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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 2

RIN 3150-AH33

### Electronic Maintenance and Submission of Information; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Correcting amendment.

**SUMMARY:** The Nuclear Regulatory Commission published a final rule in the *Federal Register* on October 10, 2003 (68 FR 58791), amending the NRC's regulations to clarify when and how licensees and other members of the public may use electronic means such as CD-ROM and e-mail to communicate with the agency. That final rule inadvertently changed the addressee for the submission of requests for action under 10 CFR 2.206. This action corrects the final regulations by inserting the correct addressee.

**EFFECTIVE DATE:** July 12, 2004.

**FOR FURTHER INFORMATION CONTACT:** John A. Skoczlas, (301) 415-7186, [EIE@nrc.gov](mailto:EIE@nrc.gov); or Brenda J. Shelton, (301) 415-7233, [INFOCOLLECTS@nrc.gov](mailto:INFOCOLLECTS@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The final regulation erroneously changed the addressee for the submission of requests under 10 CFR 2.206 from the Executive Director for Operations to the Secretary of the Commission. The NRC did not intend to change its long-standing practice of requiring that requests filed under § 2.206 be addressed to the Executive Director for Operations. This document corrects that error.

### List of Subjects in 10 CFR Part 2

Administrative practice and procedure, Antitrust, Byproduct material, Classified information, Environmental protection, Nuclear materials, Nuclear power plants and

reactors, Penalties, Sex discrimination, Source material, Special nuclear material, Waste treatment and disposal.

■ Accordingly, 10 CFR part 2 is corrected by making the following correcting amendment:

### PART 2—RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS AND ISSUANCE OF ORDERS

■ 1. The authority citation for part 2 continues to read as follows:

**Authority:** Secs. 161, 181, 68 Stat. 948, 953, as amended (42 U.S.C. 2201, 2231); sec. 191, as amended, Pub. L. 87-615, 76 Stat. 409 (42 U.S.C. 2241); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); 5 U.S.C. 552; sec. 1704, 112 Stat. 2750 (44 U.S.C. 3504 note).

Section 2.101 also issued under secs. 53, 62, 63, 81, 103, 104, 105, 68 Stat. 930, 932, 933, 935, 936, 937, 938, as amended (42 U.S.C. 2073, 2092, 2093, 2111, 2133, 2134, 2135); sec. 114(f); Pub. L. 97-425, 96 Stat. 2213, as amended (42 U.S.C. 10143(0)); sec. 102, Pub. L. 91-190, 83 Stat. 853, as amended (42 U.S.C. 4332); sec. 301, 88 Stat. 1248 (42 U.S.C. 5871).

Section 2.102, 2.103, 2.104, 2.105, 2.321 also issued under secs. 102, 163, 104, 105, 183i, 189, 68 Stat. 936, 937, 938, 954, 955, as amended (42 U.S.C. 2132, 2133, 2134, 2135, 2233, 2239). Section 2.105 also issued under Pub. L. 97-415, 96 Stat. 2073 (42 U.S.C. 2239).

Sections 2.200-2.206 also issued under secs. 161 b. i, o, 182, 186, 234, 68 Stat. 948-951, 955, 83 Stat. 444, as amended (42 U.S.C. 2201(b), (i), (o), 2236, 2282); sec. 206, 88 Stat. 1246 (42 U.S.C. 5846). Section 2.205(j) also issued under Pub. L. 101-410, 104 Stat. 90, as amended by section 3100(s), Pub. L. 104-134, 110 Stat. 1321-373 (28 U.S.C. 2461 note). Subpart C also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Sections 2.600-2.606 also issued under sec. 102, Pub. L. 91-190, 83 Stat. 853, as amended (42 U.S.C. 4332). Section 2.700a also issued under 5 U.S.C. 554. Sections 2.343, 2.346, 2.754, 2.712, also issued under 5 U.S.C. 557. Section 2.764 also issued under secs. 135, 141, Pub. L. 97-425, 96 Stat. 2232, 2241 (42 U.S.C. 10155, 10161). Section 2.790 also issued under sec. 103, 68 Stat. 936, as amended (42 U.S.C. 2133) and 5 U.S.C. 552. Sections 2.800 and 2.808 also issued under 5 U.S.C. 553, Section 2.809 also issued under 5 U.S.C. 553, and sec. 29, Pub. L. 85-256, 71 Stat. 579, as amended (42 U.S.C. 2039). Subpart K 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). Subpart L also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Subpart M also issued under sec. 184 (42 U.S.C. 2234) and sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Subpart N also issued under sec. 189, 68 Stat. 955 (42 U.S.C. 2239). Appendix A also issued under sec. 6,

Pub. L. 91-550, 84 Stat. 1473 (42 U.S.C. 2135).

■ 2. In § 2.206, the second sentence of paragraph (a) is revised to read as follows:

### § 2.206 Requests for action under this subpart.

(a) \* \* \* Requests must be addressed to the Executive Director for Operations and must be filed either by hand delivery to the NRC's Offices at 11555 Rockville Pike, Rockville, Maryland; by mail or telegram addressed to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; or by electronic submissions, for example, via facsimile, Electronic Information Exchange, e-mail, or CD-ROM. \* \* \*

Dated in Rockville, Maryland this 6th day of July, 2004.

For the Nuclear Regulatory Commission.

**Michael T. Lesar,**

*Federal Register Liaison Officer.*

[FR Doc. 04-15697 Filed 7-9-04; 8:45 am]

**BILLING CODE 7590-01-P**

## DEPARTMENT OF HOMELAND SECURITY

### Customs and Border Protection

#### 19 CFR Part 101

[CBP Dec. 04-22]

### Extension of Port Limits of Memphis, TN

**AGENCY:** Customs and Border Protection, Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This document adopts as a final rule, a proposed extension of the port limits of the port of Memphis, Tennessee, to include all of the territory within the limits of DeSoto County, northern Mississippi. The port extension is being proposed in order to facilitate economic development in northern Mississippi, and to provide convenience and improved service to carriers, importers, and the general public.

**EFFECTIVE DATE:** August 11, 2004.

**FOR FURTHER INFORMATION CONTACT:** Dennis Dore, Office of Field Operations, (202) 927-6871.

**SUPPLEMENTARY INFORMATION:****Background**

The current port limits of Memphis, Tennessee are described in Treasury Decision (T.D.) 84-126, signed May 14, 1984, and published in the **Federal Register** (49 FR 22629) on May 31, 1984, as encompassing the corporate limits of the city of Memphis, Tennessee and all the territory within the limits of Shelby County, Tennessee.

Recently, northern Mississippi has experienced marked business expansion and population growth. Currently, businesses located in northern Mississippi utilize the nearest port of entry at Memphis, Tennessee, and the port limits of Memphis do not extend beyond the Tennessee border.

In order to facilitate economic development in northern Mississippi, and provide convenience and improved service to carriers, importers, and the general public, Customs and Border Protection (CBP), in a document published in the **Federal Register** (69 FR 2092) on January 14, 2004, proposed to extend the port limits of the port of Memphis, Tennessee, to include all of the territory within the limits of DeSoto County, northern Mississippi. The document proposed to amend § 101.3(b)(1) of the CBP Regulations if a determination was made to proceed with the expansion of the port limits.

**Adoption of Proposal as Final Rule**

Comments on the proposed amendment to the CBP Regulations were solicited. Five comments were submitted within the designated comment period. Each of the comments supported the proposed extension of the port limits and agreed that it will facilitate economic development in northern Mississippi. Upon further consideration of the matter, CBP has decided to adopt the proposal as published on January 14, 2004.

**New Port Limits of the Port of Memphis, Tennessee**

Accordingly, CBP is amending § 101.3(b)(1) of the CBP Regulations to reflect that the new limits of the port of entry of Memphis, Tennessee are as follows:

The corporate limits of Memphis, Tennessee and all of the territory within the limits of Shelby County, Tennessee and DeSoto County, Mississippi.

**Authority**

This change is being made under the authority of 5 U.S.C. 301 and 19 U.S.C. 2, 66 and 1624.

**Regulatory Flexibility Act and Executive Order 12866**

Although CBP solicited public comments, notice and public procedure was not required pursuant to 5 U.S.C. 553 because this document relates to agency management and organization. Accordingly, this document is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The Office of Management and Budget has determined this rule to be non-significant under Executive Order 12866.

**Drafting Information**

The principal author of this document is Kevin J. Fandl, Attorney, Office Regulations and Rulings, Customs and Border Protection. However, personnel from other Bureau offices participated in its development.

**List of Subjects in 19 CFR Part 101**

Customs duties and inspection, Organization and functions (Government agencies), Customs ports of entry, Exports, Imports.

**Amendment to the Regulations**

■ For the reasons stated above, part 101 of the CBP Regulations (19 CFR part 101) is amended as follows:

**PART 101—GENERAL PROVISIONS**

■ 1. The general authority citation for part 101 and specific authority provision for § 101.3 continue to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 2, 66, 1202 (General Note 23, Harmonized Tariff Schedule of the United States), 1623, 1624, 1646a.

Sections 101.3 and 101.4 also issued under 19 U.S.C. 1 and 58b;

\* \* \* \* \*

**§ 101.3 [Amended]**

■ 2. In the list of ports table in § 101.3(b)(1), under the state of Tennessee, in the "Limits of port" column adjacent to "Memphis" in the "Ports of entry" column, remove the entry "(Restated in T.D. 84-126)" and add in its place "CBP Dec. 04-22".

Dated: July 6, 2004.

**Robert C. Bonner,**

*Commissioner, Customs and Border Protection.*

**Tom Ridge,**

*Secretary, Department of Homeland Security.*

[FR Doc. 04-15680 Filed 7-9-04; 8:45 am]

**BILLING CODE 4820-02-P**

**DEPARTMENT OF THE TREASURY****Alcohol and Tobacco Tax and Trade Bureau****27 CFR Part 9**

[T.D. TTB-15; Re: ATF Notice No. 961]

RIN 1513-AA33

**Establishment of the Red Hills Lake County Viticultural Area (2001R-330P)**

**AGENCY:** Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

**ACTION:** Final rule; Treasury decision.

**SUMMARY:** This Treasury decision establishes the Red Hills Lake County viticultural area in Lake County in northern California. This new viticultural area is entirely within the Clear Lake viticultural area, which is, in turn, within the larger multi-county North Coast viticultural area. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase.

**DATES:** Effective September 10, 2004.

**FOR FURTHER INFORMATION CONTACT:** N. A. Sutton, Program Manager, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau; telephone 415-271-1254.

**SUPPLEMENTARY INFORMATION:****Background on Viticultural Areas***TTB Authority*

Section 205(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide the consumer with adequate information regarding a product's identity and prohibits the use of misleading information on such labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

*Definition*

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical