, 1999, rather than June 11, 1999. This extension will better facilitate full voter participation.

**DATES:** In Order to be eligible to vote, peanut producers must have produced

peanuts during the period from August 1, 1997, through July 30, 1998 (representative period). The voting period for the referendum will be May 10 through July 2, 1999.

**ADDRESSES:** Daniel R. Williams II, Research and Promotion Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2535-S, Stop 0244, Washington, DC 20250-0244.

**FOR FURTHER INFORMATION CONTACT:** Daniel R. Williams II at the above address or telephone toll free (888) 720-9917.

**SUPPLEMENTARY INFORMATION:** Prior documents in this proceeding: Proposed Rule published in the November 6, 1998, issue of the **Federal Register** [63 FR 59893]; and Proposed Rule and Referendum Order published in the April 23, 1999, issue of the **Federal Register** [64 FR 20107] and Referendum Procedures published on the same day [64 FR 20102].

The April 23, 1999, referendum order [64 FR 20107] specified that the voting period would be from May 24, 1999, through June 11, 1999. However, the mailing list used for the referendum consisted of a large amount of rural route deliveries. This has resulted in a large amount of the ballots arriving later than expected or not all of the referendum ballot packages have been delivered to potentially eligible voters. In addition, the U.S. Department of Agriculture (USDA) has received numerous telephone calls from potentially eligible voters who did not receive ballots. Therefore, in order to better facilitate full voter participation in the referendum, USDA is extending the voting period through July 2, 1999. In addition, USDA will continue to mail ballots to those potentially eligible voters who request a ballot and others as they become known.

Section 518 of the Commodity Promotion, Research, and Information Act of 1996 (Act) requires that a referendum be conducted among eligible peanut producers as to whether they favor the Order. The proposed Order [64 FR 20107] would become effective if it is approved by a majority of producers voting in the referendum, which is currently ongoing.

Ballots to be cast in the referendum, and any related material relevant to the referendum, will be mailed by the referendum agents to all known peanut producers. Should any eligible producer not receive a ballot and related material, such producer should immediately contact the referendum agents at the telephone number that follows.

### Amended Referendum Order

It is hereby directed that a referendum be conducted among peanut producers to determine whether they favor implementation of the Peanut Promotion, Research, and Consumer Information Order.

The referendum shall be conducted from May 24 through July 2, 1999. Ballots were mailed to all known eligible peanut producers on or before May 17, 1999. Eligible voters who do not receive a ballot by mail should call the following toll-free telephone number to receive a ballot: 1 (888) 720-9917. All ballots will be subject to verification. Ballots must be received by the referendum agents no later than July 2, 1999, to be counted.

Daniel R. Williams II and Martha B. Ransom, Research and Promotion Branch, Fruit and Vegetable Programs, Agricultural Marketing Service, U.S. Department of Agriculture, Room 2535-S, Stop 0244, Washington, DC 20250-0244, are designated as the referendum agents of the Secretary of Agriculture to conduct the referendum. The Procedure for the Conduct of the Referenda in Connection with the Peanut Promotion, Research, and Consumer Information Order, 7 CFR 1216.101-1216.107, which were published separately in the **Federal Register** [64 FR 20102], shall be used to conduct the referendum.

### List of Subjects in 7 CFR Part 1216

Administrative practice and procedure, Advertising, Agricultural research, Marketing agreements, Peanuts, Reporting and record keeping requirements.

**Authority:** U.S.C. 7401-7425.

Dated: June 9, 1999.

**Enrique E. Figueroa,**  
*Administrator.*

[FR Doc. 99-15112 Filed 6-11-99; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 50

RIN 3150-AG11

### Consideration of Potassium Iodide in Emergency Plans

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing an amendment to its emergency planning regulations governing the domestic licensing of production and utilization

facilities. The proposed rule would amend the current regulations to require that consideration shall be given to including potassium iodide (KI), as a protective measure for the general public that would supplement sheltering and evacuation. KI would help prevent thyroid cancers in the unlikely event of a major release of radioactivity from a nuclear power plant. The proposed rule responds to petitions for rulemaking submitted by Mr. Peter G. Crane concerning the use of KI in emergency plans.

**DATES:** Submit comments by September 13, 1999. Comments received after this date will be considered if practical to do so, but only those comments received on or before this date can be assured of consideration.

**ADDRESSES:** Comments may be sent to the Secretary of the Commission, Attention: Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555, or may be hand-delivered to One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, between 7:30 a.m. and 4:15 p.m. Federal workdays. Copies of comments received may be examined at the Commission's Public Document Room at 2120 L Street NW (Lower Level), Washington, DC.

You may also provide comment via the NRC's interactive rulemaking web site on the NRC home page (<http://www.nrc.gov>). This site provides the availability to upload comments as files in any format that the NRC web browser supports. For information about the interactive rulemaking site, contact Ms. Carol Gallagher, (301) 415-6215; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Michael T. Jamgochian, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-3224. Internet: [MTJ1@NRC.GOV](mailto:MTJ1@NRC.GOV).

**SUPPLEMENTARY INFORMATION:** By undertaking this rulemaking, the Commission, while not adopting the exact language suggested by the petitioner, is proposing to grant a petition for rulemaking (PRM-50-63A) submitted by Mr. Peter Crane on November 11, 1997. That petition is a revision of a petition (PRM-50-63) that he submitted on September 9, 1995.

Considering all public comments received, the information available in the literature, 20 years of experience gained in evaluating licensee emergency preparedness plans, and the arguments presented by the petitioner, the Commission has decided to grant the petition for rulemaking and to proceed