

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

RIN 3150-AH36

#### List of Approved Spent Fuel Storage Casks: Standardized NUHOMS®-24P, -52B, -61BT, -24PHB, and -32PT Revision; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** This document corrects an omission in a final rule appearing in the *Federal Register* on January 7, 2004 (69 FR 849). This action is necessary to add effective dates for Amendments 6 and 7 of Certificate of Compliance 1004.

**EFFECTIVE DATE:** This final rule became effective January 7, 2004.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6219, e-mail [jmm2@nrc.gov](mailto:jmm2@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

As published, the final rule entitled "List of Approved Spent Fuel Storage Casks: Standardized NUHOMS®-24P, -52B, -61BT, -24PHB, and -32PT Revision" (January 7, 2004; 69 FR 849) contains an omission in § 72.214 which need to be added.

#### List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Criminal penalties, Manpower training programs, Nuclear materials, Occupational safety and health, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

■ For the 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 amendments to 10 CFR Part 72.

#### PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for Part 72 continues to read as follows:

**Authority:** Secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 68 Stat. 929, 930, 932, 933, 934, 935, 948, 953, 954, 955, as amended, sec. 234, 83 Stat. 444, as amended (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2238, 2282); sec. 274, Pub. L. 86-373, 73 Stat. 688, as amended (42 U.S.C. 2021); sec. 201, as amended, 202, 206, 88 Stat. 1242, as amended, 1244, 1246 (42 U.S.C. 5841, 5842, 5846); Pub. L. 95-601, sec. 10, 92 Stat. 2951 as amended by Pub. L. 102-486, sec. 7902, 106 Stat. 3123 (42 U.S.C. 5851); sec. 102, Pub. L. 91-190, 83 Stat. 853 (42 U.S.C. 4332); secs. 131, 132, 133, 135, 137, 141, Pub. L. 97-425, 96 Stat. 2229, 2230, 2232, 2241, sec. 148, Pub. L. 100-203, 101 Stat. 1330-235 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168).

Section 72.44(g) also issued under secs. 142(b) and 148(c), (d), Pub. L. 100-203, 101 Stat. 1330-232, 1330-236 (42 U.S.C. 10162(b), 10168(c),(d)). Section 72.46 also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239); sec. 134, Pub. L. 97-425, 96 Stat. 2230 (42 U.S.C. 10154). Section 72.96(d) also issued under sec. 145(g), Pub. L. 100-203, 101 Stat. 1330-235 (42 U.S.C. 10165(g)). Subpart J also issued under secs. 2(2), 2(15), 2(19), 117(a), 141(h), Pub. L. 97-425, 96 Stat. 2202, 2203, 2204, 2222, 2244, (42 U.S.C. 10101, 10137(a), 10161(h)). Subparts K and L are also issued under sec. 133, 98 Stat. 2230 (42 U.S.C. 10153) and sec. 218(a), 96 Stat. 2252 (42 U.S.C. 10198).

■ 2. Section 72.214, Certificate of Compliance 1004 is corrected to read as follows:

#### § 72.214 List of approved spent fuel storage casks.

\* \* \* \* \*

*Certificate Number:* 1004.

*Initial Certificate Effective Date:* January 23, 1995.

*Amendment Number 1 Effective Date:* April 27, 2000.

*Amendment Number 2 Effective Date:* September 5, 2000.

*Amendment Number 3 Effective Date:* September 12, 2001.

*Amendment Number 4 Effective Date:* February 12, 2002.

*Amendment Number 5 Effective Date:* January 7, 2004.

*Amendment Number 6 Effective Date:* December 22, 2003.

*Amendment Number 7 Effective Date:* March 2, 2004.

*SAR Submitted by:* Transnuclear, Inc.  
*SAR Title:* Final Safety Analysis Report for the Standardized NUHOMS® Horizontal Modular Storage System for Irradiated Nuclear Fuel.

*Docket Number:* 72-1004.

*Certificate Expiration Date:* January 23, 2015.

*Model Number:* Standardized NUHOMS®-24P, NUHOMS®-52B, NUHOMS®-61BT, NUHOMS®-24PHB, and NUHOMS®-32PT.

\* \* \* \* \*

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

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Federal Register Liaison Officer.*

[FR Doc. 04-1900 Filed 1-28-04; 8:45 am]

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

#### 10 CFR Part 490

[Docket No. EE-RM-03-001]

RIN No. 1904-AA98

#### Alternative Fuel Transportation Program; Private and Local Government Fleet Determination

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

**ACTION:** Final rule.

**SUMMARY:** The Department of Energy (DOE) is publishing this final rule pursuant to the Energy Policy Act of 1992 (EPAct). In this final rule, DOE announces that it is not adopting a regulatory requirement that owners and operators of certain private and local government fleets acquire alternative fueled vehicles. DOE's decision is based on its findings that such a requirement would not appreciably increase the percentage of alternative fuel and replacement fuel used by motor vehicles