

crop insurance policy, the administrative appeal provisions published at 7 CFR part 11 and 7 CFR 400, subpart J for the informal administrative review process of good farming practices, as applicable, must be exhausted before any action against FCIC for judicial review may be brought.

**Environmental Evaluation**

This action is not expected to have a significant economic impact on the quality of the human environment, health, and safety. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is needed.

**Background**

FCIC proposes to amend the Common Crop Insurance Regulations (7 CFR part 457) by revising § 457.122, Walnut Crop Insurance Provisions, and § 457.123, Almond Crop Insurance Provisions effective for the 2007 and succeeding crop years. Currently, the policy requires that almond trees reach the seventh growing season after set out before the almonds are eligible for insurance coverage. Walnut trees need to reach the ninth growing season after set out before the walnuts are eligible for insurance coverage. Set out occurs when the tree is transplanted into the orchard. This rule will reduce the age requirement for insurability of almond trees from the seventh to the sixth year after set out and reduce the age requirement for insurability of walnut trees from the ninth to the seventh year after set out.

This change is being made because newer varieties of almond and walnut trees are more vigorous, and produce at an earlier age. The newer varieties are planted more densely, achieve full canopy sooner, and come into full production earlier. The almond and walnut industries research of breeding programs and cultural practices shows that almonds and walnuts begin bearing production as early as third and fourth growing seasons respectively, and are at full production at the sixth and seventh growing season after set out. Therefore, there is no increased risk from allowing insurance to attach earlier.

**List of Subjects in 7 CFR Part 457**

Crop insurance, Almonds, Walnuts, Reporting and recordkeeping requirements.

**Proposed Rule**

Accordingly, as set forth in the preamble, the Federal Crop Insurance Corporation proposes to amend 7 CFR part 457 Common Crop Insurance Regulations, for the 2007 and

succeeding crops years, to read as follows:

**PART 457—COMMON CROP INSURANCE REGULATIONS**

1. The authority citation for 7 CFR part 457 continues to read as follows:

Authority: 7 U.S.C. 1506(1), 1506(p).

2. Amend § 457.122 as follows:

A. Revise the first sentence of the introductory text.

B. Revise paragraph 6(d).

The revisions to § 457.122 read as follows:

**§ 457.122 Walnut crop insurance provisions.**

The walnut crop insurance provisions for the 2007 and succeeding crop years are as follows:

\* \* \* \* \*

6. Insured Crop

\* \* \* \* \*

(d) On acreage where at least 90 percent of the trees have reached at least the seventh growing season after set out, unless otherwise provided in the Special Provisions or by a written agreement that coverage may be provided for trees not meeting this requirement.

\* \* \* \* \*

3. Amend § 457.123 as follows:

A. Revise the first sentence of the introductory text.

B. Revise paragraph 6(e).

The revision to section 457.123 to read as follows:

**§ 457.123 Almond crop insurance provisions.**

The almond crop insurance provisions for the 2007 and succeeding crop years are as follows:

\* \* \* \* \*

6. Insured Crop

\* \* \* \* \*

(e) On acreage where at least 90 percent of the trees have reached at least the sixth growing season after set out, unless otherwise provided in the Special Provisions or by a written agreement that coverage may be provided for trees not meeting this requirement.

\* \* \* \* \*

Signed in Washington, DC, on February 28, 2006.

**Byron Anderson,**  
Acting Manager, Federal Crop Insurance Corporation.

[FR Doc. 06-2074 Filed 3-20-06; 8:45 am]

**BILLING CODE 3410-08-P**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 72**

**RIN 3150-AH87**

**List of Approved Spent Fuel Storage Casks: VSC-24 Revision 6**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations revising the BNG Fuel Solutions Corporation VSC-24 cask system listing within the “List of Approved Spent Fuel Storage Casks” to include Amendment No. 6 to the Certificate of Compliance. Amendment No. 6 would modify the present cask system design to revise the Technical Specification (TS) requirements related to periodic monitoring during storage operation. Specifically, the amendment would eliminate TS 1.3.4 that requires daily temperature measurement of the cask. The daily temperature measurement is not required because the daily visual inspection of the cask inlet and outlet vent screens, required by TS 1.3.1, provides the capability to determine when corrective action needs to be taken to maintain safe storage conditions under the requirements that govern general design criteria for spent fuel storage casks. This is because the visual inspection would determine if the cask inlets and outlets were blocked (the focus of the thermal analysis submitted by the CoC holder). The amendment would also revise TS 1.2.3 to correspond with TS 1.3.1 by revising the method of thermal performance evaluation to allow for daily temperature surveillance after the cask has reached thermal equilibrium. In addition, the amendment would update editorial changes associated with the company name change from BNFL Fuel Solutions Corporation to BNG Fuel Solutions Corporation.

**DATES:** Comments on the proposed rule must be received on or before April 20, 2006.

**ADDRESSES:** You may submit comments by any one of the following methods. Please include the following number (RIN 3150-AH87) 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 comment 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: Rulemaking and Adjudications Staff.

E-mail comments to: *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 Web site at <http://ruleforum.llnl.gov>. Address questions about our rulemaking Web site to Carol Gallagher (301) 415-5905; e-mail *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 Web site 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*. An electronic copy of the proposed Certificate of Compliance (CoC), TS, and preliminary safety evaluation report (SER) can be found under ADAMS Accession Nos. ML053330269, ML053340113, and ML053330282, respectively.

**FOR FURTHER INFORMATION CONTACT:** Jayne M. McCausland, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6219, e-mail *jmm2@nrc.gov*.

**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 No. 6 to CoC No. 1007 and does not include other aspects of the VSC-24 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 June 5, 2006. However, if the NRC receives significant adverse comments by April 20, 2006, 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 TS.

### 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 is revised 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); sec. 651(e), Pub. L. 109-58, 119 Stat. 806-10 (42 U.S.C. 2014, 2021, 2021b, 2111).

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, 2224 (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 1007 is revised to read as follows:

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

\* \* \* \* \*

Certificate Number: 1007.  
Initial Certificate Effective Date: May 7, 1993.  
Amendment Number 1 Effective Date: May 30, 2000.  
Amendment Number 2 Effective Date: September 5, 2000.  
Amendment Number 3 Effective Date: May 21, 2001.  
Amendment Number 4 Effective Date: February 3, 2003.  
Amendment Number 5 Effective Date: September 13, 2005.

Amendment Number 6 Effective Date:  
June 5, 2006.  
SAR Submitted by: BNG Fuel Solutions  
Corporation.  
SAR Title: Final Safety Analysis Report  
for the Ventilated Storage Cask  
System.  
Docket Number: 72-1007.  
Certificate Expiration Date: May 7, 2013.  
Model Number: VSC-24.  
\* \* \* \* \*

Dated at Rockville, Maryland, this 3rd day  
of March, 2005.

For the Nuclear Regulatory Commission.

**Luis A. Reyes,**

*Executive Director for Operations.*

[FR Doc. E6-4083 Filed 3-20-06; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 25, 91, 121, 125, and 129

[Docket No. FAA-2005-22997; Notice No.  
05-14]

RIN 2120-A123

#### Reduction of Fuel Tank Flammability in Transport Category Airplanes

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

**ACTION:** Notice of proposed rulemaking  
(NPRM); extension of comment period.

**SUMMARY:** This action extends the  
comment period for an NPRM published  
on November 23, 2005. In the NPRM,  
the FAA proposed new rules that would  
require operators and manufacturers of  
transport category airplanes to take  
steps that, in combination with other  
required actions, should greatly reduce  
the chance of a catastrophic fuel tank  
explosion. The extension of the  
comment period is a result of requests  
from a number of entities to allow  
public comment on new information  
that has recently been placed in the  
public docket.

**DATES:** Send your comments on or  
before May 8, 2006.

**ADDRESSES:** You may send comments on  
the NPRM, identified by Docket No.  
FAA-2005-22997, using any of the  
following methods:

- DOT Docket Web site: Go to  
<http://dms.dot.gov> and follow the  
instructions for sending your comments  
electronically.
- Government-wide rulemaking Web  
site: Go to <http://www.regulations.gov>  
and follow the instructions for sending  
your comments electronically.
- Mail: Docket Management Facility;  
U.S. Department of Transportation, 400

Seventh Street, SW., Nassif Building,  
Room PL-401, Washington, DC 20590-  
0001.

- Fax: 1-202-493-2251.
- Hand Delivery: Room PL-401 on  
the plaza level of the Nassif Building,  
400 Seventh Street, SW., Washington,  
DC, between 9 a.m. and 5 p.m., Monday  
through Friday, except Federal holidays.

For more information on the  
rulemaking process, see the  
**SUPPLEMENTARY INFORMATION** section of  
the NPRM.

*Privacy:* We will post all comments  
we receive, without change, to <http://dms.dot.gov>,  
including any personal  
information you provide. For more  
information, see the Privacy Act  
discussion in the **SUPPLEMENTARY  
INFORMATION** section of the NPRM.

#### FOR FURTHER INFORMATION CONTACT:

Michael E. Dostert, FAA Propulsion/  
Mechanical Systems Branch, ANM-112,  
Transport Airplane Directorate, Aircraft  
Certification Service, 1601 Lind  
Avenue, SW., Renton, Washington  
98055-4056; telephone (425) 227-2132,  
facsimile (425-227-1320); e-mail:  
[mike.dostert@faa.gov](mailto:mike.dostert@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

The FAA continues to invite  
interested persons to take part in this  
rulemaking by sending written  
comments, data, or views about the  
NPRM we issued on November 17,  
2005, Reduction of Fuel Tank  
Flammability in Transport Category  
Airplanes (70 FR 70922, November 23,  
2005). We also invite comments about  
the economic, environmental, energy, or  
federalism impacts that might result  
from adopting the proposals in the  
NPRM. The most helpful comments  
reference a specific portion of the  
NPRM, explain the reason for any  
recommended change, and include  
supporting data. We ask that you send  
us two copies of written comments.

##### Background

On November 17, 2005, the Federal  
Aviation Administration (FAA) issued  
Notice No. 05-14, Reduction of Fuel  
Tank Flammability in Transport  
Category Airplanes (70 FR 70922,  
November 23, 2005). The comment  
period for the NPRM ends on March 23,  
2006.

We received requests from a number  
of entities to extend the comment period  
on this NPRM by 60 days. These entities  
noted that information contained in a  
report prepared for the FAA by Sandia  
National Laboratories, that assesses the  
effectiveness of previous actions  
resulting from SFAR 88 at reducing the

occurrence of ignition sources and  
associated accident rate resulting from  
fuel tank explosions, has only recently  
been placed in the public docket and  
they requested additional time to  
consider this information in their  
comments. In addition, the FAA will  
include copies of independent peer  
reviews of the Sandia Report and the  
Fuel Tank Flammability Assessment  
User's Manual, in the public docket for  
the NPRM.

The FAA agrees with the petitioners'  
requests for an extension of the  
comment period. We recognize the  
NPRM's contents are significant and  
complex. Also, the original comment  
period is insufficient because the  
additional information was not available  
in the public docket earlier in the  
comment period. Further, we  
understand that additional requests for  
extensions will be filed shortly by some  
entities that will be directly affected by  
the proposals in the NPRM. We have  
determined that an additional 45 days  
will be sufficient to allow for all  
commenters to collect and send  
information they believe necessary for  
the FAA to understand their concerns  
on the proposed rules and the  
additional information recently added  
to the NPRM public docket as  
previously discussed. Absent unusual  
circumstances, the FAA does not  
anticipate any further extension of the  
comment period for the NPRM.

On November 18, 2005, we issued a  
Notice of availability of proposed AC  
25.981-2A, Fuel Tank Flammability,  
and request for comments (70 FR 71365;  
November 28, 2005). This Notice  
announced the availability of and  
requested comments on a proposed AC  
which sets forth an acceptable means,  
but not the only means, of  
demonstrating compliance with the  
provisions of the airworthiness  
standards in the NPRM. The comment  
period for the proposed AC ends on  
March 23, 2006 and is also being  
extended by 45 days. The extension of  
the comment period for the proposed  
AC is being published concurrently  
with this extension.

##### Extension of Comment Period

In accordance with 14 CFR 11.47(c),  
the FAA has reviewed the requests of a  
number of entities for an extension of  
the comment period to the NPRM. The  
FAA finds that an extension of the  
comment period for Notice No. 05-14 is  
consistent with the public interest, and  
that good cause exists for taking this  
action.

Accordingly, the comment period for  
Notice No. 05-14 is extended until May  
8, 2006.