

# Rules and Regulations

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 2 and 171

[NRC-2012-0062]

RIN 3150-AJ14

#### Receipts-Based, Small Business Size Standard; Confirmation of Effective Date

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; confirmation of effective date.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of August 22, 2012, for the direct final rule that appeared in the **Federal Register** of July 3, 2012 (77 FR 39385). This direct final rule amended the size standard that the NRC uses to qualify an NRC licensee as a “small entity” under the Regulatory Flexibility Act of 1980, as amended. The NRC is increasing its receipts-based, small business size standard from \$6.5 million to \$7 million to conform to the standard set by the Small Business Administration (SBA). This document confirms the effective date.

**DATES:** The effective date of August 22, 2012, is confirmed for this direct final rule.

**ADDRESSES:** Please refer to Docket ID NRC-2012-0062 when contacting the NRC about the availability of information for this direct final rule. You may access information and comment submittals related to this direct final rule, which the NRC possesses and are publicly available, by any of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0062.
- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may access publicly

available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

#### FOR FURTHER INFORMATION CONTACT:

Theresa Barczy, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: 301-492-3666, email: [theresa.barczy@nrc.gov](mailto:theresa.barczy@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On July 3, 2012 (77 FR 39385), the NRC published in the **Federal Register** a direct final rule amending its regulations in parts 2 and 171 of Title 10 of the Code of Federal Regulations. The direct final rule amended the size standard that the NRC uses to qualify an NRC licensee as a “small entity” under the Regulatory Flexibility Act of 1980, as amended. The NRC is increasing its receipts-based, small business size standard from \$6.5 million to \$7 million to conform to the standard set by the SBA. This document confirms the effective date. In the direct final rule, the NRC stated that if any significant adverse comments were received, a notice of timely withdrawal of the direct final rule would be published in the **Federal Register**. A significant adverse comment is one where a commenter explains why the rule would be inappropriate, including challenges to its underlying premise or approach, or would be ineffective, or unacceptable without a change. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule was effective as scheduled.

Dated at Rockville, Maryland, this 28th day of August, 2012.

For the Nuclear Regulatory Commission.

**Cindy K. Bladley,**

*Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2012-0717]

RIN 1625-AA00

#### Safety Zone; Liberty to Freedom Swims, Liberty Island, Upper Bay and Hudson River, NY

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone on the navigable waters of Upper New York Bay, NY and the Lower Hudson River for the September 5, 2012 and September 15, 2012 Liberty to Freedom swim events. This temporary safety zone is necessary to protect the maritime public and event participants from the hazards associated with swim events. This rule is intended to restrict all vessels and persons from entering into, transiting through, mooring, or anchoring within the safety zone unless authorized by the Captain of the Port (COTP) New York or a designated representative.

**DATES:** This rule is effective from 9:30 a.m. on September 5, 2012 until 5 p.m. on September 15, 2012. This rule will be enforced from 9:30 a.m. until 11 a.m. on September 5, 2012 and from 3 p.m. until 5 p.m. on September 15, 2012.

**ADDRESSES:** Documents mentioned in this preamble are part of docket USCG-2012-0717. To view documents mentioned in this preamble as being available in the docket, go to <http://www.regulations.gov>, type the docket number in the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking. You may also visit the Docket Management Facility in Room W12-140 on the ground floor of the Department of Transportation West