

When the applicant has submitted a timely application for renewal, the existing CoC will not expire until the application for renewal has been determined by the NRC.

(c) The application must be accompanied by a safety analysis report (SAR). The SAR must include the following:

(1) Design bases information as documented in the most recently updated final safety analysis report (FSAR) as required by § 72.248;

(2) Time-limited aging analyses that demonstrate that structures, systems, and components important to safety will continue to perform their intended function for the requested period of extended operation; and

(3) A description of the AMP for management of issues associated with aging that could adversely affect structures, systems, and components important to safety.

(d) The design of a spent fuel storage cask will be renewed if the conditions in subpart G of this part and § 72.238 are met, and the application includes a demonstration that the storage of spent fuel has not, in a significant manner, adversely affected structures, systems, and components important to safety.

(e) In approving the renewal of the design of a spent fuel storage cask, the NRC may revise the CoC to include terms, conditions, and specifications that will ensure the safe operation of the cask during the renewal term, including but not limited to, terms, conditions, and specifications that will require the implementation of an AMP.

Dated at Rockville, Maryland this 10th day of February, 2011.

For the Nuclear Regulatory Commission.  
**Annette Vietti-Cook,**  
*Secretary of the Commission.*  
 [FR Doc. 2011-3493 Filed 2-15-11; 8:45 am]  
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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Parts 21, 61, 63, 91, 93, 121, 135, 142, 145, and 183**

**[Docket No. FAA-2011-0092; Amendment Nos. 21-93, 61-126, 63-38, 77-14, 91-320, 93-96, 121-352, 135-123, 142-6, 145-28, 183-14]**

**Removal of Expired Federal Aviation Administration Regulations and References**

**AGENCY:** Federal Aviation Administration, DOT.

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

**SUMMARY:** The Federal Aviation Administration (FAA) is making minor technical changes to its regulations by removing expired Special Federal Aviation Regulations (SFARs) and cross-references, as well as other expired or obsolete regulations. None of these changes are substantive in nature since the regulations in question have expired and are not currently in effect. This technical amendment is necessary to update our regulations. The rule will not impose any additional burden or restriction on persons or organizations affected by these regulations.

**DATES:** Effective February 16, 2011.

**FOR FURTHER INFORMATION CONTACT:** Jackie Smith, (202) 267-9682; Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; e-mail [jackie.f.smith@faa.gov](mailto:jackie.f.smith@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Background**

The FAA periodically issues temporary regulations in 14 CFR called Special Federal Aviation Regulations (SFARs). These SFARs are typically necessary for a finite period of time, and usually specify an expiration date within the regulatory text. Additionally, certain subparts have specified expiration dates within the regulatory text. Currently, 14 CFR contains several SFARs, subparts, and sections that have become unnecessary or have expiration dates that have passed. To maintain an accurate body of regulations, we are removing and/or amending SFAR Nos. 36, 80, 92-5, 93, 98, 101-1; Subparts J and M of part 21; Subpart B of part 93; §§ 91.146(b), 121.360, 135.153, 183.61(a)(1), 183.63, and corresponding references. The following tables are presented for the reader's convenience.

**TABLE 1—EXPIRED SFARs**

Part(s)	SFARs removed	Expiration date
61, 63, 135, 142.	93	11/30/2001.
77 .....	98	01/20/2009.
121, 145 .....	36	11/14/2009.
121 .....	80	03/12/2001.
121 .....	92-5	07/31/2003 and 10/01/2003.

**TABLE 2—EXPIRED SUBPARTS AND SECTIONS**

Parts	Subparts and sections amended/removed	Expiration date
21 .....	Subparts J and M .....	11/14/2006
91 .....	§ 91.147(b) .....	09/11/2007
93 .....	Subpart B .....	10/31/2008
121 .....	§ 121.360 .....	03/29/2005
135 .....	§ 135.153 .....	03/29/2005
183 .....	§§ 183.61(a)(1) and 183.63 .....	11/14/2006

Under the Administrative Procedure Act, an agency doesn't have to issue a notice of proposed rulemaking when the agency for good cause finds that public notice and procedure are "impracticable, unnecessary, or contrary to the public interest." See 5 U.S.C. 553(b). Because this technical amendment simply removes obsolete regulations and references, we find that publishing the changes for public notice and comment is unnecessary.

The Administrative Procedure Act also states that an agency must publish a substantive rule not less than 30 days before its effective date, except as otherwise provided by the agency for good cause. See 5 U.S.C. 553(d). We find that this technical amendment imposes no additional burden or requirement on the regulated industry, and is not substantive in nature. Moreover, we find that there is good cause to make the changes effective immediately upon

publication in the **Federal Register**. It is in the public interest to remove these obsolete references from our regulations immediately.

This regulation is editorial in nature and imposes no additional burden on any person or organization. Therefore, we have determined the action: (1) Is not a significant rule under Executive Order 12866; and (2) is not a significant rule under Department of Transportation Regulatory Policy and

Procedures. No impact is expected as a result of removing these regulations and a full regulatory evaluation is not required. In addition, the FAA certifies the rule will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

#### List of Subjects

##### 14 CFR Part 21

Aircraft, Aviation safety, Exports, Imports, Reporting and recordkeeping requirements.

##### 14 CFR Part 61

Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Recreation and recreation areas, Reporting and recordkeeping requirements, Security measures, Teachers.

##### 14 CFR Part 63

Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Navigation (air), Reporting and recordkeeping requirements, Security measures

##### 14 CFR Part 77

Administrative practice and procedure, Airports, Airspace, Aviation safety, Navigation (air), Reporting and recordkeeping requirements.

##### 14 CFR Part 91

Afghanistan, Agriculture, Air traffic control, Aircraft, Airmen, Airports, Aviation safety, Canada, Cuba, Ethiopia, Freight, Mexico, Noise control, Political candidates, Reporting and recordkeeping requirements, Yugoslavia.

##### 14 CFR Part 93

Air traffic control, Airports, Navigation (air), Reporting and recordkeeping requirements

##### 14 CFR Part 121

Air carriers, Aircraft, Airmen, Alcohol abuse, Aviation safety, Charter flights, Drug abuse, Drug testing, Reporting and recordkeeping requirements, Safety, Transportation.

##### 14 CFR Part 135

Air taxis, Aircraft, Airmen, Alcohol abuse, Aviation safety, Drug abuse, Drug testing, Reporting and recordkeeping requirements.

##### 14 CFR Part 142

Administrative practice and procedure, Airmen, Educational facilities, Reporting and recordkeeping requirements, Schools, Teachers.

##### 14 CFR Part 145

Aircraft, Aviation safety, Reporting and recordkeeping requirements.

##### 14 CFR Part 183

Aircraft, Airmen, Authority delegations (Government agencies), Health professions, Reporting and recordkeeping requirements.

#### The Amendments

In consideration of the foregoing, the Federal Aviation Administration amends parts 21, 61, 63, 77, 91, 93, 121, 135, 145, and 183 of Title 14, Code of Federal Regulations as follows:

#### PART 21—CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

- 1. The authority citation for part 21 continues to read as follows:

**Authority:** 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44704, 44707, 44709, 44711, 44713, 44715, 45303.

#### Subpart J—[Removed and Reserved]

- 2. Remove and reserve Subpart J, consisting of §§ 21.231 through 21.293.

#### Subpart M—[Removed and Reserved]

- 3. Remove and reserve Subpart M, consisting of §§ 21.431 through 21.493.

#### PART 61—CERTIFICATION: PILOTS, FLIGHT INSTRUCTORS, AND GROUND INSTRUCTORS

- 4. The authority citation for part 61 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

#### Special Federal Aviation Regulation No. 93 [Removed]

- 5. Remove SFAR No. 93.

#### PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

- 6. The authority citation for part 63 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701–44703, 44707, 44709–44711, 45102–45103, 45301–45302.

#### Special Federal Aviation Regulations No. 93 [Removed]

- 7–9. Remove SFAR No. 93.

#### PART 91—GENERAL OPERATING AND FLIGHT RULES

- 10. The authority citation for part 91 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 1155, 40103, 40113, 40120, 44101, 44111, 44701, 44704, 44709, 44711, 44712, 44715, 44716, 44717, 44722, 46306, 46315, 46316, 46504, 46506–46507, 47122, 47508, 47528–47531, articles 12 and 29 of the Convention on International Civil Aviation (61 Stat. 1180).

#### § 91.147 [Amended]

- 11. Amend § 91.147(b) by removing the words “by September 11, 2007”.

#### PART 93—SPECIAL AIR TRAFFIC RULES

- 12. The authority citation for part 93 continues to read as follows:

**Authority:** 42 U.S.C. 7572; 49 U.S.C. 106(g), 40105, 40113, 44701–44702, 44704, 44707, 44709, 44711, 44713, 44715, 45303.

#### Subpart B—[Removed and Reserved]

- 13. Remove and reserve Subpart B, consisting of §§ 93.21 through 93.33.

#### PART 121—OPERATING REQUIREMENTS: DOMESTIC, FLAG, AND SUPPLEMENTAL OPERATIONS

- 14. The authority citation for part 121 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701–44702, 44705, 44709–44711, 44713, 44716–44717, 44722, 46105.

#### Special Federal Aviation Regulation No. 14 [Removed]

- 15. Remove SFAR No. 14.

#### Special Federal Aviation Regulation No. 36 [Removed]

- 16. Remove SFAR No. 36.

#### Special Federal Aviation Regulation No. 80 [Removed]

- 17. Remove SFAR No. 80.

#### Special Federal Aviation Regulation No. 92–5 [Removed]

- 18. Remove SFAR No. 92–5.

#### Special Federal Aviation Regulation No. 93 [Removed]

- 19. Remove SFAR No. 93.

#### § 121.360 [Removed and Reserved]

- 20. Remove and reserve § 121.360.

#### PART 135—OPERATING REQUIREMENTS: COMMUTER AND ON DEMAND OPERATIONS AND RULES GOVERNING PERSONS ON BOARD SUCH AIRCRAFT

- 21. The authority citation for part 135 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 41706, 40113, 44701–44702, 44705, 44709, 44711–44713, 44715–44717, 44722, 45101–45105.

**Special Federal Aviation Regulation No. 36 [Removed]**

- 22. Remove SFAR 36.

**Special Federal Aviation Regulation No. 93 [Removed]**

- 23. Remove SFAR 93.

**§ 135.153 [Removed and Reserved]**

- 24. Remove and reserve § 135.153.

**PART 142—TRAINING CENTERS**

- 25. The authority citation for part 142 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 40119, 44101, 44701–44703, 44705, 44707, 44709–44711, 45102–45703, 45301–45302.

**Special Federal Aviation Regulation No. 93 [Removed]**

- 26. Remove SFAR 93.

**PART 145—REPAIR STATIONS**

- 27. The authority citation for part 145 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701–44702, 44707, 44709, 44717,

**Special Federal Aviation Regulation No. 35 [Removed]**

- 28. Remove SFAR 36.

**PART 183—REPRESENTATIVES OF THE ADMINISTRATOR**

- 29. The authority citation for part 183 continues to read as follows:

**Authority:** 31 U.S.C. 9701; 49 U.S.C. 106(g), 40113, 44702, 45303

**§ 183.61 [Amended]**

- 30. Amend § 183.61 by removing and reserving paragraph (a)(1).

**§ 183.63 [Amended]**

- 31. Amend § 183.63 introductory text by removing the phrase “or under the delegation rules of subpart J or M of part 21, or SFAR 36 of this chapter.”

Issued in Washington, DC on February 11, 2011.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. 2011–3467 Filed 2–15–11; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 706**

**Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy (DoN) is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (DAJAG) (Admiralty and Maritime Law) has determined that USS SPRUANCE (DDG 111) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** This rule is effective February 16, 2011 and is applicable beginning February 9, 2011.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Jaewon Choi, JAGC, U.S. Navy, Admiralty Attorney, (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374–5066, *telephone number:* 202–685–5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the DoN amends 32 CFR Part 706.

This amendment provides notice that the DAJAG (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS SPRUANCE (DDG 111) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 2(f)(i), pertaining to the placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 2(f)(ii), pertaining to the vertical placement of task lights; Rule 21(a), pertaining to the arc of visibility of the forward masthead light;

Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship, and the horizontal distance between the forward and after masthead lights; and Annex I, paragraph 3(c), pertaining to placement of task lights not less than two meters from the fore and aft centerline of the ship in the athwartship direction. The DAJAG (Admiralty and Maritime Law) has also certified that the lights involved are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel’s ability to perform its military functions.

**List of Subjects in 32 CFR Part 706**

Marine safety, Navigation (water), and Vessels.

For the reasons set forth in the preamble, amend part 706 of title 32 of the CFR as follows:

**PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972**

- 1. The authority citation for part 706 continues to read as follow:

**Authority:** 33 U.S.C. 1605.

- 2. Section 706.2 is amended as follows:

- A. In Table Four, Paragraph 15 by adding, in alpha numerical order, by vessel number, an entry for USS SPRUANCE (DDG 111);

- B. In Table Four, Paragraph 16 by adding, in alpha numerical order, by vessel number, an entry for USS SPRUANCE (DDG 111); and

- C. In Table Five, by adding, in alpha numerical order, by vessel number, an entry for USS SPRUANCE (DDG 111):

**§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.**

\* \* \* \* \*

**Table Four**

- 15. \* \* \*