

payable to the USDA, AMS Livestock Program and mailed to: USDA, AMS Livestock, Poultry and Seed Program, QAD, P.O. Box 790304 St. Louis, MO 63179-0304 or such other address as required by the Program Manager.

\* \* \* \* \*

- 11. Amend § 205.662 by revising paragraph (g)(1) to read as follows:

**§ 205.662 Noncompliance procedure for certified operations.**

\* \* \* \* \*

(g) \* \* \*

(1) Knowingly sells or labels a product as organic, except in accordance with the Act, shall be subject to a civil penalty of not more than the amount specified in § 3.91(b)(1) of this title per violation.

\* \* \* \* \*

- 12. Amend § 205.681 by revising paragraphs (a)(2) and (d)(1) to read as follows:

**§ 205.681 Appeals.**

(a) \* \* \*

(2) If the Administrator or State organic program denies an appeal, a formal administrative proceeding will be initiated to deny, suspend, or revoke the certification. Such proceeding shall be conducted pursuant to the U.S. Department of Agriculture's Uniform Rules of Practice, 7 CFR part 1, subpart H, or the State organic program's rules of procedure.

\* \* \* \* \*

(d) *Where and what to file.* (1)

Appeals to the Administrator must be filed in writing and addressed to: Administrator, USDA, AMS, c/o NOP Appeals Team, 1400 Independence Avenue SW., Room 2648-So., Stop 0268, Washington, DC 20250-0268.

\* \* \* \* \*

Dated: February 2, 2015.

**Rex A. Barnes,**

*Associate Administrator, Agricultural Marketing Service.*

[FR Doc. 2015-02324 Filed 2-4-15; 8:45 am]

**BILLING CODE 3410-02-P**

**DEPARTMENT OF AGRICULTURE**

**Grain Inspection, Packers and Stockyards Administration**

**9 CFR Part 201**

**RIN 0580-AB23**

**Suspension of Flock Delivery and Stages of Poultry Production**

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Final rule.

**SUMMARY:** This final rule removes certain regulations promulgated under the Packers and Stockyards Act, 1921 (P&S Act). Under the authority granted to the Secretary of Agriculture (Secretary) and delegated to the Grain Inspection, Packers and Stockyards Administration (GIPSA), GIPSA is authorized to issue regulations necessary to carry out the provisions of the P&S Act. As directed by Congress in Section 731, Division A, of the Consolidated and Further Continuing Appropriations Act, 2015, GIPSA is rescinding certain regulations issued under the P&S Act. GIPSA is exercising the good cause exceptions provided by the Administrative Procedure Act to forgo notice-and-comment rulemaking and proceed directly to a final rule, because notice and comment rulemaking is impracticable and unnecessary since Congress has ordered the rescission of these specific sections.

**DATES:** Effective February 5, 2015.

**FOR FURTHER INFORMATION CONTACT:** S. Brett Offutt, Director, Litigation and Economic Analysis Division, P&SP, GIPSA, 1400 Independence Ave. SW., Washington, DC 20250-3646, (202) 720-7363, *s.brett.offutt@usda.gov*.

**SUPPLEMENTARY INFORMATION:** Section 731 of the Consolidated and Further Continuing Appropriations Act, 2015, Public Law 113-235, requires that: "the Secretary of Agriculture shall, within 60 days after the date of enactment of this Act, rescind sections 201.2(o), 201.3(a), and 201.215(a), of title 9 of the Code of Federal Regulations (as in effect on such date)." Since notice and comment is unnecessary and impracticable, GIPSA is exercising the good cause exceptions provided by the Administrative Procedure Act to forgo notice-and-comment rulemaking and proceed directly to a final rule to rescind sections 201.2(o), 201.215(a) and 201.3(a) from title 9 of the Code of Federal Regulations. As part of this final rule, we are also correcting the authority citation for Part 201.

**List of Subjects in 9 CFR Part 201**

Contracts, Poultry.

Accordingly, title 9 part 201 is amended as follows:

**PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT**

- 1. The authority citation for part 201 is revised to read as follows:

**Authority:** 7 U.S.C. 181—229c.

**§ 201.2 [Amended]**

- 2. In § 201.2, remove paragraph (o).

**§ 201.3 [Amended]**

- 3. In § 201.3, remove paragraph (a) and remove the paragraph (b) designation and its subject heading.

**§ 201.215 [Amended]**

- 4. In § 201.215, remove paragraph (a) and redesignate paragraphs (b) and (c) as paragraphs (a) and (b), respectively.

**Susan B. Keith,**

*Acting Administrator, Grain Inspection, Packers and Stockyards Administration.*

[FR Doc. 2015-02142 Filed 2-4-15; 8:45 am]

**BILLING CODE 3410-KD-P**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 72**

**[NRC-2014-0233]**

**RIN 3150-AJ47**

**List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM 100 Cask System, Certificate of Compliance No. 1014, Amendment No. 8, Revision No. 1**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is amending its spent fuel storage regulations by revising the Holtec International HI-STORM 100 Cask System listing within the "List of approved spent fuel storage casks" to add Revision No. 1 to Amendment No. 8 (effective May 2, 2012, and corrected on November 16, 2012), to the Certificate of Compliance (CoC) No. 1014. Amendment No. 8, Revision No. 1, changes burnup/cooling time limits for thimble plug devices; changes Metamic-HT material testing requirements; changes Metamic-HT material minimum guaranteed values; and updates fuel definitions to allow boiling water reactor fuel affected by certain corrosion mechanisms with specific guidelines to be classified as undamaged fuel.

**DATES:** The direct final rule is effective April 21, 2015, unless significant adverse comments are received by March 9, 2015. If the direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. Comments received after this date will be considered if it is practical to do so, but the NRC staff is

able to ensure consideration only for comments received on or before this date. Comments received on this direct final rule will also be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

**ADDRESSES:** You may submit comments by any one of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2014–0233. 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, please contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Email comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

For additional direction on obtaining information and submitting comments, see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Gregory R. Trussell, Office of Nuclear Material Safety and Safeguards, 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:**

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**I. Obtaining Information and Submitting Comments**

*A. Obtaining Information*

Please refer to Docket ID NRC–2014–0233 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2014–0233.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection 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). For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- *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.

*B. Submitting Comments*

Please include Docket ID NRC–2014–0233 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information

before making the comment submissions available to the public or entering the comment into ADAMS.

**II. Procedural Background**

This direct final rule is limited to adding Amendment No. 8, Revision No. 1, which will supersede Amendment No. 8 (effective May 2, 2012, and corrected on November 16, 2012), to CoC No. 1014 to the “List of approved spent fuel storage casks,” and does not include other aspects of the Holtec International HI–STORM 100 Cask System design. Amendment No. 8 continues to be effective but is now being modified with respect to certain specified provisions, as outlined in Amendment No. 8, Revision 1, which apply to all general licensees using the casks for Independent Spent Fuel Storage Installations (ISFSI). Thus, Amendment No. 8, Revision 1, supersedes the previously issued Amendment No. 8 (effective May 2, 2012, and corrected on November 16, 2012). In requesting this revision, Holtec indicated that it has not manufactured any cask under CoC No. 1014, Amendment No. 8, and, consequently, no ISFSI licensee has placed such a cask into service. The NRC is using the “direct final rule procedure” to issue this revision 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. This amendment to the rule will become effective on April 21, 2015. However, if the NRC receives significant adverse comments on this direct final rule by March 9, 2015, then the NRC will publish a document that withdraws this action and will subsequently address the comments received in a final rule as a response to the companion proposed rule published in the Proposed Rule section of this issue of the **Federal Register**. Absent significant modifications to the proposed revisions requiring republication, 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, a substantive response is required when:

(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 rule, CoC, or Technical Specifications (TSs).

For detailed instructions on filing comments, please see the **ADDRESSES** section of this document.

### III. Background

Section 218(a) of the Nuclear Waste Policy Act (NWPA) of 1982, as amended, requires that “the Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the NWPA states, in part, that “[the Commission] shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule which added a new subpart K in part 72 of Title 10 of the *Code of Federal Regulations* (10 CFR) entitled, “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled, “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on May 1, 2000 (65 FR 25241), that approved the Holtec International HI-STORM 100 Cask System design and added it to the list of NRC-approved cask designs in 10 CFR 72.214 as CoC No. 1014.

### IV. Discussion of Changes

By letter dated August 21, 2013, and as supplemented on December 20, 2013, and February 28, 2014, Holtec International submitted a revision request for the Holtec International HI-STORM 100 Cask System, CoC No. 1014, Amendment No. 8. As a revision, the CoC will supersede the previous version of the CoC and TSs that were effective May 2, 2012, as corrected on November 16, 2012, in their entirety. Amendment No. 8, Revision No. 1, changes burnup/cooling time limits for thimble plug devices; changes Metamic-HT material testing requirements; changes Metamic-HT material minimum guaranteed values; and updates fuel definitions to allow boiling water reactor fuel affected by certain corrosion mechanisms within specific guidelines to be classified as undamaged fuel.

As documented in the safety evaluation report (SER), the NRC staff performed a detailed safety evaluation of the proposed CoC amendment request. There are no significant changes to cask design requirements in the proposed CoC amendment. Considering the specific design requirements for each accident condition, the design of the cask would prevent loss of containment, shielding, and criticality control. If there is no loss of containment, shielding, or criticality control, the environmental impacts would be insignificant. This amendment does not reflect a significant change in design or fabrication of the cask. In addition, any resulting occupational exposure or offsite dose rates from the implementation of Amendment No. 8, Revision No. 1, would remain well within the 10 CFR part 20 limits. Therefore, the proposed CoC changes will not result in any radiological or non-radiological environmental impacts that significantly differ from the environmental impacts evaluated in the environmental assessment supporting the July 18, 1990, final rule. There will be no significant change in the types or amounts of any effluent released, no significant increase in individual or cumulative radiation exposure and no significant increase in the potential for or consequences of radiological accidents.

This direct final rule revises the Holtec International HI-STORM 100 Cask System listing in 10 CFR 72.214 by adding Amendment No. 8, Revision No. 1, to CoC No. 1014. The amendment consists of the changes previously described, as set forth in the revised CoC and TSs. The revised TSs are identified in the SER.

The amended Holtec International HI-STORM 100 Cask System design, when used under the conditions specified in the CoC, the TSs, and the NRC’s regulations, will meet the requirements of 10 CFR part 72; therefore, adequate protection of public health and safety will continue to be ensured. When this direct final rule becomes effective, persons who hold a general license under 10 CFR 72.210 may load spent nuclear fuel into the Holtec International HI-STORM 100 Cask Systems that meet the criteria of Amendment No. 8, Revision No. 1, to CoC No. 1014 under 10 CFR 72.212.

### V. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995 (Pub. L. 104–113) requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this direct final rule, the NRC will revise the Holtec International HI-STORM 100 Cask System design listed in 10 CFR 72.214. This action does not constitute the establishment of a standard that contains generally applicable requirements.

### VI. Agreement State Compatibility

Under the “Policy Statement on Adequacy and Compatibility of Agreement State Programs” approved by the Commission on June 30, 1997, and published in the **Federal Register** on September 3, 1997 (62 FR 46517), this direct final rule is classified as Compatibility Category “NRC.” Compatibility is not required for Category “NRC” regulations. The NRC program elements in this category relate directly and exclusively to areas of regulation reserved to the NRC by the Atomic Energy Act of 1954, as amended, or the provisions of 10 CFR. Although an Agreement State may not adopt program elements reserved to the NRC, it may wish to inform its licensees of certain requirements via a mechanism that is consistent with the particular State’s administrative procedure laws, but does not confer regulatory authority on the State.

### VII. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act, as well as the Presidential memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31883).

## VIII. Environmental Assessment and Finding of No Significant Environmental Impact

### A. The Action

The action is to amend 10 CFR 72.214 to revise the Holtec International HI-STORM 100 Cask System listing within the “List of approved spent fuel storage casks” to revise Amendment No. 8 (effective May 2, 2012, and corrected on November 16, 2012), of CoC No. 1014 by adding Amendment No. 8, Revision No. 1. Under the National Environmental Policy Act of 1969, as amended, and the NRC’s regulations in subpart A of 10 CFR part 51, “Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions,” the NRC has determined that this rule, if adopted, would not be a major Federal action significantly affecting the quality of the human environment and, therefore, an environmental impact statement is not required. The NRC has made a finding of no significant impact on the basis of this environmental assessment.

### B. The Need for the Action

This direct final rule amends the CoC for the Holtec International HI-STORM 100 Cask System design within the list of approved spent fuel storage casks that power reactor licensees can use to store spent fuel at reactor sites under a general license. Specifically, Amendment No. 8, Revision No. 1, changes burnup/cooling time limits for thimble plug devices; changes Metamic-HT material testing requirements; changes Metamic-HT material minimum guaranteed values; and updates fuel definitions to allow boiling water reactor fuel affected by certain corrosion mechanisms within specific guidelines to be classified as undamaged fuel.

### C. Environmental Impacts of the Action

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent fuel under a general license in cask designs approved by the NRC. The potential environmental impact of using NRC-approved storage casks was initially analyzed in the environmental assessment for the 1990 final rule. The environmental assessment for this Amendment No. 8, Revision No. 1, tiers off of the environmental assessment for the July 18, 1990, final rule. Tiering on past environmental assessments is a standard process under the National Environmental Policy Act.

Holtec International HI-STORM 100 Cask Systems are designed to mitigate the effects of design basis accidents that could occur during storage. Design basis

accidents account for human-induced events and the most severe natural phenomena reported for the site and surrounding area. Postulated accidents analyzed for an ISFSI, the type of facility at which a holder of a power reactor operating license would store spent fuel in casks in accordance with 10 CFR part 72, include tornado winds and tornado-generated missiles, a design basis earthquake, a design basis flood, an accidental cask drop, lightning effects, fire, explosions, and other incidents.

Considering the specific design requirements for each accident condition, the design of the cask would prevent loss of containment, shielding, and criticality control. If there is no loss of containment, shielding, or criticality control, the environmental impacts would be insignificant. This amendment does not reflect a significant change in design or fabrication of the cask. In addition, because there are no significant designs or production process changes, any resulting occupational exposures or offsite dose rates from the implementation of Amendment No. 8, Revision No. 1, would remain well within the 10 CFR part 20 limits. Therefore, the proposed CoC changes will not result in either radiological or non-radiological environmental impacts that significantly differ from the environmental impacts evaluated in the environmental assessment supporting the July 18, 1990, final rule. There will be no significant change in the types or amounts of any effluent released, no significant increase in individual or cumulative radiation exposures, and no significant increase in the potential for or consequences from radiological accidents. The staff documented its safety findings in the SER for this amendment.

### D. Alternative to the Action

The alternative to this action is to deny approval of the changes in Amendment No. 8, Revision No. 1, and terminate the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into Holtec International HI-STORM 100 Cask Systems in accordance with the changes described in proposed Amendment No. 8, Revision No. 1, would have to request an exemption from the requirements of 10 CFR 72.212 and 72.214. Under this alternative, interested licensees would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden on the NRC and the cost to each licensee. Therefore, the

environmental impacts would be the same or less than the action.

### E. Alternative Use of Resources

Approval of Amendment No. 8, Revision No. 1, of CoC No. 1014 would result in no irreversible commitments of resources.

### F. Agencies and Persons Contacted

No agencies or persons outside the NRC were contacted in connection with the preparation of this environmental assessment.

### G. Finding of No Significant Impact

The environmental impacts of the action have been reviewed under the requirements in 10 CFR part 51. Based on the foregoing environmental assessment, the NRC concludes that this direct final rule entitled, “List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM 100 Cask System, Certificate of Compliance No. 1014, Amendment No. 8, Revision No. 1,” will not have a significant effect on the human environment. Therefore, the NRC has determined that an environmental impact statement is not necessary for this direct final rule.

## IX. Paperwork Reduction Act Statement

This direct final rule does not contain any information collection requirements and, therefore, is not subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

### Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

## X. Regulatory Flexibility Certification

Under the Regulatory Flexibility Act of 1980 (5 U.S.C. 605(b)), the NRC certifies that this direct final rule will not, if issued, have a significant economic impact on a substantial number of small entities. This direct final rule affects only nuclear power plant licensees and Holtec International. These entities do not fall within the scope of the definition of small entities set forth in the Regulatory Flexibility Act or the size standards established by the NRC (10 CFR 2.810).

## XI. Regulatory Analysis

On July 18, 1990 (55 FR 29181), the NRC issued an amendment to 10 CFR part 72 to provide for the storage of spent nuclear fuel under a general

license in cask designs approved by the NRC. Any nuclear power reactor licensee can use NRC-approved cask designs to store spent nuclear fuel if it notifies the NRC in advance, the spent fuel is stored under the conditions specified in the cask's CoC, and the conditions of the general license are met. A list of NRC-approved cask designs is contained in 10 CFR 72.214.

On May 1, 2000 (65 FR 25241), the NRC issued an amendment to 10 CFR part 72 that approved the Holtec International HI-STORM 100 Cask System design by adding it to the list of NRC-approved cask designs in 10 CFR 72.214.

On August 21, 2013, and as supplemented on December 20, 2013, and February 28, 2014, Holtec International submitted a revision request for the HI-STORM 100 Cask System, CoC No. 1014, Amendment No. 8, as described in Section III, "Discussion of Changes," of this document.

The alternative to this action is to withhold approval of the changes requested in Amendment No. 8, Revision No. 1, and require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into the Holtec International HI-STORM 100 Cask System under the changes described in Amendment No. 8, Revision No. 1, to request an exemption from the requirements of 10 CFR 72.212 and 72.214. Under this alternative, each interested 10 CFR part 72 licensee would have to prepare, and the NRC would have to review, a separate exemption request, thereby increasing the administrative burden on the NRC and the costs to each affected licensee.

Approval of this direct final rule is consistent with previous NRC actions. Further, as documented in the SER and the environmental assessment, the direct final rule will have no significant adverse effect on public health and safety or the environment. This direct final rule has no significant identifiable impact or benefit on other Government agencies. Based on this regulatory analysis, the NRC concludes that the requirements of the direct final rule are commensurate with the NRC's responsibilities for public health and safety and the common defense and security. No other available alternative is believed to be satisfactory, and therefore, this action is recommended.

## XII. Backfitting and Issue Finality

The NRC has determined that the backfit rule (10 CFR 72.62) does not apply to this direct final rule and therefore, a backfit analysis is not required. This direct final rule revises

CoC No. 1014 for the Holtec International HI-STORM 100 Cask System, as currently listed in 10 CFR 72.214, "List of approved spent fuel storage casks." Amendment No. 8, Revision No. 1, changes burnup/cooling time limits for thimble plug devices; changes Metamic-HT material testing requirements; changes Metamic-HT material minimum guaranteed values; and updates fuel definitions to allow boiling water reactor fuel affected by certain corrosion mechanisms within specific guidelines to be classified as undamaged fuel.

Holtec has not manufactured any cask under CoC No. 1014, Amendment No. 8, and, consequently, no ISFSI licensee has placed such a cask into service. Therefore, the changes in CoC No. 1014, Amendment No. 8, Revision No. 1 which are approved in this direct final rule do not fall within the definition of backfitting in 10 CFR 72.62, 10 CFR 50.109(a)(1), or otherwise represent an inconsistency with the issue finality provisions applicable to combined licenses in part 52. In addition, the changes in CoC No. 1014, Amendment No. 8, Revision No. 1 do not apply to casks which were manufactured to other amendments of CoC No. 1014, and, therefore, have no effect on current ISFSI licensees using casks which were manufactured to other amendments of CoC No. 1014. While any current CoC user may comply with the new requirements in Amendment No. 8, Revision No. 1, this would be a voluntary decision on the part of current users. For these reasons, NRC approval of CoC No. 1014, Amendment No. 8, Revision No. 1, does not constitute backfitting for users of the HI-STORM 100 Cask System which were manufactured to other amendments of CoC No. 1014, under 10 CFR 72.62, 10 CFR 50.109(a)(1), or the issue finality provisions applicable to combined licenses in 10 CFR part 52.

For the reasons set forth above, no backfit analysis or additional documentation addressing the issue finality criteria in 10 CFR part 52 has been prepared by the NRC.

## XIII. Congressional Review Act

This action is not a major rule as defined in the Congressional Review Act (5 U.S.C. 801–808).

## XIV. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS Accession No.
CoC No. 1014, Amendment No. 8, Revision No. 1 .....	ML14262A478
Safety Evaluation Report ..	ML14262A476
Technical Specifications, Appendix A .....	ML14262A480
Technical Specifications, Appendix B .....	ML14262A479
Application (portions are non-public/proprietary) ..	ML13235A082
December 20, 2013, Application Supplement .....	ML14009A271
February 28, 2014, Application Supplement .....	ML14064A344

The NRC may post materials related to this document, including public comments, on the Federal rulemaking Web site at <http://www.regulations.gov> under Docket ID NRC–2014–0233. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: 1) navigate to the docket folder (NRC–2014–0233); 2) click the "Sign up for Email Alerts" link; and 3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

## 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; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting 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:

**Authority:** Atomic Energy Act secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2239, 2273, 2282, 2021); Energy Reorganization Act secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act sec. 102 (42 U.S.C. 4332); Nuclear Waste

Policy Act secs. 131, 132, 133, 135, 137, 141, 148 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168); Government Paperwork Elimination Act sec. 1704 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. 109–58, 119 Stat. 788 (2005).

Section 72.44(g) also issued under Nuclear Waste Policy Act secs. 142(b) and 148(c), (d) (42 U.S.C. 10162(b), 10168(c), (d)).

Section 72.46 also issued under Atomic Energy Act sec. 189 (42 U.S.C. 2239); Nuclear Waste Policy Act sec. 134 (42 U.S.C. 10154).

Section 72.96(d) also issued under Nuclear Waste Policy Act sec. 145(g) (42 U.S.C. 10165(g)).

Subpart J also issued under Nuclear Waste Policy Act secs. 117(a), 141(h) (42 U.S.C. 10137(a), 10161(h)).

Subpart K also issued under Nuclear Waste Policy Act sec. 218(a) (42 U.S.C. 10198).

■ 2. In § 72.214, Certificate of Compliance No. 1014 is revised to read as follows:

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

\* \* \* \* \*

Certificate Number: 1014.

Initial Certificate Effective Date: May 31, 2000.

Amendment Number 1 Effective Date: July 15, 2002.

Amendment Number 2 Effective Date: June 7, 2005.

Amendment Number 3 Effective Date: May 29, 2007.

Amendment Number 4 Effective Date: January 8, 2008.

Amendment Number 5 Effective Date: July 14, 2008.

Amendment Number 6 Effective Date: August 17, 2009.

Amendment Number 7 Effective Date: December 28, 2009.

Amendment Number 8 Effective Date: May 2, 2012, as corrected on November 16, 2012 (ADAMS Accession No.

ML12213A170, superseded by

Amendment Number 8, Revision 1 on April 21, 2015.

Amendment Number 8, Revision No.1 Effective Date: April 21, 2015.

Amendment Number 9 Effective Date: March 11, 2014.

SAR Submitted by: Holtec International.

SAR Title: Final Safety Analysis Report for the HI–STORM 100 Cask System.

Docket Number: 72–1014.

Certificate Expiration Date: May 31, 2020.

Model Number: HI–STORM 100.

\* \* \* \* \*

Dated at Rockville, Maryland, this 26th day of January, 2015.

For the Nuclear Regulatory Commission.

**Mark A. Satorius,**

*Executive Director for Operations.*

[FR Doc. 2015–02310 Filed 2–4–15; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 25

[Docket No. FAA–2013–0142; Amdt. No. 25–141]

RIN 2120–AK12

#### Harmonization of Airworthiness Standards—Gust and Maneuver Load Requirements; Correction

##### Correction

In FAA rule document 2015–01205 appearing on pages 4761–4762 in the issue of Thursday, January 29, 2015, make the following corrections:

1. On page 4762 in the first column, the second paragraph should read as follows:

This document corrects three errors in the Greek letters and subscripts contained in various equations in the regulatory text. In one case, the “U” in the equation is changed from subscript to regular, uppercase text. In another case, instead of “ $P_L = P_{L-1g} \pm U_{\sigma} \bar{A}$ ”, the equation should be “ $P_L = P_{L-1g} \pm U_{\sigma} \bar{A}$ ”. In two cases, the three Greek letters “ $\rho\epsilon\phi$ ” after sigma “ $\sigma$ ” in the subscript of “U” are changed to “ref”. In these cases, “ $U_{\sigma\rho\epsilon\phi}$ ” should be “ $U_{\sigma ref}$ ”.

2. On page 4762 in the first column, the third, fourth and fifth paragraphs following the Corrections heading should read as follows:

2. On page 73467, second column, line 11, the equation “ $P_L = P_{L-1g} \pm U_{\sigma} \bar{A}$ ” is corrected to read “ $P_L = P_{L-1g} \pm U_{\sigma} \bar{A}$ ”.

3. On page 73467, second column, fifth line from the bottom, the equation “ $U_{\sigma} = U_{\sigma\rho\epsilon\phi} F_g$ ” is corrected to read “ $U_{\sigma} = U_{\sigma ref} F_g$ ”.

4. On page 73467, second column, third line from the bottom, the text “ $U_{\sigma\rho\epsilon\phi}$ ” is corrected to read “ $U_{\sigma ref}$ ”.

[FR Doc. C1–2015–01205 Filed 2–4–15; 8:45 am]

**BILLING CODE 1505–01–D**

## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 700, 875, 877, 879, 884, and 885

RIN 1029–AC66

[Docket ID: OSM–2012–0010; S1D1S SS08011000 SX066A00067F 134S180110; S2D2S SS08011000 SX066A00 33F 13XS501520]

#### Abandoned Mine Land Reclamation Program; Limited Liability for Noncoal Reclamation by Certified States and Indian Tribes

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Final rule.

**SUMMARY:** We, the Office of Surface Mining Reclamation and Enforcement (OSMRE or OSM), are revising our abandoned mine land (AML) reclamation program regulations under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA or the Act). This rule allows states and Indian tribes that have certified completion of all known coal AML reclamation needs within their jurisdiction to receive limited liability protection for certain noncoal reclamation projects.

**DATES:** Effective March 9, 2015.

**FOR FURTHER INFORMATION CONTACT:**

Michael F. Kuhns, Division of Regulatory Support, 1951 Constitution Ave. NW., Washington, DC 20240; Telephone: 202–208–2860.

**SUPPLEMENTARY INFORMATION:**

- I. Background on the AML Reclamation Program and Limited Liability Provision
  - A. How does the AML reclamation program operate?
  - B. What is the limited liability provision of SMCRA?
  - C. Why are we making rule changes related to the limited liability provision?
- II. Description of the Final Rule and Discussion of the Comments Received
  - A. Summary of the Final Rule
  - B. General Discussion of Comments
  - C. Section-by-Section Analysis
    1. How are we revising part 700—General?
    2. How are we revising part 875—Certification and Noncoal Reclamation?
    3. How are we revising part 877—Rights of Entry?
    4. How are we revising part 879—Acquisition, Management, and Disposition of Lands and Water?
    5. How are we revising part 884—State Reclamation Plans?
    6. How are we revising part 885—Grants to Certified States and Indian Tribes?
- III. Procedural Matters and Required Determinations