

# Rules and Regulations

Federal Register

Vol. 78, No. 249

Friday, December 27, 2013

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2012-0020]

RIN 3150-AJ10

#### List of Approved Spent Fuel Storage Casks: Transnuclear, Inc. Standardized NUHOMS® Cask System

**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 January 7, 2014, for the direct final rule that was published in the *Federal Register* on October 24, 2013. This direct final rule amended the NRC's spent fuel storage regulations by revising the Transnuclear, Inc. Standardized NUHOMS® Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 11 to Certificate of Compliance (CoC) No. 1004.

**DATES:** The effective date of January 7, 2014, is confirmed for the direct final rule published October 24, 2013 (78 FR 63375).

**ADDRESSES:** Please refer to Docket ID NRC-2012-0020 when contacting the NRC about the availability of information for this direct final rule. You may access publicly-available information related to this direct final rule by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0020. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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:** Gregory Trussell, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-6445, email: [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Discussion

On October 24, 2013 (78 FR 63375), the NRC published a direct final rule amending its regulations at § 72.214 of Title 10 of the *Code of Federal Regulations* (10 CFR) by revising the Transnuclear, Inc. Standardized NUHOMS® Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 11 to CoC No. 1004. Amendment No. 11 added a new transfer cask, the OS197L, for use with the 32PT and 61BT dry shielded canisters, and converted the CoC No. 1004 Technical Specifications to the format in NUREG-1745, "Standard Format and Content for Technical Specifications for 10 CFR Part 72 Cask Certificates of Compliance." In addition, the amendment made several other changes as described in Section III, "Discussion of Changes," section of the direct final rule.

##### II. Public Comments on the Companion Proposed Rule

In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on January 7,

2014. The NRC received one public comment on the companion proposed rule (78 FR 63408), from Mr. Richard Ochs (ADAMS Accession No. ML13320A027). Mr. Ochs stated his concern that the neutron emissions inside the outer shell of nuclear waste storage containers are dangerous to living organisms, including insects, microbes, bacteria or virus that attach to dust that passes through the screened windows in the outer steel covers of storage containers. Specifically, Mr. Ochs raises a concern based on the emergence of Lyme's Disease in Lyme, Connecticut, which he asserts occurred following an unintended release of radioactive gas from the nearby Millstone Nuclear Reactor. According to his comment, "[T]he Deer Tick has carried a spirochete bacteria for millions of years, but after the Millstone release, that spirochete was mutated, causing the emergence of Lyme's Disease."

The NRC staff reviewed this comment and concluded that this comment is not a significant adverse comment as defined in NUREG-BR-0053, Revision 6, "United States Nuclear Regulatory Commission Regulations Handbook" (ADAMS Accession No. ML052720461), as it is beyond the scope of this rulemaking. Instead, this comment raises a generic concern regarding the use of any spent fuel storage casks and is not specific to any issue or concern with the amendment to the cask certificate that is the subject of this rulemaking effort.

Moreover, the NRC staff has concluded that there would be no significant environmental impacts as confirmed in Section VII, "Finding of No Significant Environmental Impact: Availability," of the direct final rule. This comment does not challenge that finding because, as the Environmental Assessment explained, this amendment to the rule will not result in any significant change in the types or significant revisions in the amounts of any effluent released, no significant increase in the individual or cumulative radiation exposure, and no significant increase in the potential for or consequences from radiological accidents. This amendment continues to ensure that the Commission's regulations regarding dose rates, found in 10 CFR Part 20, are maintained. A challenge to those dose rates, or the method by which the Commission

establishes those dose rates, would be most appropriately addressed as a petition for rulemaking pursuant to 10 CFR 2.802. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 20th day of December 2013.

For the Nuclear Regulatory Commission.

**Helen Chang,**

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

[FR Doc. 2013-31080 Filed 12-26-13; 8:45 am]

**BILLING CODE 7590-01-P**

## FEDERAL HOUSING FINANCE AGENCY

### 12 CFR Part 1238

[No. 2013-N-19]

#### Orders: Supplemental Orders on Reporting by Regulated Entities of Stress Testing Results as of September 30, 2013

**AGENCY:** Federal Housing Finance Agency.

**ACTION:** Orders.

**SUMMARY:** In this document, the Federal Housing Finance Agency (FHFA) provides notice that it issued Orders to supplement its Orders dated November 26, 2013, with respect to reporting under section 165(i)(2) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act).

**DATES:** Each Order is effective on the date signed.

**FOR FURTHER INFORMATION CONTACT:** Naa Awaa Tagoe, Senior Associate Director, Office of Financial Analysis, Modeling and Simulations, (202) 649-3140, [naaawaa.tagoe@fhfa.gov](mailto:naaawaa.tagoe@fhfa.gov); Stefan Szilagyi, Examination Manager, FHLBank Modeling, FHLBank Risk Modeling Branch, (202) 649-3515, [stefan.szilagyi@fhfa.gov](mailto:stefan.szilagyi@fhfa.gov); or Mark D. Laponsky, Deputy General Counsel, Office of General Counsel, (202) 649-3054 (these are not toll-free numbers), [mark.laponsky@fhfa.gov](mailto:mark.laponsky@fhfa.gov). The telephone number for the Telecommunications Device for the Hearing Impaired is (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

FHFA is responsible for ensuring that the regulated entities operate in a safe and sound manner, including the maintenance of adequate capital and internal controls, that their operations and activities foster liquid, efficient, competitive, and resilient national housing finance markets, and that they

carry out their public policy missions through authorized activities. See 12 U.S.C. 4513. These Supplemental Orders are being issued under 12 U.S.C. 4514(a), which authorizes the Director of FHFA to require by Order that the regulated entities submit regular or special reports to FHFA and establishes remedies and procedures for failing to make reports required by Order. The Supplemental Orders provide to the regulated entities two additional appendices of scenario assumptions to be used for stress testing.

##### II. Orders

For the convenience of the affected parties, the text of the Supplemental Orders, without appendices, follows below in its entirety. You may access these Orders with Appendices 11 and 12 from FHFA's Web site at <http://www.fhfa.gov/Default.aspx?Page=440>. The Supplemental Orders and Summary Instructions and Guidance will be available for public inspection and copying at the Federal Housing Finance Agency, Eighth Floor, 400 Seventh St. SW., Washington, DC 20024. To make an appointment, call (202) 649-3804.

The text of the Supplemental Orders is as follows:

##### Federal Housing Finance Agency

*Order Nos. 2013-OR-B-3, 2013-OR-FNMA-3, and 2013-OR-FHLMC-3*

#### SUPPLEMENTAL ORDER ON REPORTING BY REGULATED ENTITIES OF STRESS TESTING RESULTS AS OF SEPTEMBER 30, 2013

*Whereas*, section 165(i)(2) of the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act") requires certain financial companies with total consolidated assets of more than \$10 billion, and which are regulated by a primary Federal financial regulatory agency, to conduct annual stress tests to determine whether the companies have the capital necessary to absorb losses as a result of adverse economic conditions;

*Whereas*, FHFA's rule implementing section 165(i)(2) of the Dodd-Frank Act is codified as 12 CFR part 1238 and requires that "[e]ach regulated entity must file a report in the manner and form established by FHFA." 12 CFR § 1238.5(b);

*Whereas*, on November 26, 2012, FHFA issued an Order to each regulated entity accompanied by appendices numbered 1 through 10 and amended Summary Instructions and Guidance relating to the performance of stress tests as of September 30, 2013, and the reporting of the results of such tests;

*Whereas*, FHFA's Acting Director has determined that it is appropriate to supplement the appendices to the November 26, 2012 Orders with two additional appendices;

*Whereas*, section 1314 of the Safety and Soundness Act, 12 U.S.C. § 4514(a)

authorizes the Director of FHFA to require regulated entities, by general or specific order, to submit such reports on their management, activities, and operations as the Director considers appropriate.

*Now therefore*, it is hereby ordered as follows:

Each regulated entity shall report to FHFA and to the Board of Governors of the Federal Reserve System the results of stress testing as required by 12 CFR § 1238, in the form and with the content described therein and in the Summary Instructions and Guidance accompanying the November 26, 2012 Orders, and using the scenarios provided in Appendices 1 through 10 to those Orders and Appendices 11 and 12 that accompany this Order.

This Order is effective immediately.

Signed at Washington DC, this 13th day of December, 2013.

**Edward J. DeMarco,**

*Acting Director, Federal Housing Finance Agency.*

Dated: December 13, 2013.

**Edward J. DeMarco,**

*Acting Director, Federal Housing Finance Agency.*

[FR Doc. 2013-30567 Filed 12-26-13; 8:45 am]

**BILLING CODE 8070-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2013-0365; Directorate Identifier 2012-NM-223-AD; Amendment 39-17704; AD 2013-25-08]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding airworthiness directive (AD) 2009-24-09 for all Airbus Model A330-200 and -300 series airplanes, and Model A340-200 and -300 series airplanes. AD 2009-24-09 required a repetitive inspection program on certain check valves in the hydraulic systems that includes, among other things, inspections for lock wire presence and integrity, traces of seepage or black deposits, proper torque, alignment of the check valve and manifold, installing new lock wire, and corrective actions if needed. This new AD expands the applicability, reduces the compliance time, changes torque values of the check valve tightening, and requires a repetitive inspection program for certain check valves in the