

NUHOMS® Horizontal Modular Storage System for Irradiated Nuclear Fuel.

*Docket Number:* 72-1029.

*Certificate Expiration Date:* February 5, 2023.

*Model Number:* Standardized Advanced NUHOMS®-24PT1, NUHOMS®-24PT4.

Dated at Rockville, Maryland, this 14th day of February, 2005.

For the Nuclear Regulatory Commission.

**Luis A. Reyes,**

*Executive Director for Operations.*

[FR Doc. 05-3737 Filed 2-25-05; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

RIN 3150-AH64

#### List of Approved Spent Fuel Storage Casks: HI-STORM 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-STORM 100 cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 2 to Certificate of Compliance Number (CoC No.) 1014. Amendment No. 2 would modify the present cask system design to include changes to materials used in construction, changes to the types of fuel that can be loaded, changes to shielding and confinement methodologies and assumptions, revisions to various temperature limits, changes in allowable fuel enrichments, and other changes to reflect current NRC staff guidance and use of industry codes under a general license.

**DATES:** Comments on the proposed rule must be received on or before March 30, 2005.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include the following number (RIN 3150-AH64) in the subject line of your comments. Comments on rulemakings submitted in writing or in electronic form will be made available for public inspection. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including personal information such as social security numbers and birth dates in your submission.

Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

E-mail comments to: [SECY@nrc.gov](mailto:SECY@nrc.gov). If you do not receive a reply e-mail confirming that we have received your comments, contact us directly at (301) 415-1966. You may also submit comments via the NRC's rulemaking website at <http://ruleforum.llnl.gov>. Address questions about our rulemaking website to Carol Gallagher (301) 415-5905; e-mail [cag@nrc.gov](mailto:cag@nrc.gov). Comments can also be submitted via the Federal eRulemaking Portal <http://www.regulations.gov>.

Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 am and 4:15 pm Federal workdays (telephone (301) 415-1966).

Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at (301) 415-1101.

Publicly available documents related to this rulemaking may be viewed electronically on the public computers at the NRC's Public Document Room (PDR), O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. Selected documents, including comments, can be viewed and downloaded electronically via the NRC rulemaking website at <http://ruleforum.llnl.gov>.

Publicly available documents created or received at the NRC after November 1, 1999, are available electronically at the NRC's Electronic Reading Room 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), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov). An electronic copy of the proposed CoC and preliminary safety evaluation report (SER) can be found under ADAMS Accession No. ML043640359.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, telephone (301) 415-6219, e-mail, [jmm2@nrc.gov](mailto:jmm2@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

This rule is limited to the changes contained in Amendment 2 to CoC No. 1014 and does not include other aspects of the HI-STORM 100 cask system design. The NRC is using the "direct final rule procedure" to issue this amendment because it represents a limited and routine change to an existing CoC that is expected to be noncontroversial. Adequate protection of public health and safety continues to be ensured. The direct final rule will become effective on May 16, 2005. However, if the NRC receives significant adverse comments by March 30, 2005, then the NRC will publish a document that withdraws the direct final rule and will subsequently address the comments received in a final rule. The NRC will not initiate a second comment period on this action.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, in a substantive response:

(a) The comment causes the NRC staff to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC staff.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC staff to make a change (other than editorial) to the CoC or Technical Specifications.

## 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. 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, 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); sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

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 1014 is revised to read as follows:

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

\* \* \* \* \*

Certificate Number: 1014.  
Initial Certificate Effective Date: June 1, 2000.  
Amendment Number 1 Effective Date: July 15, 2002.  
Amendment Number 2 Effective Date: May 16, 2005.  
SAR Submitted by: Holtec International.  
SAR Title: Final Safety Analysis Report for the HI-STORM 100 Cask System.  
Docket Number: 72–1014.  
Certificate Expiration Date: June 1, 2020.  
Model Number: HI-STORM 100.

\* \* \* \* \*

Dated at Rockville, Maryland, this 14th day of February, 2005.

For the Nuclear Regulatory Commission.

**Luis A. Reyes,**

*Executive Director for Operations.*

[FR Doc. 05–3740 Filed 2–25–05; 8:45 am]

**BILLING CODE 7590–01–P**

**FEDERAL HOUSING FINANCE BOARD**

**12 CFR Parts 900, 914, 915, 917, 925, 950, 951, 952, and 955**

**[No. 2005–04]**

**RIN 3069–AB28**

**Data Reporting Requirements for the Federal Home Loan Banks**

**AGENCY:** Federal Housing Finance Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Federal Housing Finance Board (Finance Board) is proposing to reorganize the way it imposes reporting requirements on the Federal Home Loan Banks (Banks) by issuing the requirements in a reporting manual to be titled Data Reporting Manual (DRM). When issued, the DRM would be an enforceable order issued pursuant to the Finance Board's investigatory powers. As part of this reorganization, the Finance Board is proposing to remove from its regulations certain reporting requirements and reissuing them as part of the DRM. The Finance Board also is proposing to add a new part 914, which would address a Bank's obligation with respect to reporting requirements and make its books and records available to the Finance Board. Lastly, the Finance Board is proposing to add a new section to part 917, which would impose on each Bank's board of directors the obligation to establish policies and procedures with respect to regulatory reporting.

**DATES:** The Finance Board will accept written comments on the proposed rule on or before April 29, 2005.

**Comments:** Submit comments by any of the following methods:

*E-mail:* [comments@fhfb.gov](mailto:comments@fhfb.gov).

*Fax:* (202) 408–2580.

*Mail/Hand Delivery:* Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006, Attention: Public Comments.

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. If you submit your comment to the Federal eRulemaking Portal, please also send it by e-mail to the Finance Board at [comments@fhfb.gov](mailto:comments@fhfb.gov) to ensure timely receipt by the agency.

Include the following information in the subject line of your submission: Federal Housing Finance Board. Proposed Rule: Data Reporting Requirements for the Federal Home Loan Banks. RIN Number 3069–AB28. Docket Number 2005–04.

We will post all public comments we receive on this rule without change, including any personal information you provide, such as your name and address, on the Finance Board Web site at [http://www.fhfb.gov/pressroom/pressroom\\_regs.htm](http://www.fhfb.gov/pressroom/pressroom_regs.htm).

**FOR FURTHER INFORMATION CONTACT:**

Thomas Hearn, Senior Attorney Advisor, Office of General Counsel, by electronic mail at [hearnt@fhfb.gov](mailto:hearnt@fhfb.gov) or by telephone at (202) 408–2976; Scott L. Smith, Associate Director, Office of Supervision, by electronic mail at [smiths@fhfb.gov](mailto:smiths@fhfb.gov) or by telephone at (202) 408–2991; or Joseph A. McKenzie, Deputy Chief Economist, Office of Supervision, by electronic mail at [mckenziej@fhfb.gov](mailto:mckenziej@fhfb.gov) or by telephone at (202) 408–2845. You can send regular mail to the Federal Housing Finance Board, 1777 F Street, NW., Washington, DC 20006.

**SUPPLEMENTARY INFORMATION:**

**I. Statutory and Regulatory Background**

*A. The Federal Home Loan Bank System (Bank System)*

The Bank System consists of 12 Banks and the Office of Finance (OF). The Banks are instrumentalities of the United States organized under the authority of the Federal Home Loan Bank Act (Bank Act). 12 U.S.C. 1421 *et seq.* The Banks also are “government sponsored enterprises” (GSEs), *i.e.*, Federally chartered but privately owned institutions created by Congress to support the financing of housing and community lending by their members. See 12 U.S.C. 1422a(a)(3)(B)(i), 1430(i), and 1430(j). By virtue of their GSE status, the Banks are able to borrow in the capital markets at favorable rates. The Banks are then able to pass along that funding advantage to their members—and ultimately to consumers—by providing advances (secured loans) and other financial services to their members (principally, depository institutions) at rates that the members generally could not obtain elsewhere.

The Banks, along with the OF, operate under the supervision of the Finance Board. The primary duty of the Finance Board is to ensure that the Banks operate in a financially safe and sound manner. Consistent with that duty, the Finance Board is required to supervise the Banks, ensure that they carry out