

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 1031 is added to read as follows:

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

\* \* \* \* \*

Certificate Number: 1031.

Initial Certificate Effective Date: February 4, 2009.

SAR Submitted by: NAC International, Inc.

SAR Title: Final Safety Analysis Report for the MAGNASTOR System.

Docket Number: 72-1031.

Certificate Expiration Date: February 4, 2029.

Model Number: MAGNASTOR.

Dated at Rockville, Maryland, this 31st day of October, 2008.

For the Nuclear Regulatory Commission.

**R.W. Borchardt,**

*Executive Director for Operations.*

[FR Doc. E8-27715 Filed 11-20-08; 8:45 am]

BILLING CODE 7590-01-P

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## FEDERAL RESERVE SYSTEM

### 12 CFR Part 229

[Regulation CC; Docket No. R-1339]

#### Availability of Funds and Collection of Checks

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Board of Governors (Board) is amending the routing number guide to next-day availability checks and local checks in Regulation CC to delete the reference to the Des Moines office of the Federal Reserve Bank of Chicago and to reassign the Federal Reserve routing symbols currently listed under that office to the head office of the Federal Reserve Bank of Chicago. These amendments reflect the restructuring of check-processing operations within the Federal Reserve System.

**DATES:** The final rule will become effective on January 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey S.H. Yeganeh, Financial Services Manager (202/728-5801), or Joseph P. Baressi, Financial Services Project Leader (202/452-3959), Division of Reserve Bank Operations and Payment Systems; or Sophia H. Allison, Senior Counsel (202/452-3565), Legal Division. For users of Telecommunications

Devices for the Deaf (TDD) only, contact 202/263-4869.

**SUPPLEMENTARY INFORMATION:** Regulation CC establishes the maximum period a depository bank may wait between receiving a deposit and making the deposited funds available for withdrawal.<sup>1</sup> A depository bank generally must provide faster availability for funds deposited by a “local check” than by a “nonlocal check.” A check is considered local if it is payable by or at or through a bank located in the same Federal Reserve check-processing region as the depository bank.

Appendix A to Regulation CC contains a routing number guide that assists banks in identifying local and nonlocal banks and thereby determining the maximum permissible hold periods for most deposited checks. The appendix includes a list of each Federal Reserve check-processing office and the first four digits of the routing number, known as the Federal Reserve routing symbol, of each bank that is served by that office for check-processing purposes. Banks whose Federal Reserve routing symbols are grouped under the same office are in the same check-processing region and thus are local to one another.

On January 31, 2009, the Reserve Banks will transfer the check-processing operations of the Des Moines office of the Federal Reserve Bank of Chicago to the head office of the Federal Reserve Bank of Chicago.<sup>2</sup> As a result of this change, some checks that are drawn on and deposited at banks located in the Des Moines and Chicago check-processing regions and that currently are nonlocal checks will become local checks subject to faster availability schedules. To assist banks in identifying local and nonlocal checks and making funds availability decisions, the Board is amending the list of routing symbols in appendix A associated with the Federal Reserve Bank of Chicago to reflect the transfer of check-processing operations from the Des Moines office to

<sup>1</sup> For purposes of Regulation CC, the term “bank” refers to any depository institution, including commercial banks, savings institutions, and credit unions.

<sup>2</sup> The Reserve Banks announced in March 2008 that the check-processing operations of the Des Moines office would be transferred to the head office of the Federal Reserve Bank of Cleveland in the third quarter of 2009. See <http://www.federalreserve.gov/newsevents/press/other/20080331a.htm>. Banks in the current Des Moines, Chicago, and Cleveland check-processing regions should note that the Federal Reserve Banks’ transfer of the Des Moines office’s check-processing operations to the Chicago head office differs from that announcement. The Reserve Banks believe that this arrangement will better serve the needs of affected depository institutions.

the head office of the Federal Reserve Bank of Chicago. To coincide with the effective date of the underlying check-processing changes, the amendments to appendix A are effective January 31, 2009. The Board is providing notice of the amendments at this time to give affected banks ample time to make any needed processing changes. Early notice also will enable affected banks to amend their availability schedules and related disclosures if necessary and provide their customers with notice of these changes.<sup>3</sup>

#### Administrative Procedure Act

The Board has not followed the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of the final rule. The revisions to appendix A are technical in nature and are required by the statutory and regulatory definitions of “check-processing region.” Because there is no substantive change on which to seek public input, the Board has determined that the § 553(b) notice and comment procedures are unnecessary. In addition, the underlying consolidation of Federal Reserve Bank check-processing offices involves a matter relating to agency management, which is exempt from notice and comment procedures.

#### Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506; 5 CFR 1320 Appendix A.1), the Board has reviewed the final rule under authority delegated to the Board by the Office of Management and Budget. The technical amendment to appendix A of Regulation CC will delete the reference to the Des Moines office of the Federal Reserve Bank of Chicago and reassign the routing symbols listed under that office to the head office of the Federal Reserve Bank of Chicago. The depository institutions that are located in the affected check-processing regions and that include the routing numbers in their disclosure statements would be required to notify customers of the resulting change in availability under § 229.18(e). However, all paperwork collection procedures associated with Regulation CC already are in place, and the Board accordingly anticipates that no additional burden will be imposed as a result of this rulemaking.

#### List of Subjects in 12 CFR Part 229

Banks, Banking, Reporting and recordkeeping requirements.

<sup>3</sup> Section 229.18(e) of Regulation CC requires that banks notify account holders who are consumers within 30 days after implementing a change that improves the availability of funds.

**Authority and Issuance**

■ For the reasons set forth in the preamble, the Board is amending 12 CFR part 229 to read as follows:

**PART 229—AVAILABILITY OF FUNDS AND COLLECTION OF CHECKS (REGULATION CC)**

■ 1. The authority citation for part 229 continues to read as follows:

**Authority:** 12 U.S.C. 4001–4010, 12 U.S.C. 5001–5018.

■ 2. The Seventh District routing symbol list in appendix A is revised to read as follows:

**Appendix A to Part 229—Routing Number Guide to Next-Day Availability Checks and Local Checks**

\* \* \* \* \*

**Seventh Federal Reserve District**

[Federal Reserve Bank of Chicago]

*Head Office*

0710	2710
0711	2711
0712	2712
0719	2719
0730	2730
0739	2739
0750	2750
0759	2759
1040	3040
1041	3041
1049	3049

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, November 18, 2008.

**Jennifer J. Johnson,**

*Secretary of the Board.*

[FR Doc. E8–27736 Filed 11–20–08; 8:45 am]

**BILLING CODE 6210–01–P**

**DEPARTMENT OF TRANSPORTATION****Office of the Secretary****14 CFR Part 254**

**RIN 2105–AD80**

**[Docket DOT–OST–2008–0332]**

**Domestic Baggage Liability**

**AGENCY:** Department of Transportation (DOT), Office of the Secretary (OST).

**ACTION:** Final rule.

**SUMMARY:** In accordance with Department of Transportation regulations, this final rule raises the minimum limit on domestic baggage liability applicable to air carriers to reflect inflation since July 2006, the basis month of the most recent previous revision to the liability limit.

Regulations require that the Department of Transportation periodically revise the limit to reflect changes in the Consumer Price Index for All Urban Consumers. This revision adjusts the minimum limit of liability from the current amount of \$3,000 announced by the Department in January 2007 to \$3,300, to take into account the changes in consumer prices since the prior revision.

**DATES:** *Effective Date:* This rule is effective on December 22, 2008.

**FOR FURTHER INFORMATION CONTACT:** Tim Kelly, Aviation Consumer Protection Division, Office of the General Counsel, Department of Transportation, 1200 New Jersey Ave., SE., Washington, DC 20590, 202–366–5952 (voice), 202–366–5944 (fax), *tim.kelly@dot.gov* (e-mail).

**SUPPLEMENTARY INFORMATION:****I. Revision of Liability Limit**

Part 254 of the Department's rules (14 CFR Part 254) establishes minimum baggage liability limits applicable to domestic air service. Section 254.6 of this rule calls for the Department to periodically review the minimum limit of liability prescribed in Part 254 in light of changes in the Consumer Price Index for All Urban Consumers (CPI–U) and to revise the limit of liability to reflect changes in that index as of July of each review year. Section 254.6 prescribes the use of a specific formula to calculate the revised minimum liability amount when making these periodic adjustments. Applying the formula to price index changes occurring between July 2006 and July 2008, the appropriate inflation adjustment is  $\$2,500 \times 219.96/168.30$  [ $\$2,500 \times 1.30695$ ], which yields \$3,267.38. (The base amount of \$2,500 in the formula was the minimum liability limit in Part 254 at the time that this biannual indexing provision was added to the rule, 219.96 is the CPI–U for July 2008, and 168.30 is the CPI–U for 1999.) Section 254.6 requires us to round the adjustment to the nearest \$100, or to \$3,300 in this case.

We are also making an editorial clarification to the text describing the “b” in the formula in section 254.6. This text says that the “b” value in the a/b calculation is to be the “most current CPI–U figure when final rule is issued.” The “final rule” referenced here is the 1999 rule that set the limit at \$2,500 and added this inflation adjustment procedure. The “b” number is therefore the CPI–U figure at the time the 1999 rule was issued. However, the language in note “b” may be subject to misinterpretation since this is a nine-year-old number (at the present time) and yet the text identifies “b” as the

“most current” CPI figure. The text does not specify clearly which final rule is being referred to—the 1999 rule that added the inflation adjustment procedure or the most recent inflation revision, although the preamble of the 1999 rule was clear with regard to intent and the two revisions since then applied the formula in line with that intent. Consequently, we are revising the text describing “b” to read “b = the CPI–U figure in December 1999 when the inflation adjustment provision was added to Part 254.” This is merely an editorial clarification and does not change the calculation of the liability limit.

**II. Waiver of Rulemaking Procedural Requirements**

With this final rule, we are waiving the usual notice of proposed rulemaking and public comment procedures set forth in the Administrative Procedure Act (APA) (5 U.S.C. 553). The APA allows agencies to dispense with such procedures on a finding of good cause when they are impracticable, unnecessary or contrary to the public interest. We have determined that under 5 U.S.C. 553 (b)(3)(B) good cause exists for dispensing with the notice of proposed rulemaking and public comment procedures for this rule. This rulemaking is required by the terms of 14 CFR 254.6, as most recently amended in December 1999 (64 FR 70575, December 17, 1999) and is simply a ministerial inflation update based on a formula. In addition, the editorial revision noted above involves no substantive change. Accordingly, we find that prior notice and comment are unnecessary and contrary to the public interest, and we are issuing these revisions as a final rule.

Although this final rule will become effective on December 22, 2008, in order to avoid imposing an undue burden, the Department will defer enforcement of the notice provision in the rule (section 254.5) as it pertains to printed notices about the new limit for a reasonable time period to allow carriers to replace or update their current paper ticket stock and ticket jackets or inserts. Electronic notices about the minimum domestic liability limit, including notices that are printed “on demand” from an electronic source (e.g., Web sites, e-mail messages, and airport kiosks) should be updated no later than the effective date of this final rule. Carriers are subject to enforcement action from the effective date of this final rule if they fail to provide notice of the new minimum liability limit in the manner described above, or if they fail to apply the new limit.