

**Paperwork Reduction Act Statement**

The final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget approval number 3150-0146.

The rule withdraws certain reporting requirements contained in § 26.71(d) that were disapproved during OMB review of the information collection requirements contained in the final rule, "Fitness-for-Duty Programs," issued August 26, 1991 (56 FR 41922). The reduction in public reporting burden resulting from this rule is estimated to average 17.5 hours per response, per affected licensee, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for further reducing reporting burden, to the Information and Records Management Branch (MNBB-7714), U.S. Nuclear Regulatory Commission, Washington, DC 20555; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-3019, (3150-0146), Office of Management and Budget, Washington, DC 20503.

**List of Subjects in 10 CFR Part 26**

Alcohol abuse, Alcohol testing, Appeals, Chemical testing, Drug abuse, Drug testing, Employee assistance programs, Fitness for duty, Management actions, Nuclear power reactors, Protection of information, Reporting and recordkeeping requirements.

For reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553, the NRC is adopting the following amendment to 10 CFR part 26.

**PART 26—FITNESS-FOR-DUTY PROGRAMS**

1. The authority citation for part 26 continues to read, in part, as follows:

**Authority:** Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).\*\*\*

2. In § 26.71 paragraph (d) is revised to read as follows:

**§ 26.71 Recordkeeping requirements.**

(d) Collect and compile fitness-for-duty program performance data on a

standard form and submit this data to the Commission within 60 days of the end of each 6-month reporting period (January-June and July-December). The data for each site (corporate and other support staff locations may be separately consolidated) must include: random testing rate; drugs tested for and cut-off levels, including results of tests using lower cut-off levels and tests for other drugs; workforce populations tested; numbers of tests and results by population, and type of test (i.e., pre-access, random, for-cause, etc.); substances identified; summary of management actions; and a list of events reported. The data must be analyzed and appropriate actions taken to correct program weaknesses. The data and analysis must be retained for three years. Any licensee choosing to temporarily suspend individuals under the provisions of § 26.24(d) must report test results by process stage (i.e., onsite screening, laboratory screening, confirmatory tests, and MRO determinations) and the number of temporary suspensions or other administrative actions taken against individuals based on onsite unconfirmed screening positives for marijuana (THC) and for cocaine.

Dated at Rockville, MD, this 6th day of November 1992.

For the Nuclear Regulatory Commission.

James M. Taylor,

*Executive Director for Operations.*

[FR Doc. 92-28640 Filed 11-24-92; 8:45 am]

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**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration****15 CFR Chapter IX, Subchapters A and B and Part 944**

[Docket No. 900122-2020]

RIN 0648-AC63

**Monterey Bay National Marine Sanctuary Regulations**

**AGENCY:** Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of effective date.

**SUMMARY:** On September 15, 1992, the Under Secretary of Commerce for Oceans and Atmosphere transmitted the notice of designation for the Monterey Bay National Marine Sanctuary to Congress. The Sanctuary is an area of ocean and coastal waters, and the

submerged lands thereunder, encompassing approximately 4,024 square nautical miles in and surrounding Monterey Bay, off the central coast of California. The notice of designation and the final regulations implementing the designation and regulating the conduct of certain activities were published in the **Federal Register** on September 18, 1992 (57 FR 43310).

On November 4, 1992, the President signed into law H.R. 5617 (Pub. L. 102-587), which, among others matters, provides that the designation of the Monterey Bay National Marine Sanctuary shall take effect September 18, 1992. Because H.R. 5617 did not specifically provide an effective date for the Sanctuary regulations, this notice establishes the effective date of the regulations.

**EFFECTIVE DATE:** The regulations published at 15 CFR chapter IX, subchapters A and B and part 944 on September 18, 1992 (57 FR 43310) shall take effect January 1, 1993.

**FOR FURTHER INFORMATION CONTACT:**

Rafael V. Lopez, Pacific Regional Manager, Sanctuaries and Reserves Division, Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration, 1E-5 Connecticut Avenue, NW., suite 714, Washington, DC 20235, (202/606-4126).

Dated: November 19, 1992.

W. Stanley Wilson,

*Assistant Administrator for Ocean Services and Coastal Zone Management.*

[FR Doc. 92-28654 Filed 11-24-92; 8:45 am]

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**DEPARTMENT OF HEALTH AND HUMAN SERVICES****Food and Drug Administration****21 CFR Part 172**

[Docket No. 87F-0333]

**Food Additives Permitted for Direct Addition to Food for Human Consumption; Gellan Gum**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of gellan gum as a stabilizer and thickener in foods, generally. This action is in response to a petition filed by Kelco, a Division of Merck & Co., Inc.