

aggregating more than three-eighths inch in length, or when affecting the shape to the extent that the fruit is badly misshapen;

(f) Drought spots or external gum spots which have an aggregate area exceeding that of a circle one-half inch in diameter;

(g) Scars, including those caused by hail, when the surface of the fruit is depressed more than three-sixteenths inch, or when exceeding any of the following aggregate areas, or a combination of two or more types of scars the seriousness of which exceeds the maximum allowed for any one type:

(1) Dark or rough scars when the area exceeds that of a circle three-fourths inch in diameter on a fruit 2 inches in diameter or smaller; or when the area exceeds that of a circle one inch in diameter on fruit larger than 2 inches in diameter;

(2) Scars which are not dark or rough when the area exceeds one-fourth of the fruit surface;

(h) Russeting which exceeds any of the following aggregate areas of any one type of russeting, or a combination of two or more types of russeting the seriousness of which exceeds the maximum allowed for any one type:

(1) Rough or slightly rough russeting when the area exceeds 10 percent of the fruit surface; or

(2) Fairly smooth or smooth russeting when the area exceeds 50 percent of the fruit surface: *Provided*, That discoloration occurring as yellow to brown staining of the skin shall not be considered russeting and shall be considered as causing serious damage only when seriously detracting from the appearance of the nectarine, and that speckling characteristic of certain varieties shall not be considered as russeting or discoloration.

- (i) Soft or overripe nectarines;
- (j) Nectarines affected by decay;
- (k) Unhealed broken skins except those associated with growth cracks; and,

(l) Wormy fruit or worm holes.

**Metric Conversion Table**

**§ 51.3160 Metric conversion table.**

Inches	Millimeters (mm)
1/8 equals .....	3.2
1/4 equals .....	6.4
3/8 equals .....	9.5
1/2 equals .....	12.7
5/8 equals .....	15.9
3/4 equals .....	19.1
7/8 equals .....	22.2
1 equals .....	25.4
1-1/4 equals .....	31.8
1-1/2 equals .....	38.1

Inches	Millimeters (mm)
1-3/4 equals .....	44.5
2 equals .....	50.8
3 equals .....	76.2
4 equals .....	101.6

Dated: February 20, 2004.

**A. J. Yates,**  
*Administrator, Agricultural Marketing Service.*  
 [FR Doc. 04-4221 Filed 2-26-04; 8:45 am]  
**BILLING CODE 3410-02-P**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 72**

[RIN 3150-AH20]

**List of Approved Spent Fuel Storage Casks: Standardized NUHOMS® -24P, -52B, -61BT, -32PT, and -24PHB Revision, Confirmation of Effective Date**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule: Confirmation of effective date.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is confirming the effective date of March 2, 2004, for the direct final rule that was published in the **Federal Register** on December 18, 2003. This direct final rule amended the NRC's regulations to revise the Transnuclear, Inc., Standardized NUHOMS® Horizontal Modular Storage System (Standardized NUHOMS® System) listing within the "List of approved spent fuel storage casks" to include Amendment No. 7 in Certificate of Compliance (CoC) Number 1004.

**EFFECTIVE DATE:** The effective date of March 2, 2004, is confirmed for this direct final rule.

**ADDRESSES:** Documents related to this rulemaking, including comments received, may be examined at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. These same documents may also be viewed and downloaded electronically via the rulemaking Web site (<http://ruleforum.llnl.gov>). For information about the interactive rulemaking Web site, contact Ms. Carol Gallagher (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6219, e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On December 18, 2003 (68 FR 70423), the NRC published a direct final rule amending its regulations in 10 CFR part 72 to revise the Standardized NUHOMS® System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 7 to CoC No. 1004. This amendment incorporates changes in support of the Amergen Corporation plans to load damaged fuel and additional fuel types at its Oyster Creek Nuclear Station. Specifically, the amendment adds damaged Boiling Water Reactor spent fuel assemblies and additional fuel types to the authorized contents of the NUHOMS®-61BT Dry Shielded Canister under a general license. In addition, the amendment includes three minor changes to the Technical Specifications to correct inconsistencies and remove irrelevant references. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on March 2, 2004. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 23rd day of February, 2004.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**  
*Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 04-4342 Filed 2-26-04; 8:45 am]

**BILLING CODE 7590-01-P**

**NATIONAL CREDIT UNION ADMINISTRATION**

**12 CFR Parts 701 and 790**

**Organization and Operations of Federal Credit Unions; Description of NCUA**

**AGENCY:** National Credit Union Administration (NCUA).

**ACTION:** Final rule.

**SUMMARY:** The National Credit Union Administration (NCUA) Board decided to restructure NCUA's regions, effective January 1, 2004, due to economic and operational factors. The final rule amends the NCUA's regulations to reflect the resulting elimination of one office and the relocation of another office. The final rule also amends the office description of NCUA's Executive Director to include the delegated responsibility of being the NCUA's Director of Equal Employment Opportunity (EEO).

**EFFECTIVE DATE:** January 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** Regina Metz, Staff Attorney, Division of Operations, Office of General Counsel, (703) 518-6540, National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428.

**SUPPLEMENTARY INFORMATION:** The NCUA Board is amending parts 701 and 790 of its regulations, to conform them to the restructuring of NCUA's regional office locations. 12 CFR parts 701, 790. The NCUA is transitioning from six regional offices to five, and relocating its California office to Arizona. The new regional structure is effective January 1, 2004, but we note that the Lisle, Illinois office will remain open until April 3, 2004. In part 701, the office addresses are found in Appendix C to NCUA's Interpretive Ruling and Policy Statement (IRPS) 03-1.

The Board is also amending part 790 to reflect that, while the NCUA Board has ultimate responsibility for all equal employment opportunity programs within NCUA, the Board has delegated responsibility to NCUA's Executive Director to be Director of EEO.

### Regulatory Procedures

#### *Final Rule Under the Administrative Procedure Act*

The revisions made to this part are not subject to the notice and comment provisions of the Administrative Procedure Act (APA), 5 U.S.C. 551 *et seq.* The final rule revisions relate only to matters relating to agency management and personnel, topics exempt from APA requirements. 5 U.S.C. 553(a)(2).

#### *Effective Date*

NCUA also finds good cause to dispense with the 30-day delayed effective date requirement under the APA. 5 U.S.C. 553(d)(3). The rule relates only to internal agency operations. The rule will, therefore, be effective on the day the new regional structure is effective, January 1, 2004.

#### *Regulatory Flexibility Act*

An initial regulatory flexibility analysis under the Regulatory Flexibility Act is required only when an agency is required to publish a general notice of proposed rulemaking for any proposed rule. 5 U.S.C. 603. As noted previously, NCUA has determined that it is unnecessary to publish a notice of proposed rulemaking for this rule. Accordingly, an initial regulatory analysis is not required. Moreover, since this final rule imposes no new requirements and makes only housekeeping amendments, NCUA has

determined and certifies that this rule will not have any significant economic impact on a substantial number of small credit unions (primarily those under \$10 million in assets).

#### *Small Business Regulatory Enforcement Fairness Act*

Title II of the Small Business Regulatory Enforcement Fairness Act (SBREFA) of 1996 (Pub. L. 104-121) provides, generally, for congressional review of agency rules. A reporting requirement is triggered in instances where NCUA issues a final rule as defined by section 551 of the APA. 5 U.S.C. 551. The Office of Management and Budget has reviewed this rule and has determined that for purposes of the Small Business Regulatory Enforcement Fairness Act of 1996 it is not a major rule.

#### *Paperwork Reduction Act*

NCUA has determined that the final rule does not increase paperwork requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) and regulations of the Office of Management and Budget.

#### *Executive Order 13132 Statement*

Executive Order 13132 encourages independent regulatory agencies to consider the impact of their regulatory actions on State and local interests. In adherence to fundamental federalism principles, NCUA, an independent regulatory agency as defined in 44 U.S.C. 3502(5), voluntarily complies with the Executive Order. NCUA has determined that this final rule does not constitute a policy that has federalism implications for purposes of the Executive Order.

#### *The Treasury and General Government Appropriations Act, 1999—Assessment of Federal Regulations and Policies on Families*

The NCUA has determined that this final rule will not affect family well-being within the meaning of section 654 of the Treasury and General Government Appropriations Act, 1999, Pub. L. 105-277, 112 Stat. 2681 (1998).

### List of Subjects in 12 CFR Parts 701 and 790

Credit unions.

By the National Credit Union Administration Board on February 20, 2004.

**Becky Baker,**

*Secretary of the Board.*

■ For the reasons stated in the preamble, NCUA amends 12 CFR chapter VII as set forth below:

### PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

■ 1. The authority citation for part 701 continues to read as follows:

**Authority:** 12 U.S.C. 1752(5), 1755, 1756, 1757, 1759, 1761a, 1761b, 1766, 1767, 1782, 1784, 1787, 1789.

Section 701.6 is also authorized by 15 U.S.C. 3717.

Section 701.31 is also authorized by 15 U.S.C. 1601, *et seq.*, 42 U.S.C. 1981 and 3601-3610.

Section 701.35 is also authorized by 12 U.S.C. 4311-4312.

**Note:** The text of the Interpretive Ruling and Policy Statement (IRPS 03-1) does not appear in the Code of Federal Regulations.

#### § 701.1 [Amended]

■ 2. In IRPS 03-1 (68 FR 18340, April 15, 2003), Appendix C is revised to read as follows:

#### Appendix C.—NCUA Offices

##### *Central Office*

1775 Duke Street  
Alexandria, VA 22314-3428  
Commercial: 703-518-6300

##### *Region I—Albany*

9 Washington Square  
Washington Avenue Extension  
Albany, NY 12205-5512  
Commercial: 518-862-7400  
FAX: 518-862-7420

Connecticut	Maine
Massachusetts	Michigan
New Hampshire	New York
Rhode Island	Vermont

##### *Region II—Capital*

1775 Duke Street, Suite 4206  
Alexandria, VA 22314-3437  
Commercial: 703-519-4600  
FAX: 703-519-4620

Delaware	District of Columbia
Maryland	New Jersey
Pennsylvania	Virginia
West Virginia	

##### *Region III—Atlanta*

7000 Central Parkway, Suite 1600  
Atlanta, GA 30328-4598  
Commercial: 678-443-3000  
FAX: 678-443-3020

Alabama	Florida
Georgia	Indiana
Kentucky	Mississippi
North Carolina	Ohio
Puerto Rico	South Carolina
Tennessee	Virgin Islands

##### *Region IV—Austin*

4807 Spicewood Springs Road, Suite 5200  
Austin, TX 78759-8490  
Commercial: 512-342-5600  
FAX: 512-342-5620

Arkansas	Illinois
Iowa	Kansas
Louisiana	Minnesota

Missouri  
North Dakota  
South Dakota  
Wisconsin

Nebraska  
Oklahoma  
Texas

*Region V—Tempe*

1230 W. Washington Street, Suite 301  
Tempe, AZ 85281

Commercial: 602-302-6000  
FAX: 602-302-6024

Alaska  
American Samoa  
Colorado  
Hawaii  
Montana  
New Mexico  
Utah  
Wyoming

Arizona  
California  
Guam  
Idaho  
Nevada  
Oregon  
Washington

**PART 790—DESCRIPTION OF NCUA; REQUESTS FOR AGENCY ACTION**

■ 3. The authority citation for part 790 continues to read as follows:

**Authority:** 12 U.S.C. 1766, 1789, 1795f.

■ 4. Amend § 790.2 as follows:

- a. Revise paragraph (a);
- b. Add a new sentence at the end of paragraph (b)(6); and
- c. Revise paragraph (c)(1).

**§ 790.2 Central and Regional Office Organization.**

(a) *General organization.* NCUA is composed of the Board with a Central

Office in Alexandria, Virginia, five Regional Offices, the Asset Management and Assistance Center, the Community Development Revolving Loan Program, and the NCUA Central Liquidity Facility (CLF).

(b) \* \* \*

(6) \* \* \* The Executive Director also serves as the agency's Director of Equal Employment Opportunity (EEO).

\* \* \* \* \*

(c) *Regional Offices.*

(1) NCUA's programs are conducted through five Regional Offices:

Region No.	Area within region	Office address
I .....	Connecticut, Maine, Massachusetts, Michigan, New Hampshire, Michigan, New Hampshire, New York, Rhode Island, Vermont.	9 Washington Square, Washington Avenue Extension, Albany, NY 12205-5512.
II .....	Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia.	1775 Duke Street, Suite 4206, Alexandria, VA 22314-3437.
III .....	Alabama, Florida, Georgia, Indiana, Kentucky, Mississippi, North Carolina, Ohio, Puerto Rico, South Carolina, Tennessee, Virgin Islands.	7000 Central Parkway, Suite 1600, Atlanta, GA 30328-4598.
IV .....	Arkansas, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin.	4807 Spicewood Springs Road, Suite 5200, Austin, TX 78759-8490.
V .....	Alaska, Arizona, American Samoa, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.	1230 W. Washington Street, Suite 301, Tempe, AZ 85281.

\* \* \* \* \*

[FR Doc. 04-4314 Filed 2-26-04; 8:45 am]

BILLING CODE 7533-01-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. 2003-SW-56-AD; Amendment 39-13495; AD 2004-01-51]

RIN 2120-AA64

**Airworthiness Directives; Eurocopter France Model AS355E, F, F1, F2, and N Helicopters**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This document publishes in the **Federal Register** an amendment adopting Airworthiness Directive (AD) 2004-01-51, which was sent previously to all known U.S. owners and operators of the specified Eurocopter France (Eurocopter) model helicopters by individual letters. This AD requires, before further flight, for helicopters with less than 10 hours time-in-service (TIS)

since installing a main or combiner gearbox received from Eurocopter Marignane, France, replacing these affected gearboxes with appropriate airworthy gearboxes received from another source. This action is prompted by a report of a free wheel unit slipping during the single engine phase of an acceptance flight that resulted in an engine overspeed and an engine shutdown. The actions specified by this AD are intended to prevent engine overspeed, an engine shut-down, and subsequent loss of control of the helicopter.

**DATES:** Effective March 15, 2004, to all persons except those persons to whom it was made immediately effective by Emergency AD 2004-01-51, issued on January 8, 2004, which contained the requirements of this amendment.

Comments for inclusion in the Rules Docket must be received on or before April 27, 2004.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Office of the Regional Counsel, Southwest Region, Attention: Rules Docket No. 2003-SW-56-AD, 2601 Meacham Blvd., Room 663, Fort Worth, Texas 76137. You may also send comments electronically to

the Rules Docket at the following address: [9-asw-adcomments@faa.gov](mailto:9-asw-adcomments@faa.gov).

**FOR FURTHER INFORMATION CONTACT:** Uday Garadi, Aviation Safety Engineer, FAA, Rotorcraft Directorate, Regulations and Guidance Group, Fort Worth, Texas 76193-0110, telephone (817) 222-5123, fax (817) 222-5961.

**SUPPLEMENTARY INFORMATION:** On January 8, 2004, the FAA issued Emergency AD 2004-01-51 for the specified model helicopters with less than 10 hours TIS since installing a main or combiner gearbox received from the Eurocopter Marignane, France, works. The emergency AD requires, before further flight, replacing any of these affected gearboxes with appropriate airworthy gearboxes received from another source. This is an interim action pending the results of an ongoing investigation. That action was prompted by a report of a main gearbox free-wheel unit slipping, resulting in an engine overspeed and shut-down, which occurred during the single-engine phase of an acceptance flight. This condition, if not corrected, could result in an engine overspeed, an engine shut-down, and subsequent loss of control of the helicopter.

The FAA has reviewed Eurocopter Alert Telex No. 63.00.21 R1, dated