adding the words ''the Agency'' in its place.

§ 1980.129 [Amended]

89. Section 1980.129 is amended by:

a. removing the ADMINISTRATIVE section;

b. removing the phrase ''FmHA or its successor agency under Public Law 103–354'' in paragraph (a) and adding the words ''the Agency'' in its place; and

c. revising the introductory text to read as follows:

§ 1980.129 Planning and performing development.

The lender is responsible for seeing that any buildings or other improvements or major land development to be paid for with loan funds are properly completed within a reasonable period of time. The lender is responsible for perfecting the required lien in the security, which includes ensuring that the security property is free of any mechanic's, materialmen's, or other liens which would affect lien priority. All major construction, major repairs, and major land development must be performed by qualified parties under conditions considered standard and prudent by commercial lenders and their financial regulators. Form FmHA 449–11, ''Certificate of Acquisition or Construction,'' must be completed and submitted to the Agency. In connection with construction, the lender is responsible for:

* * * * *

§ 1980.130 [Amended]

90. Section 1980.130 is amended by removing the ADMINISTRATIVE section.

§ 1980.136 [Amended]

91. Section 1980.136 is amended by:

a. removing the phrase ''FmHA or its successor agency under Public Law 103–354'' in paragraphs (a) and (b) and adding the words ''The Agency's'' and ''Agency'' respectively in their place; and

b. by removing the word ''instrument(s)'' in paragraph (d) and adding the word ''instruments'' in its place.

§§ 1980.148, 1980.149 and 1980.153 [Removed and Reserved]

92. In Part 1980 §§ 1980.148, 1980.149, and 1980.153 are removed and reserved.

§ 1980.175 [Amended]

93. Section 1980.175(b) is amended by:

a. removing the phrase ''FmHA or its successor agency under Public Law 103–354'' in the introductory text and adding the word ''Agency'' in its place the first time it appears and to read ''FmHA'' the second time it appears and to read ''Agency'' in paragraph (b)(1)(i);

b. removing the reference to ''§ 1980.106(b)(21)'' in the first sentence of paragraph (b)(1)(i) and adding the reference to ''§ 1980.106(b)'' in its place.

Exhibit A of Subpart B—[Amended]

94. Exhibit A of subpart B is amended by:

a. removing the phrase ''FmHA or its successor agency under Public Law 103–354'' in paragraph III.A and adding the words ''the Agency'' in its place in the next to last sentence and to remove the phrase ''or its successor agency under Public Law 103–354'' everywhere else it appears in that paragraph;

b. removing the phrase ''or its successor agency under Public Law 103–354'' in paragraph III.C; and

c. by revising paragraph IV to read as follows:

IV. *Agency Actions.* The Agency will complete the evaluation described in § 1980.114 in any case where the approval official determines an independent analysis is needed before approval or denial of a request for guarantee. The Agency may request additional information, review the lender's ''complete application'' file or make an independent evaluation of the application, if needed, to determine whether the applicant is eligible, the loan or line of credit is for authorized purposes, there is reasonable assurance of repayment ability, and sufficient collateral and equity is available. The Agency will make the final determinations on the eligibility of applicants for a guaranteed OL loan or line of credit, an SW loan, or FO loan, and the purposes and terms of such loans or lines of credit.

A. [Reserved].

B. [Reserved].

Each approved lender who currently has an Approved Lender Agreement executed prior to January 6, 1988, will be required to execute a new Approved Lender Agreement. If liquidation of the account becomes imminent, the Lender will consider the borrower for Interest Assistance and request a determination of the borrower's eligibility by the Agency. The lender may not initiate foreclosure action on the loan until 60 days after a determination has been made on the borrower's eligibility to participate in the Interest Assistance Program.

* * * * *

Signed at Washington, DC, on July 2, 1996.

Eugene Moos,

Under Secretary for Farm and Foreign Agricultural Services.

Jill Long Thompson,

Under Secretary for Rural Development.

[FR Doc. 96–17266 Filed 7–8–96; 8:45 am]

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DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 214

[INS No. 1765–96]

RIN 1115–AE40

Adding Oakland, California, and Sanford, Florida, to the List of Ports of Entry Accepting Applications for Direct Transit Without Visa

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the Immigration and Naturalization Service (the Service) regulations by adding Oakland, California, and Sanford, Florida, to the list of ports of entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, an alien must make application for admission to the United States for direct transit without visa. This change is necessary to accommodate the increase in international commerce service Oakland, California, and Sanford, Florida.

EFFECTIVE DATE: July 9, 1996.

FOR FURTHER INFORMATION CONTACT: Robert F. Hutnick, Assistant Chief Inspector, Immigration and Naturalization Service, 425 I Street, NW., Room 7228, Washington, DC 20536, telephone number (202) 616–7499.

SUPPLEMENTARY INFORMATION: This final rule adds Oakland, California, and Sanford, Florida, to 8 CFR 214.2(c)(1) as ports of entry where, except for transit from one part of foreign contiguous territory to another part of the same territory, application for direct transit without visa must be made. The Orlando Sanford Airport in Sanford, Florida, will be adding additional international passenger service, specifically arrivals transiting between the United Kingdom and Mexico. By allowing this airport to accept applications for direct transit without visa, the Orlando Sanford Airport will be able to accommodate these transit air

passengers. The Oakland International Airport has added international passenger service between France and Tahiti. By allowing this airport to accept applications for direct transit without visa, Oakland International Airport will be able to accommodate these transit air passengers.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary as this rule relates to agency management. Since this rule pertains to agency ''practice and procedures'' it does not require Congressional review necessitated by 5 U.S.C. § 801.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely allows the Oakland, California, and the Sanford, Florida, airports to accommodate international passengers by providing authority to accept applications for direct transit without visa. This rule will facilitate travel for the public.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

The regulation proposed herein will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 8 CFR Part 214

Administrative practice and procedure, Aliens, Passports and visas.

Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 214—NONIMMIGRANT CLASSES

1. The authority citation for part 214 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1184, 1186a, 1187,1221, 1281, 1282; 8 CFR part 2.

§ 214.2 [Amended]

2. In § 214.2, paragraph (c)(1) is amended, in the fourth sentence, by adding ''Oakland, CA,'' immediately after ''Norfolk, VA,'' and ''Sanford, FL,'' immediately after ''San Diego, CA,'' to the listing of ports of entry authorized to accept direct transit without visa applications.

Dated: June 25, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96–17264 Filed 7–8–96; 8:45 am]

BILLING CODE 4410–10–M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 53

RIN 3150–AF47

Removal of 10 CFR Part 53—Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to remove provisions concerning the ''Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity'' from the Code of Federal Regulations. This Part of the Commission's regulations is no longer applicable because the statutory timeframe for its implementation has expired.

DATE: This final rule is effective on August 8, 1996.

FOR FURTHER INFORMATION CONTACT: Gordon Gundersen, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–6195.

SUPPLEMENTARY INFORMATION:

Background

10 CFR Part 53 established procedures for nuclear power plant owners to follow for obtaining a determination from the NRC that the plant can not provide adequate spent nuclear fuel storage capacity. The regulations in this part established procedures and criteria for making the determination required by section 135(b) of the Nuclear Waste Policy Act of 1982 (96 Stat. 2201 and 2233) that an owner or operator of a civilian nuclear power reactor could not reasonably provide adequate spent nuclear fuel storage capacity at the reactor site, or at any other reactor it operates, when needed to ensure the continued orderly operation of the reactor. These regulations also required that the owner or operator diligently pursue licensed alternatives to the use of Federal storage capacity for the storage of spent nuclear fuel expected to be generated in the future.

Civilian nuclear power reactor operators who wanted the Commission to make a determination under 10 CFR Part 53 had to file a request by June 30, 1989. The Commission was to process the request and make a determination before January 1, 1990. Section 53.11(b) placed a time limitation of June 30, 1989 (with an outside date of January 1, 1990 for special circumstances), on the filing of requests for a Commission determination on the adequacy of available spent fuel storage capacity. This was based on the January 1, 1990, limitation in Section 136(a) of the Nuclear Waste Policy Act on the ability of Department of Energy to enter into contracts for the interim storage of spent fuel based on a Commission determination. These dates have long passed and this Part of the Commission's regulations is no longer applicable because the statutory timeframe for its implementation has expired.

The storage of spent nuclear fuel at NRC licensed nuclear power plants is not affected by removing 10 CFR Part 53 because 10 CFR Part 50 provides the regulatory basis for licensing both wet and dry modes of spent fuel storage at nuclear power reactors. 10 CFR Part 72 provides the regulatory basis for licensing spent nuclear fuel storage in Independent Spent Fuel Storage Installations or Monitored Retrievable Storage Installations. These regulations are not affected by the removal of 10 CFR Part 53.

In accordance with 10 CFR 2.804(d)(2) of the Commission's regulations, the Commission is issuing a final rule withdrawing 10 CFR Part 53, rather than using the normal notice and comment process for agency rulemakings. In this case, the Commission finds that there is good cause to dispense with notice and public comment as unnecessary. As noted above, the statutory time period within which Federal interim storage under this rule could be implemented has long passed, and the Commission has no discretion to entertain any requests for Federal interim storage under this rule. Furthermore, little interest has been shown in the interim