

4. Section 71.53 is revised to read as follows:

§ 71.53 Fissile material exemptions.

Fissile materials meeting the requirements of one of the paragraphs in

(a) through (d) of this section are exempt from fissile material classification and from the fissile material package standards of §§ 71.55 and 71.59, but are subject to all other requirements of this part. These exemptions apply only

when beryllium, graphite, or hydrogenous material enriched in deuterium is not present in quantities exceeding 0.1 percent of the fissile material mass.

(a) Fissile material such that

$$\frac{\text{grams of uranium} - 235}{X} + \frac{\text{grams of other fissile material}}{Y} \leq 1$$

for an individual consignment, where X and Y are the mass limits defined in table following paragraph (a)(3) of this section, provided that:

(1) Each package contains no more than 15 g of fissile material. For unpackaged material the mass limit of 15g applies to the conveyance; or

(2) The fissile material consists of a homogeneous hydrogenous solution or mixture where the minimum ratio of hydrogen atoms to fissile radionuclide atoms (H/X) is 5200 and the maximum concentration of fissile radionuclides within a package is 5 g/liter; or

(3) There is no more than 5g of fissile material in any 10 liter volume of material and the material is packaged so as to maintain this limit of fissile radionuclide concentration during normal transport.

THE REQUIREMENTS FOR PACKAGES CONTAINING FISSILE MATERIAL

Fissile material	Fissile material mass (g) mixed with substances having an average hydrogen density less than or equal to water	Fissile material mass (g) mixed with substances having an average hydrogen density greater than water
Uranium-235(X)	400	290
1Other fissile material(Y)	250	180

(b) Uranium enriched in uranium-235 to a maximum of 1 percent by weight, and with total plutonium and uranium-233 content of up to 1 percent of the mass of uranium-235, provided that the fissile material is distributed homogeneously throughout the package contents and does not form a lattice arrangement within the package.

(c) Liquid solutions of uranyl nitrate enriched in uranium-235 to a maximum of 2 percent by weight, with a total plutonium and uranium-233 content not exceeding 0.1 percent of the mass of uranium-235, and with a minimum nitrogen to uranium atomic ratio (N/U) of 2.

(d) Plutonium, less than 1 kg, of which not more than 20 percent by mass may consist of plutonium-239, plutonium-241, or any combination of these radionuclides.

Dated at Rockville, Maryland, this 4th day of February, 1997.

For the Nuclear Regulatory Commission.

John C. Hoyle,

Secretary of the Commission.

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DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 157

[Docket No. RM81-19-000]

Project Cost and Annual Limits

Issued February 4, 1997.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule.

SUMMARY: Pursuant to the authority delegated by 18 CFR 375.307(e)(1), the Director of the Office of Pipeline Regulation computes and publishes the project cost and annual limits specified in Table I of § 157.208(d) and Table II of § 157.215(a) for each calendar year.

EFFECTIVE DATE: January 1, 1997.

FOR FURTHER INFORMATION CONTACT: Michael J. McGehee, Division of Pipeline Certificates, OPR (202) 208-2257.

SUPPLEMENTARY INFORMATION:

Publication of Project Cost Limits Under Blanket Certificates; Order of the Director, OPR

Section 157.208(d) of the Commission's Regulations provides for project cost limits applicable to construction, acquisition, operation and miscellaneous rearrangement of facilities (Table I) authorized under the blanket certificate procedure (Order No. 234, 19 FERC ¶ 61,216). Section 157.215(a) specifies the calendar year dollar limit which may be expended on underground storage testing and development (Table II) authorized under the blanket certificate. Section 157.208(d) requires that the "limits specified in Tables I and II shall be adjusted each calendar year to reflect the 'GNP implicit price deflator' published by the Department of Commerce for the previous calendar year."

Pursuant to § 375.307(e)(1) of the Commission's Regulations, the authority for the publication of such cost limits, as adjusted as inflation, is delegated to the Director of the Office of Pipeline Regulation. The cost limits for calendar years 1982 through 1997, as published in Table I of § 157.208(d) and Table II of § 157.215(a), are hereby issued.

Note that these inflation adjustments are based on the Gross Domestic Product (GDP) Implicit Price Deflator, rather than the Gross National Product (GNP) Implicit Price Deflator, which is not yet available for 1996. The Commerce Department advises that in recent years the annual change has been virtually the same for both indices. Further adjustments will be made, if necessary.

List of Subjects in 18 CFR Part 157

Natural gas.
Kevin P. Madden,
Director, Office of Pipeline Regulation.

Accordingly, 18 CFR Part 157 is amended as follows:

PART 157—[AMENDED]

1. The authority citation for part 157 continues to read as follows:

Authority: 15 U.S.C. 717-717w, 3301-3432; 42 U.S.C. 7101-7352.

§ 157.208 [Amended]

2. Table I in § 157.208(d) is revised to read as follows:

§ 157.208 Construction, acquisition, operation, and miscellaneous rearrangement of facilities.

* * * * *

(d) * * *

TABLE I

Year	Limit	
	Auto. proj. cost limit (col. 1)	Prior notice proj. cost limit (col. 2)
1982	\$4,200,000	\$12,000,000
1983	4,500,000	12,800,000
1984	4,700,000	13,300,000
1985	4,900,000	13,800,000
1986	5,100,000	14,300,000
1987	5,200,000	14,700,000
1988	5,400,000	15,100,000
1989	5,600,000	15,600,000
1990	5,800,000	16,000,000
1991	6,000,000	16,700,000
1992	6,200,000	17,300,000
1993	6,400,000	17,700,000
1994	6,600,000	18,100,000
1995	6,700,000	18,400,000
1996	6,900,000	18,800,000
1997	7,000,000	19,200,000

* * * * *

§ 157.215 [Amended]

3. Table II in § 157.215(a) is revised to read as follows:

§ 157.215 Underground storage testing and development.

(a) * * *

TABLE II

Year	Limit
1982	\$2,700,000
1983	2,900,000
1984	3,000,000
1985	3,100,000
1986	3,200,000
1987	3,300,000
1988	3,400,000
1989	3,500,000
1990	3,600,000
1991	3,800,000
1992	3,900,000
1993	4,000,000
1994	4,100,000
1995	4,200,000
1996	4,300,000
1997	4,400,000

* * * * *

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Parts 1309, 1310, and 1313

[DEA Number 154I]

RIN 1117-AA42

Comprehensive Methamphetamine Control Act of 1996; Possession of List I Chemicals, Definitions, Record Retention, and Temporary Exemption From Chemical Registration for Distributors of Combination Ephedrine Products

AGENCY: Drug Enforcement Administration (DEA), Justice.

ACTION: Interim rule with request for comments.

SUMMARY: DEA is amending its regulations to incorporate certain amendments of the Controlled Substances Act (CSA) made by the Comprehensive Methamphetamine Control Act of 1996 (MCA) and to provide temporary exemption from registration for persons who distribute combination ephedrine drug products. The MCA amends the CSA with respect to: possession of listed chemicals following suspension or revocation of registration; the record retention requirements for List I chemical transactions; certain definitions; and establishes the requirement that, effective October 3, 1996, persons that distribute combination ephedrine products shall be subject to the chemical registration requirement. To avoid interruption in the legitimate distribution of combination ephedrine products, DEA is amending its

regulations to provide certain temporary exemptions from the registration requirement pending promulgation of final regulations.

DATES: Effective February 10, 1997. Written comments or objections must be submitted on or before April 11, 1997.

ADDRESSES: Comments and objections should be submitted in quintuplicate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537, Attention: DEA Federal Register Representative/CCR.

FOR FURTHER INFORMATION CONTACT: G. Thomas Gitchel, Chief, Liaison and Policy Section, Office of Diversion Control, Drug Enforcement Administration, Washington, D.C. 20537, Telephone (202) 307-7297.

SUPPLEMENTARY INFORMATION: The Comprehensive Methamphetamine Control Act of 1996 was enacted on October 3, 1996. Among its provisions, the MCA contained revisions of the Controlled Substances Act (CSA) with respect to possession of listed chemicals following revocation or suspension of registration, the record retention requirements for transactions involving List I chemicals and tableting or encapsulating machines, and definitions, of "regulated transaction", "retail distributor", and "combination ephedrine product". To accommodate the amendments made by the MCA, DEA is making the following changes to Title 21, Code of Federal Regulations (CFR):

21 CFR 1309.43 Suspension or Revocation of Registration

The MCA amends Section 404 of the CSA (21 U.S.C. 844) to make it unlawful for any person to knowingly or intentionally possess any list I chemical obtained under the authority of a registration or an exemption from registration granted by the Administrator by regulation, if that registration or exemption has been revoked or suspended. The revised language also makes it illegal to possess list I chemicals obtained under the authority of a registration or an exemption granted by regulation by the Administrator, if the registration has expired or if the registrant has ceased to do business as originally intended under that registration.

To reflect the amendments in the law, DEA is revising 21 CFR 1309.43, to include seizure and forfeiture instructions. Persons whose registrations or exemptions have been revoked or suspended shall be required, upon service of the notice of revocation or suspension, to surrender all List I