Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Withdrawal of Proposed Rule

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Withdrawal of a proposed rule.

SUMMARY: The Agricultural Marketing Service (AMS) is withdrawing a proposed rule published in the June 4, 2010 [75 FR 31719], issue of the Federal Register, inviting written exceptions to proposed amendments to Marketing Agreement and Order No. 930 (order), which regulates the handling of tart cherries grown in Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin. The proposed rule was published in error.

DATES: The proposed rule published at 75 FR 31719, June 4, 2010, is withdrawn as of June 15, 2010.

FOR FURTHER INFORMATION CONTACT: Laurel May, Marketing Order Administration Branch, Fruit and Vegetable Programs, AMS, USDA, 1400 Independence Avenue SW., Stop 0237, Washington, DC 20250–0237; telephone: (202) 720–2491; Fax: (202) 720–8938, or E-mail: Laurel.May@ams.usda.gov.

SUPPLEMENTARY INFORMATION: The Agricultural Marketing Service (AMS) proposed to amend Marketing Agreement and Order No. 930 (order) regulating the handling of tart cherries grown in the states of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin. As part of the amendment process, a proposed rule was published in the Federal Register on May 12, 2009, at 74 FR 22112, and the period for filing exceptions closed June 11, 2009. A duplicate of the proposed rule was inadvertently published in the Federal Register on June 4, 2010, at 75 FR 31719. However, it is not AMS’s intention to reopen the comment period. Accordingly, the proposed rule published at 75 FR 31719 in the June 4, 2010, issue of the Federal Register is hereby withdrawn.

republication, the NRC will not initiate proposed revisions in a subsequent final rule. If the NRC receives significant adverse comments on the direct final rule by August 30, 2010, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments received in response to the proposed revisions in a subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

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, a substantive response is required when:

(a) The comment causes the NRC staff to reevaluate (or reconsider) its position or conduct additional analysis; or
(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 rule, CoC, or TS.

For additional procedural information and the regulatory analysis, see the final direct rule published in the Rules and Regulations section of this Federal Register.

List of Subjects in 10 CFR Part 72


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; the Nuclear Waste Policy Act of 1982, 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 continues to read as follows:


2. In §72.214, Certificate of Compliance 1031 is revised to read as follows:

§72.214 List of approved spent fuel storage casks.

Certificate Number: 1031.
Initial Certificate Effective Date: February 4, 2009.
Amendment Number 1 Effective Date: August 30, 2010.
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 25th day of May, 2010.
For the Nuclear Regulatory Commission.
R.W. Borchardt, Executive Director for Operations.
[FR Doc. 2010–14333 Filed 6–14–10; 8:45 am]