

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2008-0438]

RIN 3150-A148

### List of Approved Spent Fuel Storage Casks: NAC-UMS Revision 5, 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 January 12, 2009 for the direct final rule that was published in the *Federal Register* on October 27, 2008 (73 FR 63621). This direct final rule amended the NRC's regulations to revise the NAC-UMS cask system listing to include Amendment No. 5 to Certificate of Compliance (CoC) No. 1015.

**DATES:** *Effective Date:* The effective date of January 12, 2009 is confirmed for this direct final rule.

**ADDRESSES:** Documents related to this rulemaking, including any comments received, may be examined at the NRC Public Document Room, Room O-1F23, 11555 Rockville Pike, Rockville, MD 20852.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-6219, e-mail [Jayne.McCausland@nrc.gov](mailto:Jayne.McCausland@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On October 27, 2008 (73 FR 63621), the NRC published a direct final rule amending its regulations at 10 CFR 72.214 to revise the NAC-UMS cask system listing within the "List of

Approved Spent Fuel Storage Casks" to include Amendment No. 5 to CoC No. 1015. This amendment modified the CoC and Technical Specifications (TS) to incorporate certain high burnup pressurized water reactor fuel as approved contents and make changes to the TS and the Final Safety Analysis Report to enhance the loading and storage operation of the NAC-UMS storage system. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on January 12, 2009. The NRC did not receive any comments on the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 6th day of January 2009.

For the Nuclear Regulatory Commission,  
**Michael T. Lesar,**  
*Chief, Rulemaking, Directives and Editing Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. E9-346 Filed 1-9-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 25

[Docket No. NM397; Special Conditions No. 25-378-SC]

### Special Conditions: Boeing Model 757 Series Airplanes; Seats with Non-Traditional, Large, Non-Metallic Panels

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for Boeing Model 757 series airplanes. These airplanes, as modified by American Airlines, Inc., will have a novel or unusual design feature associated with seats that include non-traditional, large, non-metallic panels that would affect survivability during a post-crash fire event. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level

of safety equivalent to that established by the existing airworthiness standards.

**DATES:** The effective date of these special conditions is December 24, 2008. We must receive your comments by February 26, 2009.

**ADDRESSES:** You must mail two copies of your comments to: Federal Aviation Administration, Transport Airplane Directorate, Attn: Rules Docket (ANM-113), Docket No. NM397, 1601 Lind Avenue, SW., Renton, Washington, 98057-3356. You may deliver two copies to the Transport Airplane Directorate at the above address. You must mark your comments: Docket No. NM397. You can inspect comments in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

**FOR FURTHER INFORMATION CONTACT:** John Sheldon, FAA, Airframe/Cabin Safety Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue, SW., Renton, Washington, 98057-3356; telephone (425) 227-2785; facsimile (425) 227-1232.

### SUPPLEMENTARY INFORMATION:

### Future Requests for Installation of Seats With Non-Traditional, Large, Non-Metallic Panels

The FAA has determined that notice of, and opportunity for prior public comment on, these special conditions are impracticable because these procedures would significantly delay issuance of the design approval and thus return to service of the affected aircraft. The FAA therefore finds that good cause exists for making these special conditions effective upon issuance.

We anticipate that seats with non-traditional, large, non-metallic panels will be installed in other makes and models of airplanes. We have made the determination to require special conditions for all applications requesting the installation of seats with non-traditional, large, non-metallic panels until the airworthiness requirements can be revised to address this issue. Having the same standards across the range of airplane makes and models will ensure consistent ruling for the aviation industry.

### Comments Invited

We invite interested people to take part in this rulemaking by sending