passengers. The Oakland International Airport has added international passenger service between France and Tahiti. By allowing this airport to accept applications for direct transit without visa, Oakland International Airport will be able to accommodate these transit air passengers.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary as this rule relates to agency management. Since this rule pertains to agency ''practice and procedures'' it does not require Congressional review necessitated by 5 U.S.C. § 801.

Regulatory Flexibility Act

The Commissioner of the Immigration and Naturalization Service, in accordance with Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and, by approving it, certifies that this rule will not have a significant economic impact on a substantial number of small entities. This rule merely allows the Oakland, California, and the Sanford, Florida, airports to accommodate international passengers by providing authority to accept applications for direct transit without visa. This rule will facilitate travel for the public.

Executive Order 12866

This rule is not considered by the Department of Justice, Immigration and Naturalization Service, to be a ''significant regulatory action'' under Executive Order 12866, section 3(f), Regulatory Planning and Review, and the Office of Management and Budget has waived its review process under section 6(a)(3)(A).

Executive Order 12612

The regulation proposed herein will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

List of Subjects in 8 CFR Part 214

Administrative practice and procedure, Aliens, Passports and visas.

Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

PART 214—NONIMMIGRANT CLASSES

1. The authority citation for part 214 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1182, 1184, 1186a, 1187,1221, 1281, 1282; 8 CFR part 2.

§ 214.2 [Amended]

2. In § 214.2, paragraph (c)(1) is amended, in the fourth sentence, by adding ''Oakland, CA,'' immediately after ''Norfolk, VA,'' and ''Sanford, FL,'' immediately after ''San Diego, CA,'' to the listing of ports of entry authorized to accept direct transit without visa applications.

Dated: June 25, 1996.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 96–17264 Filed 7–8–96; 8:45 am]

BILLING CODE 4410–10–M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 53

RIN 3150–AF47

Removal of 10 CFR Part 53—Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations to remove provisions concerning the ''Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity'' from the Code of Federal Regulations. This Part of the Commission's regulations is no longer applicable because the statutory timeframe for its implementation has expired.

DATE: This final rule is effective on August 8, 1996.

FOR FURTHER INFORMATION CONTACT: Gordon Gundersen, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone (301) 415–6195.

SUPPLEMENTARY INFORMATION:

Background

10 CFR Part 53 established procedures for nuclear power plant owners to follow for obtaining a determination from the NRC that the plant can not provide adequate spent nuclear fuel storage capacity. The regulations in this part established procedures and criteria for making the determination required by section 135(b) of the Nuclear Waste Policy Act of 1982 (96 Stat. 2201 and 2233) that an owner or operator of a civilian nuclear power reactor could not reasonably provide adequate spent nuclear fuel storage capacity at the reactor site, or at any other reactor it operates, when needed to ensure the continued orderly operation of the reactor. These regulations also required that the owner or operator diligently pursue licensed alternatives to the use of Federal storage capacity for the storage of spent nuclear fuel expected to be generated in the future.

Civilian nuclear power reactor operators who wanted the Commission to make a determination under 10 CFR Part 53 had to file a request by June 30, 1989. The Commission was to process the request and make a determination before January 1, 1990. Section 53.11(b) placed a time limitation of June 30, 1989 (with an outside date of January 1, 1990 for special circumstances), on the filing of requests for a Commission determination on the adequacy of available spent fuel storage capacity. This was based on the January 1, 1990, limitation in Section 136(a) of the Nuclear Waste Policy Act on the ability of Department of Energy to enter into contracts for the interim storage of spent fuel based on a Commission determination. These dates have long passed and this Part of the Commission's regulations is no longer applicable because the statutory timeframe for its implementation has expired.

The storage of spent nuclear fuel at NRC licensed nuclear power plants is not affected by removing 10 CFR Part 53 because 10 CFR Part 50 provides the regulatory basis for licensing both wet and dry modes of spent fuel storage at nuclear power reactors. 10 CFR Part 72 provides the regulatory basis for licensing spent nuclear fuel storage in Independent Spent Fuel Storage Installations or Monitored Retrievable Storage Installations. These regulations are not affected by the removal of 10 CFR Part 53.

In accordance with 10 CFR 2.804(d)(2) of the Commission's regulations, the Commission is issuing a final rule withdrawing 10 CFR Part 53, rather than using the normal notice and comment process for agency rulemakings. In this case, the Commission finds that there is good cause to dispense with notice and public comment as unnecessary. As noted above, the statutory time period within which Federal interim storage under this rule could be implemented has long passed, and the Commission has no discretion to entertain any requests for Federal interim storage under this rule. Furthermore, little interest has been shown in the interim

storage procedures in 10 CFR Part 53, and the Commission received no requests for interim storage since its promulgation in 1985. Under these circumstances, the Commission believes that public comment is unnecessary. The action will become effective on August 8, 1996.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing requirements, which are being discontinued, were approved by the Office of Management and Budget, approval number 3150–0126.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Regulatory Analysis

A regulatory analysis has not been prepared for this final rule because this final rule is considered a minor, non-substantive amendment and has no economic impact on NRC licensees or the public.

Small Business Regulatory Enforcement Act

In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

Backfit Analysis

The NRC has determined that the backfit rule, 10 CFR 50.109 does not apply to this final rule because these amendments do not involve any provisions which would impose backfits as defined in 10 CFR 50.109(a)(1). Therefore, a backfit analysis is not required for this final rule.

List of Subjects in 10 CFR Part 53

Administrative practice and procedure, High-level waste, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements, Spent fuel, Waste treatment and disposal.

PART 53—[REMOVED]

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954 (42 U.S.C. 2201), as amended; the Energy Reorganization Act of 1974 (42 U.S.C. 5841), as amended; and 5 U.S.C. 552 and 553; the NRC is removing 10 CFR Part 53.

Dated at Rockville, Maryland, this 25th day of June 1996.

For the Nuclear Regulatory Commission.

James M. Taylor,

Executive Director for Operations.

[FR Doc. 96–17447 Filed 7–8–96; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 95–CE–101–AD; Amendment 39–9690; AD 96–09–08 R1]

RIN 2120–AA64

Airworthiness Directives; Aviat Aircraft Inc. Models S–2A, S–2B, and S–2S Airplanes (formerly Pitts Models S–2A, S–2B, and S–2S airplanes)

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment revises Airworthiness Directive (AD) 96–09–08, which currently requires inspecting the longerons aft of the rear cabane struts for cracks, and if cracked, prior to further flight, repairing the cracks. The current AD is applicable to Aviat Aircraft Inc. (Aviat), Models S–2A, S–2B, and S–2S airplanes (formerly Pitts Models S–2A, S–2B, and S–2S airplanes). This action requires the same action as AD 96–09–08; however, after AD 96–09–08 was issued, the FAA was notified by the manufacturer that the compliance time in the service bulletin was changed, and as a result, the issue date for the service bulletin was changed. This revision will ensure that the owner and operators are using the most up-to-date service bulletin applicable to the required actions in this AD. The actions specified by this AD are intended to prevent cracking and subsequent failure of the longerons resulting in possible loss of control of the airplane.

DATES: Effective July 26, 1996.

The original Aviat Service Bulletin No. 24, dated February 8, 1996 was incorporated by reference and approved by the Director of the Federal Register to become effective May 20, 1996 (61 FR 19540, May 2, 1996). The incorporation by reference of Aviat Service Bulletin No. 24, dated March 20, 1996 that is applicable to this revised AD and listed in the regulations is approved by the Director of the Federal Register as of July 26, 1996.

Comments for inclusion in the Rules Docket must be received on or before August 30, 1996.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–101–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

Service information that applies to this AD may be obtained from Aviat Aircraft Inc., The Airport-Box No. 1240, 672 South Washington Street, Afton, Wyoming, 83110; telephone (307) 886–3151; facsimile (307) 886–9674. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95–CE–101–AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Roger Caldwell, Project Engineer, FAA, Denver Aircraft Certification Office, 5440 Roslyn St., suite 133, Denver, Colorado 80216; telephone (303) 286–5683; facsimile (303) 286–5689.

SUPPLEMENTARY INFORMATION: Airworthiness Directive 96–09–08, Amendment 39–9584, (61 FR 19540, May 2, 1996) is applicable to Aviat Aircraft Inc., Models S–2A, S–2B, and S–2S airplanes (formerly Pitts Models S–2A, S–2B, and S–2S airplanes) and currently requires inspecting the longerons around the rear cabane struts for cracks, and if no cracks are found, continue repetitively inspecting the airplane. If cracks are found during any inspection, prior to further flight, repair any cracks found according to the approved repair scheme provided by the Denver ACO manager.

Accomplishment of the actions of AD 96–09–08 is required in accordance with Aviat Aircraft Inc. Service Bulletin (SB) No. 24, dated February 8, 1996, which has been revised and replaced by Aviat SB No. 24, dated March 20, 1996.