

List of Subjects in 7 CFR Part 1079

Milk marketing orders.

The authority citation for 7 CFR part 1079 continues to read as follows:

Authority: 7 U.S.C. 601-674.

Dated: July 23, 1999.

Richard M. McKee,

Deputy Administrator, Dairy Programs.

[FR Doc. 99-19351 Filed 7-28-99; 8:45 am]

BILLING CODE 3410-02-P

DEPARTMENT OF AGRICULTURE**Office of Operations****7 CFR Part 2812**

RIN 0599-AA03

Priorities and Administrative Guidelines for Donation of Excess Research Equipment

AGENCY: Office of Procurement and Property Management, Office of Operations, USDA.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of Procurement and Property Management of the Department of Agriculture (USDA) proposes to amend its procedures for the donation of excess research equipment for technical and scientific education and research activities to educational institutions and nonprofit organizations under section 11(I) of the Stevenson-Wydler Technology Act (15 U.S.C. 3710(I)). This amendment would expand the list of entities eligible to receive such equipment, establish a priority list for eligible entities seeking transfer of such equipment, and clarify administrative rules regarding equipment transfer.

DATES: Comments must be submitted by August 30, 1999.

ADDRESSES: Comments should be sent to USDA, OPPM, PMD, 1400 Independence Ave., S.W., Mail Stop 9304, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Kathy Fay on 202-720-9779.

SUPPLEMENTARY INFORMATION:**I. Background****II. Procedural Requirements****A. Executive Order Number 12866.****B. Regulatory Flexibility Act.****C. Paperwork Reduction Act.****III. Electronic Access Addresses****I. Background**

USDA regulations for the donation of excess research equipment for technical and scientific educational and research activities under section 11(I) of the Stevenson-Wydler Technology Act (15

U.S.C. 3710(I)) were promulgated at 7 CFR part 2812 on July 3, 1995. USDA has determined that the eligibility of organizations to receive excess research equipment under this part is not clear.

The President signed Executive Order (EO) 12999 on April 17, 1996, requiring Federal agencies, when donating educationally useful Federal research equipment under section 11(I) of the Stevenson-Wydler Technology Act and other laws, to give the highest preference to schools (including pre-kindergarten through twelfth grade) and nonprofit organizations (including community-based educational organizations) with particular preference to such schools and nonprofit organizations located in Federal enterprise communities and empowerment zones designated pursuant to the Omnibus Reconciliation Act of 1993, Public Law 103-66. USDA is taking action in this rule-making to implement EO 12999.

Further, consistent with the EO 12999 and other authorities available to USDA for transfer of excess personal property (such as that implemented in 7 CFR part 3200), USDA desires to establish a preference list for those eligible entities seeking to receive property donated under this part.

II. Procedural Requirements**A. Executive Order Number 12866**

This proposed rule was reviewed under EO 12866, and it has been determined that it is not a significant regulatory action because it will not have an annual effect on the economy of \$100 million or more or adversely and materially affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This proposed rule will not create any serious inconsistencies or otherwise interfere with any actions taken or planned by another agency. It will not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof.

B. Regulatory Flexibility Act

USDA certifies that this proposed rule will not have a significant impact on a substantial number of small entities as defined in the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, for the reason that this regulation imposes no new requirements on small entities.

C. Paperwork Reduction

The information collection and record keeping requirements to implement

these procedures have been cleared by the Office of Management and Budget (OMB), under 0505-0019, in accordance with the Paperwork Reduction Act (44 U.S.C. ch. 35).

III. Electronic Access Addresses

You may send electronic mail (E-mail) to kathy.fay@usda.gov or contact us via fax at (202) 720-3747.

List of Subjects in 7 CFR part 2812

Government property management.

For the reasons set forth in the preamble, 7 CFR part 2812 is proposed to be amended as set forth below:

PART 2812—DEPARTMENT OF AGRICULTURE GUIDELINES FOR THE DONATION OF EXCESS RESEARCH EQUIPMENT UNDER 15 U.S.C. 3710(I)

1. The authority citation for part 2812 is revised to read as follows:

Authority: 5 U.S.C. 301; E.O. 12999, 61 FR 17227, 3 CFR, 1997 Comp., p. 180.

2. Amend § 2812.3 by removing paragraph (b), redesignating paragraphs (c), (d), and (e) as (e), (h), and (i), respectively, and adding new paragraphs (b), (c), (d), (f) and (g) to read as follows:

§ 2812.3 Definitions.

* * * * *

(b) *Community-based educational organization* means nonprofit organizations that are engaged in collaborative projects with pre-kindergarten through twelfth grade educational institutions or that have education as their primary focus. Such organizations shall qualify as nonprofit educational institutions for purposes of section 203(j) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(j)).

(c) *Educational institution* means a public or private, non-profit educational institution, encompassing pre-kindergarten through twelfth grade and two- and four-year institutions of higher education, as well as public school districts.

(d) *Educationally useful Federal equipment* means computers and related peripheral tools (e.g., printers, modems, routers, and servers), including telecommunications and research equipment, that are appropriate for use in prekindergarten, elementary, middle, or secondary school education. It shall also include computer software, where the transfer of licenses is permitted.

* * * * *

(f) *Federal empowerment zone or enterprise community (EZ/EC)* means a

rural area designated by the Secretary of Agriculture under 7 CFR part 25.

(g) *Non-profit organization* means: (1) Any corporation, trust association, cooperative, or other organization which—

(i) Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(ii) Is not organized primarily for profit; and

(iii) Uses its net proceeds to maintain, improve, or expand its operations.

(2) For the purposes of this part, “non-profit organizations” may include entities affiliated with institutions of higher education, or with state and local governments and federally recognized Indian tribes.

* * * * *

4. Amend § 2812.4 by removing and reserving paragraph (a), and revising paragraphs (c) and (d) to read as follows:

§ 2812.4 Procedures.

(a) [Reserved]

* * * * *

(c) After USDA screening has been accomplished, excess personal property targeted for donation under this part will be made available on a first-come, first-served basis. If there are competing requests, donations will be made to eligible recipients in the following priority order:

(1) Educationally useful Federal equipment for pre-kindergarten through twelfth grade educational institutions and community-based educational organizations in rural EZ/EC communities;

(2) Educationally useful Federal equipment for pre-kindergarten through twelfth grade educational institutions and community-based educational organizations not in rural EZ/EC areas;

(3) All other eligible organizations.

(d) Upon reporting property for excess screening, if the pertinent USDA agency has an eligible organization in mind for donation under this part, it shall enter “Public Law 102-245” in the note field. The property will remain in the excess system approximately 30-45 days, and if no USDA agency or cooperator requests it during the excess cycle, Departmental Excess Personal Property Coordinator will send the agency a copy of the excess report stamped, “DONATION AUTHORITY TO THE HOLDING AGENCY IN ACCORDANCE WITH PUBLIC LAW 102-245.” The holding USDA agency may then donate the excess property to the eligible organization.

* * * * *

5. Appendix A to part 2812 is removed.

Done at Washington, D.C., this 12th day of July, 1999.

W.R. Ashworth,

Director, Office of Procurement and Property Management.

[FR Doc. 99-19289 Filed 7-28-99; 8:45 am]

BILLING CODE 3410-PA-P]

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

Release of Solid Materials at Licensed Facilities: Postponement of Public Meeting Currently Scheduled for August 4-5, 1999, in Chicago, Illinois

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of postponement of public meeting scheduled for Chicago, Illinois, on August 4-5, 1999.

SUMMARY: The Nuclear Regulatory Commission (NRC) is considering a rulemaking that would set specific requirements on releases of solid materials in order to establish a regulatory framework more consistent with existing NRC requirements on air and liquid releases. The NRC previously announced its intent to conduct a public meeting on August 4 and 5 in Chicago, Illinois, to discuss those issues, however that meeting is being postponed to allow additional time for participants to familiarize themselves with the issues involved.

FOR FURTHER INFORMATION CONTACT: Chip Cameron; e-mail fxc@nrc.gov, telephone: (301) 415-1642; Office of the General Counsel, USNRC, Washington DC 20555-0001.

SUPPLEMENTARY INFORMATION: The NRC previously announced in a **Federal Register** Document (FRD) dated June 30, 1999 (64 FR 35090), that it is considering a rulemaking that would set specific requirements for release of solid materials. That notice also indicated that NRC is supplementing its standard rulemaking process by conducting enhanced public participatory activities including facilitated public meetings, before the start of any formal rulemaking process, to solicit early and active public input on major issues associated with release of solid materials, including whether the NRC should proceed with such a rulemaking. The FRD noted that four public meetings were planned from August through November 1999, in Chicago, San Francisco, Atlanta, and Washington, DC.

The first public meeting planned was to be held in Chicago, Illinois, on

August 4 and 5, 1999. However the NRC has decided to postpone the Chicago meeting and reschedule it. The postponed meeting will still be held in Chicago on a date to be announced soon. We decided to postpone this meeting because several stakeholder groups indicated that the short time frame between publication of the June 30, 1999, FRD and the August 4-5 meeting did not allow for adequate preparation and participation. Since NRC is looking for substantive reactions and discussions based on the June 30 FRD, it was felt that postponing the first of the four workshops to a later date would allow all stakeholders to adequately prepare for the discussions and obtain the participation of their key leaders knowledgeable about these issues.

The enhanced participatory rulemaking process will begin with the San Francisco meeting on September 15-16, 1999. As noted in the June 30 FRD, the meeting in San Francisco will take place at the Radisson Miyako Hotel, 1625 Post St., San Francisco, California. As also noted in the June 30 FRD, the meetings in Atlanta and Washington DC will take place as scheduled on October 5-6, 1999, and November 1-2, 1999, respectively.

The NRC regrets any inconvenience this postponement may cause those that planned to attend the Chicago meeting. However, we believe that a balance of stakeholders familiar with the issues and alternatives associated with potential release of solid materials is critical to conducting a comprehensive discussion.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 23rd day of July, 1999.

Donald A. Cool,

Director, Division of Industrial and Medical Nuclear Safety.

[FR Doc. 99-19366 Filed 7-28-99; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

RIN 3150-AG19

List of Approved Spent Fuel Storage Casks; Revision, NUHOMS 24-P and NUHOMS 52-B

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations containing the list