

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### 8 CFR Parts 3 and 212

[EOIR No. 127P; AG Order No. 2329-2000]

RIN 1125-AA29

#### Executive Office for Immigration Review; Section 212(c) Relief for Certain Aliens in Deportation Proceedings Before April 24, 1996

**AGENCY:** Executive Office for Immigration Review, Justice.

**ACTION:** Proposed rule; Reopening of comment period.

**SUMMARY:** On July 18, 2000, at 65 FR 44476, the Department of Justice published a proposed rule in the **Federal Register** to create a uniform procedure for applying the law as enacted by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). This rule would allow certain lawful permanent residents in deportation proceedings that commenced before April 24, 1996, to apply for relief from deportation pursuant to section 212(c) of the Immigration and Nationality Act (INA). In response to requests from the public, and to ensure that the public has ample opportunity fully to review and comment on the proposed rule, this document reopens the public comment period for an additional time period, through October 18, 2000.

**DATES:** Written comments must be submitted on or before October 18, 2000.

**ADDRESSES:** Please submit written comments, original and two copies, to Charles Adkins-Blanch, General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041, telephone (703) 305-0470. Comments are available for public inspection at the above address by calling (703) 305-0470 to arrange for an appointment.

**FOR FURTHER INFORMATION CONTACT:** Charles Adkins-Blanch, General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2400, Falls Church, VA 22041, telephone (703) 305-0470.

Dated: September 30, 2000.

**Janet Reno,**

*Attorney General.*

[FR Doc. 00-26081 Filed 10-10-00; 8:45 am]

**BILLING CODE 4410-30-M**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

RIN 3150-AG58

#### List of Approved Spent Fuel Storage Casks: HI-STAR 100 Revision

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations revising the Holtec International HI-STAR 100 cask system listing within the "List of approved spent fuel storage casks" to include Amendment No. 1 to the Certificate of Compliance (CoC). Amendment No. 1 revises the HI-STAR 100 cask system in seven areas and includes changes to the CoC and Technical Specifications. The seven areas involve: revision of the existing fuel specification tables; addition of pressurized water reactor Burnable Poison Rod Assemblies and Thimble Plug Devices; addition of two new classes of fuel to the fuel specification tables; addition of a new damaged fuel container; addition of thorium rods in canisters; addition of antimony-beryllium neutron sources [i.e., reactor startup sources], and clarifications, editorial corrections, and other minor changes to cask design information and drawings. The CoC was revised to require users to prepare written acceptance tests and a maintenance program consistent with the technical basis described in the Safety Analysis Report (SAR). In addition, the amendment includes two minor changes to the HI-STAR 100 listing in the regulations. This amendment will allow the holders of power reactor operating licenses to store spent fuel in the HI-

STAR 100 cask system, as amended, under a general license.

**DATES:** Comments on the proposed rule must be received on or before November 13, 2000.

**ADDRESSES:** Submit comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Attention: Rulemakings and Adjudications Staff.

Deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

You may also provide comments via the NRC's interactive rulemaking website (<http://ruleforum.nrc.gov>). This site provides the capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking website, contact Ms. Carol Gallagher, (301) 415-5905 (e-mail: [cag@nrc.gov](mailto:cag@nrc.gov)).

Certain documents related to this rule, including comments received by the NRC, may be examined through September 21, 2000 at the NRC Public Document Room, 2120 L Street, NW (Lower Level), Washington, DC. Beginning September 26, 2000 the NRC Public Document Room will be located at 11555 Rockville Pike, Rockville, MD. These documents also may be viewed and downloaded electronically via the rulemaking website.

Documents created or received at the NRC after November 1, 1999, are also available electronically at the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/NRC/ADAMS/index.html>. From this site, the public can gain entry into the NRC's Agencywide Document Access and Management System (ADAMS), that provides text and image files of the NRC's public documents. An electronic copy of the proposed CoC and preliminary safety evaluation report (SER) can be found under ADAMS Accession No. ML003726991. For more information, contact the NRC Public Document Room reference staff at 1-800-397-4209, 202-634-3273 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Gordon Gundersen, telephone (301) 415-6195, e-mail [GEG1@nrc.gov](mailto:GEG1@nrc.gov) of the Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:** For additional information see the Direct Final Rule published in the final rules section of this **Federal Register**.

### Procedural Background

Because NRC considers this action noncontroversial and routine, we are publishing this proposed rule concurrently with a direct final rule. The direct final rule will become effective on December 26, 2000. However, if the NRC receives significant adverse comments on the direct final rule by November 13, 2000, then the NRC will publish a document to withdraw the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments received in response to the revisions in a subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period for this action if the direct final rule is withdrawn.

### List of Subjects in 10 CFR Part 72

Criminal penalties, Manpower training programs, Nuclear materials, Occupational safety and health, Reporting and recordkeeping requirements, Security measures, Spent fuel.

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. 553; the NRC is proposing to adopt the following amendments to 10 CFR Part 72.

### PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE 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. 10d–48b, sec. 7902, 10b Stat. 31b3 (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. In § 72.214, Certificate of Compliance 1008 is revised to read as follows:

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

\* \* \* \* \*  
Certificate Number: 1008  
Initial Certificate Effective Date: October 4, 1999  
Amendment Number 1 Effective Date: December 26, 2000.  
SAR Submitted by: Holtec International  
SAR Title: Final Safety Analysis Report for the HI–STAR 100 Cask System  
Docket Number: 72–1008  
Certificate Expiration Date: October 4, 2019  
Model Number: HI–STAR 100  
\* \* \* \* \*

Dated at Rockville, Maryland, this 20th day of September 2000.

For the Nuclear Regulatory Commission.

**Frank J. Miraglia, Jr.,**

*Acting Executive Director for Operations.*

[FR Doc. 00–25914 Filed 10–10–00; 8:45 am]

**BILLING CODE 7590–01–P**

### DEPARTMENT OF TRANSPORTATION

#### Federal Aviation Administration

#### 14 CFR Part 71

[Airspace Docket No. 00–AAL–07]

#### Proposed Revision of VOR Federal Airway and Jet Route; AK

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to revise Very High Frequency Omnidirectional Range (VOR) Federal Airway 480 (V–480) and Jet Route 120 (J–120) in Alaska by adding a routinely used route segment between Mt. Moffett and St. Paul Island, AK. The FAA is proposing to revise these routes for the following reasons: The conversion of this uncharted nonregulatory route to a VOR Federal airway and jet route would add to the instrument flight rules (IFR) airway and route infrastructure in Alaska; pilots would be provided with

minimum en route altitudes and minimum obstruction clearance altitudes information; this amendment would establish controlled airspace, thus eliminating some of the commercial IFR operations in uncontrolled airspace; and the addition of this route would improve the management of air traffic operations and thereby enhance safety.

**DATES:** Comments must be received on or before November 27, 2000.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, Air Traffic Division, AAL–500, Docket No. 00–AAL–07, Federal Aviation Administration, 222 West 7th Avenue, #14, Anchorage, AK 99533.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, Room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA–400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

#### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to Airspace Docket No. 00–AAL–07.” The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be