

\* \* \* \* \*

Dated: December 6, 2018.

**Brandon Lipps,**

*Acting Deputy Under Secretary, Food,  
Nutrition, and Consumer Services.*

[FR Doc. 2018–26762 Filed 12–11–18; 8:45 am]

BILLING CODE 3410–30–P

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC–2018–0221]

RIN 3150–AK18

#### List of Approved Spent Fuel Storage Casks: Holtec International HI–STORM 100 Multipurpose Canister Cask System, Certificate of Compliance No. 1014, Amendment Nos. 11 and 12

**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 Multipurpose Canister Cask System (HI–STORM 100 System) listing within the “List of approved spent fuel storage casks” to include Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014. Amendment Nos. 11 and 12 revise multiple items in the Technical Specifications for multipurpose canister models listed under Certificate of Compliance No. 1014; most of these revisions involve changes to the authorized contents. In addition, Amendment No. 11 makes several other editorial changes.

**DATES:** This direct final rule is effective February 25, 2019, unless significant adverse comments are received by January 11, 2019. If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register** (FR). Comments received after this date will be considered if it is practical to do so, but the NRC 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 FR.

**ADDRESSES:** You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2018–0221. Address

questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Email comments to:*

*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:** Yen-Ju Chen, Office of Nuclear Material Safety and Safeguards; telephone: 301–415–1018; email: [Yen-Ju.Chen@nrc.gov](mailto:Yen-Ju.Chen@nrc.gov) or Vanessa Cox, Office of Nuclear Material Safety and Safeguards; telephone: 301–415–8342; email: [Vanessa.Cox@nrc.gov](mailto:Vanessa.Cox@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

#### **SUPPLEMENTARY INFORMATION:**

##### **Table of Contents**

- I. Obtaining Information and Submitting Comments
- II. Rulemaking Procedure
- III. Background
- IV. Discussion of Changes
- V. Voluntary Consensus Standards
- VI. Agreement State Compatibility
- VII. Plain Writing
- VIII. Environmental Assessment and Finding of No Significant Environmental Impact
- IX. Paperwork Reduction Act Statement
- X. Regulatory Flexibility Certification
- XI. Regulatory Analysis
- XII. Backfitting and Issue Finality
- XIII. Congressional Review Act
- XIV. Availability of Documents

#### **I. Obtaining Information and Submitting Comments**

##### *A. Obtaining Information*

Please refer to Docket ID NRC–2018–0221 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 Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2018–0221.

- *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 “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–2018–0221 in your comment submission.

The NRC cautions you not to include identifying or contact information 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. 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. Rulemaking Procedure**

This rule is limited to the changes contained in Amendment Nos. 11 and No. 12 to Certificate of Compliance No. 1014 and does not include other aspects of the Holtec International HI–STORM 100 System design. The NRC is using the “direct final rule procedure” to issue this amendment because it represents a limited and routine change to an existing Certificate of Compliance that is expected to be noncontroversial. Adequate protection of public health and safety continues to be ensured. The amendments to the rule will become

effective on February 25, 2019. However, if the NRC receives significant adverse comments on this direct final rule by January 11, 2019, 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 Rules section of this issue of the FR. 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, Certificate of Compliance, or Technical Specifications.

For detailed instructions on filing comments, please see the companion proposed rule published in the Proposed Rule section of this issue of the FR.

### 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 that 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 System design and added it to the list of NRC-approved cask designs in § 72.214 as Certificate of Compliance No. 1014.

### IV. Discussion of Changes

Holtec International submitted a request to the NRC to amend Certificate of Compliance No. 1014 in a letter dated January 29, 2016, and supplemented its request on February 16, 2016; June 6, 2016; December 22, 2016; April 22, 2016; September 8, 2017; November 10, 2017; and December 21, 2017. This revised Certificate of Compliance was denoted as Amendment No. 11 to Certificate of Compliance No. 1014. The revisions to Amendment No. 11 involve the following changes to the authorized contents:

1. Increase the per-storage location weight limit for cells authorized for damaged fuel containers in multipurpose canisters (MPCs) MPC-68, MPC-68FF, and MPC-68M in the HI-STORM 100 storage system.

2. Change surveillance requirements for casks with certain heat loads as specified in the Technical Specifications.

3. Allow the storage of higher average initial enrichment weight percent uranium (U)-235 fuel with low enriched Chalk River unidentified deposits-induced localized corrosion fuel.

4. Increase the enrichment limit for 10x10G boiling water reactor fuel assemblies from 4.6 weight percent U-235 to 4.75 weight percent U-235.

5. Change the minimum soluble boron concentration limits for the 17x17A pressurized water reactor fuel assemblies in MPC-32.

6. Increase the burnup limit to accommodate non-fuel hardware consisting of neutron source assemblies in combination with other control components.

7. Add thorium rods/canister as contents for the MPC-68M.

8. Add a second permissible composition for thorium rods for all MPC-68 models. The new thorium rod composition is made of 98.5 weight percent thorium dioxide and 1.5 weight percent uranium oxide. The maximum enrichment of U-235 in uranium oxide is 93.5 weight percent.

Amendment No. 11 also makes the following editorial changes:

1. Clarify heat load limits and drying methods in Appendix A, Table 3-1.

2. Include NUREG-0612, "Control of Heavy Loads at Nuclear Power Plants: Resolution of Generic Technical Activity A-36," as a basis for stress limits.

3. Remove manufacturer's tolerance in Appendix B, Tables 2.1-2 and 2.1-3.

4. Clarify dose evaluation for stainless steel replacement and dummy rods in Appendix B, Tables 2.1-2 and 2.1-3.

Holtec International submitted another request to the NRC to amend Certificate of Compliance No. 1014 in a letter dated June 14, 2016, and supplemented its request on July 22, 2016; November 4, 2016; August 25, 2017; November 10, 2017; and December 22, 2017. This revised Certificate of Compliance was denoted as Amendment No. 12 to Certificate of Compliance No. 1014. The revisions to Amendment No. 12 involve the following changes to the authorized contents:

1. Add a new regionalized quarter-symmetric heat load pattern for MPC-68M and allow fuel that has been cooled for at least 2 years to be stored in the MPC-68M.

2. Allow the storage of damaged fuel and fuel debris in damaged fuel containers under the new regionalized quarter-symmetric heat load pattern.

3. Add a new duplex stainless steel as an allowed material for the MPC confinement boundary in the HI-STORM 100 system.

4. Add cyclic vacuum drying for all MPCs.

5. Update coefficients for burnup calculation equations for fuel assemblies with cooling time of 2 through 40 years.

As documented in the Preliminary Safety Evaluation Reports for Amendment Nos. 11 and 12, the NRC performed detailed safety evaluations of the Certificate of Compliance amendment requests. There are no significant changes to cask design requirements in the Certificate of

Compliance amendments. Considering the specific design requirements for each accident condition, the design of the cask would prevent loss of containment, shielding, and criticality control in the event of an accident. These amendments do 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 Nos. 11 and 12 would remain well within the 10 CFR part 20 limits. There will be no significant change in the types or 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 direct final rule revises the Holtec International HI-STORM 100 System listing in § 72.214 by adding Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014. The amendments consist of the changes previously described, as set forth in the revised Certificate of Compliance and Technical Specifications. The revised technical specifications are identified in the preliminary safety evaluation report.

The amended Holtec International HI-STORM 100 cask design, when used under the conditions specified in the Certificate of Compliance, the Technical Specifications, and 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 § 72.210 may, consistent with the license conditions under § 72.212, load spent nuclear fuel into Holtec International HI-STORM 100 System casks that meet the criteria of Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014.

## **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 System design listed in § 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 rule is classified as Compatibility Category "NRC." Compatibility is not required for Category "NRC" regulations. The NRC program elements in this category are those that relate directly 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, and the Category "NRC" does not confer regulatory authority on the State, the State may wish to inform its licensees of certain requirements by means consistent with the particular State's administrative procedure laws.

## **VII. Plain Writing**

The Plain Writing Act of 2010 (Pub. L. 111-274) requires Federal agencies to write documents in a clear, concise, and 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 § 72.214 to revise the Holtec International HI-STORM 100 System listing within the "List of approved spent fuel storage casks" to include Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014. 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 direct final 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 Certificate of Compliance for the Holtec International HI-STORM 100 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 Nos. 11 and 12 update the Certificate of Compliance as described in Section IV, "Discussion of Changes," of this document, for the use of the Holtec International HI-STORM 100 System.

### **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 assessments for Amendment Nos. 11 and 12 tier 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 of 1969, as amended.

The Holtec International HI-STORM 100 System is 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 independent spent fuel storage installation, 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 confinement, shielding, and criticality control in the event of an accident. If there is no loss of confinement, shielding, or criticality control, the environmental impacts resulting from an accident would be insignificant. These amendments do not reflect a significant change in design or fabrication of the cask.

There are no significant changes to cask design requirements in the Certificate of Compliance amendments. In addition, because there are no significant design or process changes, any resulting occupational exposure or offsite dose rates from the implementation of Amendment Nos. 11 and 12 would remain well within the 10 CFR part 20 limits. Therefore, the

Certificate of Compliance 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 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. The NRC documented its safety findings in the preliminary safety evaluation reports for Amendment Nos. 11 and 12.

#### *D. Alternative to the Action*

The alternative to this action is to deny approval of Amendment Nos. 11 and 12 and end the direct final rule. Consequently, any 10 CFR part 72 general licensee that seeks to load spent nuclear fuel into a Holtec International HI-STORM 100 System cask in accordance with the changes described in Amendment Nos. 11 and 12 would have to request an exemption from the requirements of §§ 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 upon the NRC and the costs to each licensee. Therefore, the environmental impacts would be the same or less than the proposed action.

#### *E. Alternative Use of Resources*

Approval of Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014 would result in no irreversible commitment 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 the National Environmental Policy Act of 1969, as amended, and the NRC's regulations in subpart A of 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 Multipurpose Canister Cask System," 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 new or amended collections of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing collections of information were approved by the Office of Management and Budget, approval number 3150-0132.

### **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 Office of Management and Budget 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 (§ 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 Certificate of Compliance, and the conditions of the general license are met. A list of NRC-approved cask designs is contained in § 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 System design by adding it to the list of NRC-approved cask designs in § 72.214.

On January 29, 2016, (supplemented on February 16, 2016; June 6, 2016; December 22, 2016; April 22, 2016; September 8, 2017; November 10, 2017; and December 21, 2017) and June 14, 2016, (supplemented on July 22, 2016; November 4, 2016; August 25, 2017; November 10, 2017; and December 22, 2017, Holtec International submitted

applications to amend the HI-STORM 100 System as described in Section IV, "Discussion of Changes," of this document.

The alternative to this action is to withhold approval of Amendment Nos. 11 and 12 and to require any 10 CFR part 72 general licensee seeking to load spent nuclear fuel into a Holtec International HI-STORM 100 System cask under the changes described in Amendment Nos. 11 and 12 to request an exemption from the requirements of §§ 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 upon the NRC and the costs to each licensee.

Approval of this direct final rule is consistent with previous NRC actions. Further, as documented in the preliminary safety evaluation reports and environmental assessment, this direct final rule will have no 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 this 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 as satisfactory, and therefore, this action is recommended.

### **XII. Backfitting and Issue Finality**

The NRC has determined that the backfit rule (§ 72.62) does not apply to this direct final rule. Therefore, a backfit analysis is not required. This direct final rule revises Certificate of Compliance No. 1014 for the Holtec International HI-STORM 100 System, as currently listed in § 72.214, "List of approved spent fuel storage casks." The revision consists of adding Amendment Nos. 11 and 12, which revise the Certificate of Compliance's Technical Specifications as described in Section IV, "Discussion of Changes," of this document.

Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014 for the Holtec International HI-STORM 100 System were initiated by Holtec International and were not submitted in response to new NRC requirements, or an NRC request for amendment. Amendment Nos. 11 and 12 apply only to new casks fabricated and used under Amendment Nos. 11 and 12. These changes do not affect existing users of the Holtec International HI-STORM 100 System, and the current Amendment

No. 10 continues to be effective for existing users. While current Certificate of Compliance users may comply with the new requirements in Amendment Nos. 11 and 12, this would be a voluntary decision on the part of current users.

For these reasons, Amendment Nos. 11 and 12 to Certificate of Compliance No. 1014 do not constitute backfitting

under § 72.62 or § 50.109(a)(1), or otherwise represent an inconsistency with the issue finality provisions applicable to combined licenses in 10 CFR part 52. Accordingly, the NRC has not prepared a backfit analysis for this rulemaking.

### XIII. Congressional Review Act

This direct final rule is not a rule as defined in the Congressional Review Act.

### 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./weblink/ Federal Register citation
Subpart K of 10 CFR part 72, "General License for Storage of Spent Fuel at Power Reactor Sites" .....	55 FR 29181
10 CFR part 72, "List of Approved Spent Fuel Storage Casks: Holtec HI-STORM 100 Addition" .....	65 FR 25241
Letter from Holtec International to NRC, "Holtec International HI-STORM 100 Multipurpose Canister Storage System Amendment Request 1014-11" dated January 29, 2016 .....	ML16029A528
Letter from Holtec International to NRC, "Supporting Information for License Amendment Request 11 (1014-11) to the HI-STORM 100 CoC" dated February 16, 2016. (This letter contains five enclosures, and Enclosures 1 through 4 are proprietary information and not publicly available.) .....	ML16069A246
Letter from Holtec International to NRC, "Transmittal of Requests for Supplemental Information Responses Supporting HI-STORM 100 License Amendment Request 1014-11" dated June 6, 2016 .....	ML16159A344
Letter from Holtec International to NRC, "Submittal of Responses to NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-11" dated December 22, 2016 .....	ML17005A236
Letter from Holtec International to NRC, "Modification to Requested Changes on HI-STORM 100 Amendment 11 Request" dated April 22, 2016 .....	ML16113A394
Letter from Holtec International to NRC, "Submittal of Responses to NRC's 2nd Round Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-11" dated September 8, 2017 .....	ML17261A159
Letter from Holtec International to NRC, "Submittal of Supplemental Information on NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-11" dated November 10, 2017. (This package contains nine attachments, and Attachments 1, 6, 7, and 8 are proprietary information and not publicly available.) .....	ML17325A555
Letter from Holtec International to NRC, "Submittal of Revised Supplemental Information on NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-11" dated December 21, 2017 .....	ML17362A113
User Need Memorandum for Rulemaking for the Holtec International HI-STORM 100 Cask System, Amendment 11 .....	ML18141A568
Proposed Certificate of Compliance 1014, Amendment 11, Certificate of Compliance for Spent Fuel Storage Casks .....	ML18141A561
Proposed Certificate of Compliance 1014, Amendment 11, Technical Specifications, Appendix A .....	ML18141A562
Proposed Certificate of Compliance 1014, Amendment 11, Approved Contents and Design Features, Appendix B .....	ML18141A563
Proposed Certificate of Compliance 1014, Amendment 11, Technical Specifications, Appendix A-100U .....	ML18141A564
Proposed Certificate of Compliance 1014, Amendment 11, Approved Contents and Design Features, Appendix B-100U .....	ML18141A565
Certificate of Compliance 1014, Amendment 11, Preliminary Safety Evaluation Report .....	ML18141A567
Letter from Holtec International to NRC, "Holtec International HI-STORM 100 Multipurpose Canister Storage System Amendment Request 1014-12" dated June 14, 2016 .....	ML16169A363
Letter from Holtec International to NRC, "Holtec International HI-STORM 100 Multipurpose Canister Storage System Amendment Request 1014-12 Supporting Calculation Packages" dated July 22, 2016. (This package contains four attachments, and Attachments 1 through 3 are proprietary information and not publicly available.) .....	ML16210A133
Letter from Holtec International to NRC, "HI-STORM 100 Amendment 12 Responses to Requests for Supplemental Information" dated November 4, 2016. (This package contains five attachments, and Attachment 4 is proprietary information and not publicly available.) .....	ML16313A216
Holtec International Final Safety Analysis Report for the HI-STORM 100 Cask System, Revision 13 dated March 31, 2016 ..	ML16138A100
Letter from Holtec International to NRC, "Submittal of Responses to NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-12" dated August 25, 2017. (This package contains 13 attachments, and Attachments 1, 5, 7, 8, 9, 10, 11, and 12 are proprietary information and not publicly available.) .....	ML17251A739
Letter from Holtec International to NRC, "Submittal of Responses to NRC's 2nd Round Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-11" dated September 8, 2017. (This package contains seven attachments, and Attachments 1, 5, and 6 are proprietary information and not publicly available.) .....	ML17261A159
Letter from Holtec International to NRC, "Submittal of Supplemental Information on NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-12" dated November 10, 2017. (This package contains six attachments, and Attachment 1 is proprietary information and not publicly available.) .....	ML17326A174
Letter from Holtec International to NRC, "Submittal of Revised Supplemental Information on NRC's Requests for Additional Information for HI-STORM 100 License Amendment Request 1014-12" dated December 22, 2017 .....	ML17362A130
User Need Memorandum for Rulemaking for the Holtec International HI-STORM 100 Cask System, Amendment 12 .....	ML18087A056
Proposed Certificate of Compliance 1014, Amendment 12, Certificate of Compliance for Spent Fuel Storage Casks .....	ML18087A057
Proposed Certificate of Compliance 1014, Amendment 12, Technical Specifications, Appendix A .....	ML18087A058
Proposed Certificate of Compliance 1014, Amendment 12, Approved Contents and Design Features, Appendix B .....	ML18087A059
Proposed Certificate of Compliance 1014, Amendment 12, Technical Specifications, Appendix A-100U .....	ML18087A060
Proposed Certificate of Compliance 1014, Amendment 12, Approved Contents and Design Features, Appendix B-100U .....	ML18087A061
Certificate of Compliance 1014, Amendment 12, Preliminary Safety Evaluation Report .....	ML18087A062

The NRC may post materials related to this document, including public comments, on the Federal Rulemaking website at <http://www.regulations.gov> under Docket ID NRC–2018–0221. The Federal Rulemaking website allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2018–0221); (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, Hazardous waste, Indians, Intergovernmental relations, Nuclear energy, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, 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 of 1954, 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, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, Certificate of Compliance 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, Effective Date: February 16, 2016.

Amendment Number 8, Revision 1, Effective Date: February 16, 2016.

Amendment Number 9 Effective Date: March 11, 2014, superseded by Amendment Number 9, Revision 1, on March 21, 2016.

Amendment Number 9, Revision 1, Effective Date: March 21, 2016, as corrected (ADAMS Accession No. ML17236A451).

Amendment Number 10 Effective Date: May 31, 2016, as corrected (ADAMS Accession No. ML17236A452).

Amendment Number 11 Effective Date: February 25, 2019.

Amendment Number 12 Effective Date: February 25, 2019.

Safety Analysis Report Submitted by: Holtec International.

Safety Analysis Report 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 29th day of November 2018.

For the Nuclear Regulatory Commission.

**Margaret M. Doane,**

*Executive Director for Operations.*

[FR Doc. 2018–26877 Filed 12–11–18; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA–2018–0584; Product Identifier 2017–NM–173–AD; Amendment 39–19494; AD 2018–23–08]

**RIN 2120–AA64**

#### Airworthiness Directives; Airbus SAS Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are adopting a new airworthiness directive (AD) for all Airbus SAS Model A330–200, A330–200 Freighter, and A330–300 series airplanes. This AD was prompted by reports of dual flight management system (FMS) resets with the loss of flight plan (F–PLN) data. This AD requires revising the airplane flight manual (AFM) to prohibit required navigation performance–authorization required (RNP–AR) operations using flight management guidance envelope computer (FMGEC) standard P5H3. This AD would also require modifying the FMS software of airplanes equipped with FMGEC standard P5H3. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective January 16, 2019.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of January 16, 2019.

**ADDRESSES:** For service information identified in this final rule, contact Airbus SAS, Airworthiness Office—EAL, Rond-Point Emile Dewoitine No: 2, 31700 Blagnac Cedex, France, France; telephone +33 5 61 93 36 96; fax +33 5 61 93 45 80; email [airworthiness.A330-A340@airbus.com](mailto:airworthiness.A330-A340@airbus.com); internet <http://www.airbus.com>. You may view this service information at the FAA, Transport Standards Branch, 2200 South 216th St., Des Moines, WA. For information on the availability of this material at the FAA, call 206–231–3195. It is also available on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2018–0584.

#### Examining the AD Docket

You may examine the AD docket on the internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA–2018–0584; or in person at Docket Operations