

and to be used for its radioactive properties, but is not incorporated into any manufactured or assembled commodity, product, or device intended for commercial distribution; and

(6) The applicant submits copies of prototype labels and brochures and the NRC approves these labels and brochures.

(b) Nothing in this section relieves the licensee from complying with applicable FDA, other Federal, and State requirements governing drugs.

7. A new § 32.21a is added to read as follows:

**§ 32.21a Same: Conditions of license.**

Each license issued under § 32.21 is subject to the following conditions:

(a) The immediate container of the capsule(s) must bear a durable, legible label which:

(1) Identifies the radioisotope, the physical and chemical form, the quantity of radioactivity of each capsule at a specific date; and

(2) Bears the words "Radioactive Material."

(b) In addition to the labeling information required by paragraph (a) of this section, the label affixed to the immediate container, or an accompanying brochure also must:

(1) State that the contents are exempt from NRC or Agreement State licensing requirements; and

(2) Bear the words "Radioactive Material. For 'In Vivo' Diagnostic Use Only. This Material Is Not To Be Used for Research Involving Human Subjects and Must Not Be Introduced into Foods, Beverages, Cosmetics, or Other Drugs or Medicinals, or into Products Manufactured for Commercial Distribution."

Dated at Rockville, Maryland this 10th day of June, 1997.

For the Nuclear Regulatory Commission.

**John C. Hoyle,**

*Secretary of the Commission.*

[FR Doc. 97-15697 Filed 6-13-97; 8:45 am]

BILLING CODE 7590-01-P

**DEPARTMENT OF STATE**

**Bureau of Consular Affairs**

**22 CFR Part 22**

[Public Notice 2555]

**Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates, Diversity Lottery Fee**

**AGENCY:** Bureau of Consular Affairs, State.

**ACTION:** Proposed rule.

**SUMMARY:** On September 30, 1996, the Immigration and Nationality Act (INA) was amended by section 636 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, (IIRIRA) to authorize the collection of a fee for administering the diversity immigrant visa lottery. The Department is, therefore, amending their regulations accordingly by instituting a \$75.00 fee, in the nature of a surcharge, to be paid by applicants issued diversity immigrant visas. Collection of the fee would commence as of October 1, 1997.

**DATES:** Written comments should be received by July 16, 1997. The anticipated effective date of the final rule is October 1, 1997.

**ADDRESSES:** Interested persons are invited to submit comments to: Office of the Executive Director, Bureau of Consular Affairs, Room 4820A, Department of State, Washington, D.C. 20520.

**FOR FURTHER INFORMATION CONTACT:** Sally Light, Office of the Executive Director, Bureau of Consular Affairs, telephone (202) 647-1148; telefax (202) 647-3677.

**SUPPLEMENTARY INFORMATION:** The Department is instituting a new fee, in the nature of a surcharge, to be paid by applicants for diversity immigrant visas. This additional fee will recover the full costs of the visa lottery conducted pursuant to INA 203 and 222, 8 U.S.C. 1153, 1202, from those successful lottery entrants who actually apply for diversity visas. The fee was authorized by section 636 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub. L. 104-208, 110 Stat. 3009-703-704 (Sept. 30, 1996). A single fee imposed on actual diversity visa applicants will ensure that the costs of administering the lottery and allocating diversity visas are recovered from actual users of the lottery, while avoiding the impracticable imposition of a fee on all visa lottery entrants (technically, visa "petitioners"). The imposition of a fee on all entrants rather than actual applicants is not feasible, given the millions of entrants, the problems of collecting a uniform fee from individuals all over the world (who will have varying access to U.S. or other international currency), and the burden of having to collect and account for what would be a very small fee from a large number of persons. Roughly seven million entrants have entered the 1998 diversity lottery. Approximately 100,000 of those will be invited to apply for a visa, and of those, approximately 87,000 will apply and pay the fee. The

Department's projected cost to administer the 1998 diversity lottery is about \$6,500,000, which will be covered by the diversity visa surcharge of \$75.00

Provision has already been made in the visa regulations (22 CFR 42.33(i)) governing the diversity visa lottery for a fee of this nature. (See 61 FR 1523.) Thus no regulatory amendments other than an addition of the Schedule of Fees for Consular Services published at 22 CFR 22.1 are required to establish this fee. The new fee is being added as item number 19 on the Schedule of Fees. This will locate it immediately before the other fees for immigrant visas, which diversity visa applicants will also be required to pay (i.e., before the fees for immigrant visa application and issuance).

With the exception of nonimmigrant visa reciprocity fees, which are established based on the practices of other countries, all consular fees are established on a basis of cost recovery and in a manner consistent with general user charges principles, regardless of the specific statutory authority under which they are promulgated. The proposed fee is consistent with these principles and the guidance in OMB Circular A-25, which addressed the establishment of user charges. The fee is based on a cost-of-service study using fiscal year 1995 data that documented and projected into fiscal year 1998 the direct and indirect costs associated with administration of the diversity visa lottery, so as to capture the full cost of service.

**Proposed Rule**

This rule is not considered to be a major rule for purposes of E.O. 12291, nor is it expected to have a significant impact on a substantial number of small entities under the criteria of the regulatory Flexibility Act, 5 U.S.C. 605(b). This rule does not impose information collection requirements under the provisions of the Paperwork Reduction Act, 44 U.S.C. Chapter 35. This rule has been reviewed as required by E.O. 12988 and determined to be in compliance therewith. This rule is exempt from review under E.O. 12866, but has been reviewed internally by the Department to ensure consistency with the objectives thereof.

**List of Subjects in 22 CFR Part 22**

Fees, Foreign Service, Passports and visas, Schedule of fees for consular services.

In view of the foregoing, 22 CFR is proposed to be amended as follows:

**PART 22—[AMENDED]**

1. The authority citation for Part 22 is revised to read:

**Authority:** Sec. 3, 63 Stat. 222, as amended; 22 U.S.C. 211a; 214, 2651, 2651a; 2921; 4219; 31 U.S.C. 9701; E.O. 10718, 22 FR 4632, 3 CFR, 1954-1958 Comp., p. 382; E.O. 11295, 31 FR 10603, 3 CFR, 1966-1970 Comp., p. 570; sec. 636, Pub. L. 104-208, 110 Stat. 3009-703-704; 8 U.S.C. 1351; sec. 140(a), Pub. L. 103-236, 108 Stat. 399, as amended.

2. Section 22.1 is amended by revising the phrase "(Item Nos. 15 through 19 vacant.)" immediately following item 14 to read "(Item Nos. 15 through 18 vacant.)" and by inserting a new item 19 under the header "Visa Services for Aliens" to read as follows:

#### § 22.1 Schedule of fees.

Item No.	Fee
* * * *	*
<b>Visa Services for Aliens</b>	
19. Immigrant visa application surcharge for Diversity Visa Lottery	\$75.00
* * * *	*

Dated: June 2, 1997.

**Patrick F. Kennedy,**

*Under Secretary for Management.*

[FR Doc. 97-15555 Filed 6-13-97; 8:45 am]

BILLING CODE 4710-06-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[SC 33-1-9714b; FRL-5840-4]

#### Approval and Promulgation of State Implementation Plan, South Carolina: Adoption of General Conformity Rules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** On November 8, 1996, the South Carolina Department of Health and Environmental Control submitted revisions to the South Carolina State Implementation Plan (SIP) concerning the adoption of criteria and procedures for demonstrating and assuring the "Conformity of General Federal Actions." In the final rules section of this **Federal Register**, the EPA is approving the State of South Carolina's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated

in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do so at this time.

**DATES:** To be considered, comments on this proposed action must be received by July 16, 1997.

**ADDRESSES:** Written comments on this action should be addressed to Mr. Gregory Crawford at the EPA Regional Office listed below.

Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington DC 20460.

Environmental Protection Agency, Region 4 Air Planning Branch 61 Forsyth Street, SW, Atlanta, Georgia 30303.

South Carolina Department of Health and Environmental Control, 600 Bull Street, Columbia, South Carolina 29201-1708.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gregory Crawford, Regulatory Planning Section, Air Planning Branch, Air, Pesticides, and Toxics Management Division, Region 4, Environmental Protection Agency, 61 Forsyth Street SW, Atlanta, Georgia 30303. The telephone number is 404/562-9042.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this **Federal Register**.

Dated: May 19, 1997.

**A. Stanley Meiburg,**

*Acting Regional Administrator*

[FR Doc. 97-15731 Filed 6-13-97; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 571

[Docket No. 97-40; Notice 1]

RIN 2127-AF87, 2127-AF88

#### Federal Motor Vehicle Safety Standards; Windshield Defrosting and Defogging Systems; Windshield Wiping and Washing Systems

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Terminations of rulemaking.

**SUMMARY:** In April 1996, NHTSA set forth alternative proposals for amending the Federal Motor Vehicle Safety Standards on windshield defrosting and defogging systems and on windshield washing and wiping. The proposals (61 FR 15446 and 15449, April 8, 1996) were undertaken as part of NHTSA's efforts to implement the President's Regulatory Reinvention Initiative to eliminate unnecessary Federal Regulations. In this notice, NHTSA terminates rulemaking on both Standards because the comments show that the current regulatory requirements are not imposing needless regulatory burdens.

**FOR FURTHER INFORMATION CONTACT:** For technical issues: Mr. Richard Van Iderstine, Office of Vehicle Safety Standards, NPS-21, telephone (202) 366-5280, FAX (202) 366-4329.

For legal issues: Ms. Dorothy Nakama, Office of Chief Counsel, NCC-20, telephone (202) 366-2992, FAX (202) 366-3820.

Both may be reached at the National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590.

#### SUPPLEMENTARY INFORMATION:

##### Requirements of Standard No. 103

Standard No. 103's basic requirement, applicable to passenger cars, multipurpose passenger vehicles (MPVs), trucks, and buses, specifies that each vehicle shall have a windshield defrosting and defogging system.

Standard No. 103 also specifies performance requirements for the windshield defrosting and defogging systems, but only those in passenger cars. S4.2 of Standard No. 103 specifies that each passenger car windshield defrosting and defogging system shall meet specified provisions of SAE Recommended Practice J902 (SAE J902), "Passenger Car Windshield Defrosting Systems," August 1964.