

effect in the State for the preceding fiscal year.

(i) If the State agency does not use all of its exemptions by the end of the fiscal year, FNS shall increase the estimated number of exemptions allocated to the State agency for the subsequent fiscal year by the remaining balance.

(ii) If the State agency exceeds its exemptions by the end of the fiscal year, FNS shall reduce the estimated number of exemptions allocated to the State agency for the subsequent fiscal year by the corresponding number.

(d) *Reporting requirement.* The State agency shall track the number of exemptions used each month and report this number to the regional office on a quarterly basis as an addendum to the quarterly employment and training report (Form FNS-583) required by § 273.7(c)(6).

(e) *Other Program rules.* Nothing in this section shall make an individual eligible for benefits under the Food Stamp Act if the individual is not otherwise eligible for benefits under the other provisions of the Food Stamp Act.

Dated: August 23, 1999.

Julie Paradis,

Acting Under Secretary, Food, Nutrition and Consumer Services.

[FR Doc. 99-23017 Filed 9-2-99; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 93

[Docket No. 98-055-2]

Horses From Morocco; Change in Disease Status

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations concerning the importation of horses to remove Morocco from the list of regions the Animal and Plant Health Inspection Service considers affected with African horse sickness. This action is based on information received from Morocco and is in accordance with standards set by the Office International des Epizooties for recognizing a country as free of African horse sickness. This action will relieve restrictions on the importation of horses into the United States from Morocco.

DATES: Effective September 20, 1999.

FOR FURTHER INFORMATION CONTACT: Dr. John Coughill, Senior Staff Veterinarian,

Products Program, National Center for Import and Export, VS, APHIS, 4700 River Road Unit 40, Riverdale, MD 20737-1231; (301) 734-3399.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 93 (referred to below as the regulations) prescribe the conditions for the importation into the United States of specified animals to prevent the introduction of various animal diseases, including African horse sickness (AHS). AHS is a fatal viral equine disease that is not known to exist in the United States.

The regulations in § 93.308(a)(2) list regions that the Animal and Plant Health Inspection Service (APHIS) considers affected with AHS and sets forth specific quarantine requirements for horses that are imported from those regions. APHIS requires horses intended for importation from any of the regions listed, including horses that have stopped in or transited those regions, to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days. This precaution is necessary to help ensure that the horses are not affected with AHS.

On April 6, 1999, we published in the **Federal Register** (64 FR 16655-16656, Docket No. 98-055-1) a proposal to amend the regulations concerning the importation of horses to remove Morocco from the list of regions that APHIS considers affected with AHS. The proposed action was based on information received from Morocco and standards set by the Office International des Epizooties (OIE).

We solicited comments concerning our proposal for 60 days ending June 7, 1999. We received two comments by that date. They were from industry representatives. Neither opposed the rule but said that APHIS should have conducted a site visit to verify information submitted by Morocco.

The United States is a signatory to the North American Free Trade Agreement (NAFTA) and the General Agreement on Tariffs and Trade (GATT). Basic to NAFTA and GATT are the provisions to encourage countries to base their sanitary and phytosanitary measures on international standards whenever such standards exist. Animal health measures should be based on OIE standards. Based on the standards set forth by the OIE, a country may be recognized as free of AHS if the disease is mandatorily reportable. In addition, the country must not have vaccinated domestic horses or other equines against the

disease during the past 12 months. The OIE also requires that the country have no clinical, serological (in nonvaccinated animals), or epidemiological evidence of AHS for the past 2 years. Morocco exceeds these requirements. Morocco has not had a case of AHS for over 7 years and has not vaccinated for the disease for 5 years.

In addition to OIE standards, APHIS considers Morocco's horse population, quarantine requirements, disease surveillance system, laboratory capabilities, and geography.

Morocco has approximately 180,000 horses, which are mainly used for transportation, beasts of burden, agricultural work, racing, and breeding. Morocco does not allow the importation of animals from known AHS-positive countries. Animals from AHS-negative countries must be tested twice, once in the country of origin and once during a 10-day quarantine in Morocco. The 10-day quarantine on all imported equines allows monitoring of imported animals for signs of disease. Morocco has 14 border service stations to prevent illegal movement of equines.

Morocco has 6 regional veterinary diagnostic and research laboratories qualified to perform required testing for veterinary certification and disease monitoring. In addition, there is a National Epidemiology and Zoonosis Laboratory, a National Veterinary Drugs Control Laboratory, and BIOPHARMA, a State-owned vaccine production company. Of these nine laboratories, four have facilities for virus isolation and typing. Morocco collaborates with the Community Reference Laboratory for AHS, Algete, Spain; the School of Veterinary Medicine, Maison Alfort, France; and the Institute for Animal Health, Pirbright, United Kingdom, for support and assistance with disease diagnosis. Also, in August 1997, Morocco sent 300 AHS reference sera to APHIS' Foreign Animal Disease Diagnostic Laboratory at Plum Island, NY. Tests of the sera by APHIS confirmed the accuracy of Morocco's laboratory results.

Morocco is surrounded by the Mediterranean Sea to the north, the Atlantic Ocean to the west, Algeria to the east, and Mauritania to the south. Spain, although not immediately adjacent, is separated from Morocco only by the Gibraltar Strait. None of these countries have reported AHS for 3 years or longer.

APHIS also evaluated Morocco's veterinary service infrastructure and its animal health policies and infrastructures for animal disease control. Our review of information submitted by Morocco indicates that

these infrastructures and policies are adequate for disease control.

The commenters also said that information supplied by foreign regions should be made available to the public for review.

Currently, when a region requests permission to export animals and animal products to the United States, the supporting documentation supplied by the region is published by APHIS on the Internet at <http://www.aphis.usda.gov/vs/reg-request.html>. This Internet address can be accessed by the public. To request additional information, the individual listed under **FOR FURTHER INFORMATION CONTACT** may be contacted.

Therefore, for the reasons given in the proposed rule and in this document, we are adopting the proposed rule as a final rule, without change.

Effective Date

This is a substantive rule that relieves restrictions and, pursuant to the provisions of 5 U.S.C. 553, may be made effective less than 30 days after publication in the **Federal Register**. This rule relieves restrictions that require horses imported from Morocco to enter the United States only at the port of New York and be quarantined at the New York Animal Import Center in Newburgh, NY, for at least 60 days. This rule allows horses from Morocco to be shipped to and quarantined at ports designated in § 93.303, and reduces the quarantine period to an average of 3 days to meet the quarantine and testing requirements specified in § 93.308. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this rule should be effective 15 days after the date of publication in the **Federal Register**.

Executive Order 12866 and Regulatory Flexibility Act

This rule has been reviewed under Executive Order 12866. This rule has been determined to be not significant for purposes of Executive Order 12866 and, therefore, has not been reviewed by the Office of Management and Budget.

This rule will recognize Morocco as free of AHS. This action will allow horses from Morocco to be shipped to and quarantined at ports designated in § 93.303 and will reduce the quarantine and testing period to an average of 3 days to meet quarantine requirements specified in § 93.308.

U.S. importers of competition and breeding horses from Morocco will be affected by this rule. These importers will no longer be required to quarantine horses from Morocco for 60 days at the

New York Animal Import Center in Newburgh, NY, at a cost of approximately \$5,296 per horse.

In 1998, the United States imported 41,876 horses, valued at \$206 million; none of these horses were imported into the United States from Morocco. Removing the requirement for a 60-day quarantine for horses from Morocco will make the importation of horses less expensive and logistically easier. As a result, we anticipate that U.S. importers of competition and breeding horses might begin importing horses from Morocco. Since the value of Morocco's exports of purebred horses in 1997 was approximately \$44,000, we do not expect that the number of horses exported to the United States will be significant. Furthermore, most horses imported from Morocco will probably be in the United States on a temporary basis for particular events, such as for races or breeding, and then transported back to Morocco. For these reasons, we anticipate the overall economic effect on U.S. entities will be minimal.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12988

This final rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule: (1) Preempts all State and local laws and regulations that are inconsistent with this rule; (2) has no retroactive effect; and (3) does not require administrative proceedings before parties may file suit in court challenging this rule.

Paperwork Reduction Act

This final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 9 CFR Part 93

Animal diseases, Imports, Livestock, Poultry and poultry products, Quarantine, Reporting and recordkeeping requirements.

Accordingly, we are amending 9 CFR part 93 as follows:

PART 93—IMPORTATION OF CERTAIN ANIMALS, BIRDS, AND POULTRY, AND CERTAIN ANIMAL, BIRD, AND POULTRY PRODUCTS; REQUIREMENTS FOR MEANS OF CONVEYANCE AND SHIPPING CONTAINERS

1. The authority citation for part 93 continues to read as follows:

Authority: 7 U.S.C. 1622; 19 U.S.C. 1306; 21 U.S.C. 102–105, 111, 114a, 134a, 134b, 134c, 134d, 134f, 136, and 136a; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(d).

2. In § 93.308, paragraph (a)(2) is revised to read as follows:

§ 93.308 Quarantine requirements.

(a) * * *

(2) Horses intended for importation from regions APHIS considers to be affected with African horse sickness may enter the United States only at the port of New York, and must be quarantined at the New York Animal Import Center in Newburgh, New York, for at least 60 days. This restriction also applies to horses that have stopped in or transited a region considered affected with African horse sickness. APHIS considers the following regions to be affected with African horse sickness: All the regions on the continent of Africa, except Morocco; Oman; Qatar; Saudi Arabia; and the Yemen Arab Republic.

* * * * *

Done in Washington, DC, this 30th day of August 1999.

Bobby R. Acord,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 99–23010 Filed 9–2–99; 8:45 am]

BILLING CODE 3410–34–U

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

RIN 3150–AG17

List of Approved Spent Fuel Storage Casks: (HI–STAR 100) Addition

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to add the Holtec International HI–STAR 100 cask system to the list of approved spent fuel storage casks. This amendment allows the holders of power reactor operating licenses to store spent fuel in this approved cask system under a general license.

EFFECTIVE DATE: This final rule is effective on October 4, 1999.

FOR FURTHER INFORMATION CONTACT: Stan Turel, telephone (301) 415–6234, e-mail spt@nrc.gov of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION: