

practicable, the costs of the services rendered. This rule will amend the schedule for fees for inspection services rendered to the processed fruit and vegetable industry to reflect the costs necessary to operate the program.

AMS regularly reviews its user fee programs to determine if the fees are adequate. While AMS continues to pursue opportunities to reduce its costs, the existing fee schedule will not generate sufficient revenues to cover lot, year round, and less than year round inspection program costs while maintaining an adequate reserve balance.

Based on the Agency's analysis of increasing program costs, AMS will increase the fees relating to lot, year round, and less than year round inspection services.

AMS projects that program costs will increase to approximately \$14.4 million in FY 2004 and \$14.9 million in FY 2005, primarily from increases in employee salaries and benefits. An estimated 3.4 percent pay increase for employees effective January 2004 and January 2005 will increase program costs approximately \$375,000 in FY 2004 and approximately \$390,000 in FY 2005. Without a fee increase, the FY 2004 and FY 2005 end-of-year reserve balances will decline from \$4.3 million to \$3.6 million (3.0 months reserve), and \$2.4 million (1.9 months reserve), respectively. The required 4 month level should be approximately \$5.0 million. The final fee increase ranging from 8 to 11 percent will increase revenue by \$1.3 million per year and will enable AMS to replenish program reserves to a 4 month level, approximately \$5.0 million, for both FYs 2004 and 2005.

For inspection services charged under § 52.42, overtime and holiday work will continue to be charged as provided in that section.

For inspection services charged on a contract basis under § 52.51 overtime work will also continue to be charged as provided in that section. The following fee schedule compares current fees and charges with final fees and charges for processed fruit and vegetable inspection as found in 7 CFR §§ 52.42–52.51. Unless otherwise provided for by regulation or written agreement between the applicant and the Administrator, the charges in the schedule of fees as found in § 52.42 are:

Current	Final
\$47.00/hr.	\$52.00/hr.

Charges for travel and other expenses as found in § 52.50 are:

Current	Final
\$47.00/hr.	\$52.00/hr.

Charges for year-round in-plant inspection services on a contract basis as found in § 52.51(c) are:

(1) For inspector assigned on a year-round basis:

Current	Final
\$36.00/hr.	\$39.00/hr.

(2) For inspector assigned on less than a year-round basis: Each inspector:

Current	Final
\$48.00/hr.	\$52.00/hr.

Charges for less than year-round in-plant inspection services (four or more consecutive 40 hour weeks) on a contract basis as found in § 52.51(d) are:

(1) Each inspector:

Current	Final
\$48.00/hr.	\$52.00/hr.

It is preferable to have the fee increase to be in place at the beginning of the fiscal year, October 1, 2003, which is also the beginning of a billing cycle. Further, a thirty day comment period was provided for interested persons to comment on this proposed action. No comments were received regarding this proposed rule.

**List of Subjects in 7 CFR Part 52**

Food grades and standards, Food labeling, Frozen foods, Fruit juices, Fruits, Reporting and recordkeeping requirements, and Vegetables.

■ For the reasons set forth in the preamble, 7 CFR part 52 is amended as follows:

**PART 52—[AMENDED]**

Pursuant to 5 U.S.C. 553, it is found and determined that good cause exists for not postponing the effective date of this action until 30 days after publication in the **Federal Register**.

■ 1. The authority citation for part 52 continues to read as follows:

**Authority:** 7 U.S.C. 1621–1627.

**§ 52.42 [Amended]**

■ 2. In § 52.42, the figure “\$47.00” is revised to read “\$52.00”.

**§ 52.50 [Amended]**

■ 3. In § 52.50, the figure “\$47.00” is revised to read “\$52.00”.

**§ 52.51 [Amended]**

■ 4. In § 52.51, paragraph (c)(1), the figure “\$36.00” is revised to read “\$39.00”, in paragraph (c)(2), the figure “\$48.00” is revised to read “\$52.00”, and in paragraph (d)(1), the figure “\$48.00” is revised to read “\$52.00”.

Dated: October 27, 2003.

**A.J. Yates,**

*Administrator, Agricultural Marketing Service.*

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**DEPARTMENT OF AGRICULTURE**

**Farm Service Agency**

**Rural Housing Service**

**Rural Business-Cooperative Service**

**Rural Utilities Service**

**7 CFR Part 1910**

**Implementation of Low-Documentation Direct Operating Loan (Lo-Doc) Regulations**

*CFR Correction*

In Title 7 of the Code of Federal Regulations, Parts 1900 to 1939, revised as of January 1, 2003, in § 1910.4, redesignate the second paragraph (i) as paragraph (j).

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**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 72**

**RIN 3150–AH26**

**List of Approved Spent Fuel Storage Casks: Standardized NUHOMS®–24P, –52B, and –61BT Revision; Withdrawal of Direct Final Rule**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; withdrawal.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is withdrawing a direct final rule that would have revised the Transnuclear, Inc. (TN) Standardized NUHOMS®–24P, –52B, and –61BT cask system listing within the “List of Approved Spent Fuel Storage Casks” to include Amendment No. 5 to the Certificate of Compliance. The NRC is taking this action because it has received significant adverse comments in response to an identical