

substantive response in a notice-and-comment process. For example, a substantive response is required in the following circumstances:

(a) The comment causes the NRC 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.

(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 to make a change (other than editorial) to the rule.

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

### III. Discussion

The President signed into law the Social Security Number Fraud Prevention Act of 2017 (the Act) on September 15, 2017, to reduce the risk of identity theft by directing agencies to “issue regulations specifying the circumstances under which inclusion of a social security account number on a document sent by mail is necessary.”<sup>1</sup> The Act restricts the inclusion of an SSN on any document sent by mail “unless the head of the agency determines that the inclusion of the SSN on the document is necessary.”<sup>2</sup> The Act directs agencies to issue regulations that specify when inclusion of an SSN is necessary, include instructions for the partial redaction of SSNs where feasible, and provide a requirement that SSNs not be visible on the outside of any package sent by mail.<sup>3</sup> These regulations must be issued no later than 5 years after the date of enactment of the Act.

The NRC determined that rulemaking was necessary because the Act requires the NRC to amend its regulations. This effort could not be achieved through issuing guidance, as guidance documents are not legally binding and cannot be used to amend regulations. The NRC’s rulemaking is narrowly tailored to address the requirements specifically set forth in the Act; therefore, the NRC determined that the direct final rule process was appropriate because the amendments are required

by statute, expected to be non-controversial, and unlikely to yield public comment resulting in a significant change to the NRC’s proposal. A direct final rule is preferable to a final rule because it allows for the opportunity for public comment, should there be any additional regulations that the public identifies as needing amendment or any additional considerations the NRC needs to evaluate to implement the Act.

### IV. 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). The NRC requests comment on the proposed rule with respect to clarity and effectiveness of the language used.

### V. Paperwork Reduction Act

This proposed 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 numbers 3150–0043, 3150–0014, 3150–0046, and 3150–0010.

### Public Protection Notification

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

Dated: May 28, 2020.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**

*Secretary of the Commission.*

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC–2020–0059]

### Guidance for Implementation of 10 CFR 72.48, ‘Changes, Tests, and Experiments’

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory guide; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG–3054. This DG is proposed Revision 1 of Regulatory Guide 3.72 of the same name. The proposed revision endorses Nuclear Energy Institute (NEI) 12–04, Revision 2 with exceptions and clarification. NEI 12–04, Revision 2, updates and revises previous guidance to incorporate operating experience and NRC’s inspection findings. In addition, RG 3.72, Revision 1, changes the NRC’s guidance on departures from a method of evaluation (MOE) and the NRC’s approval of an MOE.

**DATES:** Submit comments by August 3, 2020. 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. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

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

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2020–0059. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301–287–9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN–7–A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Program Management, Announcements and Editing Staff.

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:** Marlone Davis, telephone: 301–415–7447, email: [Marlone.Davis@nrc.gov](mailto:Marlone.Davis@nrc.gov), and Harriet Karagiannis, telephone: 301–415–2493, email: [Harriet.Karagiannis@nrc.gov](mailto:Harriet.Karagiannis@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

### SUPPLEMENTARY INFORMATION: I. Obtaining Information and Submitting Comments

#### A. Obtaining Information

Please refer to Docket ID NRC–2020–0059 when contacting the NRC about

<sup>1</sup> Public Law 115–59, Section 2(b).

<sup>2</sup> Public Law 115–59, Section 2(a).

<sup>3</sup> Public Law 115–59, Section 2(b)(1)–(2).

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 <https://www.regulations.gov> and search for Docket ID NRC-2020-0059.
- *NRC's Agencywide Documents Access and Management System (ADAMS)*: You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://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).

### B. Submitting Comments

Please include Docket ID NRC-2020-0059 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 <https://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. Additional Information

The NRC is issuing for public comment a draft guide in the NRC's "Regulatory Guide" series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.

This DG, identified by its task number, DG-3054, titled, "Guidance for Implementation of 10 CFR 72.48, 'Changes, Tests, And Experiments'" (ADAMS Accession No. ML19269B763). The draft guide is proposed Revision 1 of RG 3.72 of the same name. The

proposed revision describes an approach that is acceptable to NRC to meet regulatory requirements related to changes affecting independent spent fuel storage installations (ISFSIs), spent fuel storage cask designs, and monitored retrievable storage installations (MRSs) by endorsing guidance document NEI 12-04, "Guidelines for 10 CFR 72.48 Implementation," Revision 2.

The staff is also issuing for public comment a draft regulatory analysis (ADAMS Accession No. ML19269B764). The staff develops a regulatory analysis to assess the value of issuing or revising a regulatory guide as well as alternative courses of action.

## III. Backfitting, Forward Fitting, and Issue Finality

Issuance of this draft regulatory guide in final form would not constitute backfitting as defined in title 10 of the *Code of Federal Regulations* (10 CFR) section 72.62, "Backfitting," and as described in NRC Management Directive 8.4, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests" (ADAMS Accession No. ML18093B087). As explained in section D., "Implementation," of the draft regulatory guide, licensees would not be required to comply with the positions set forth in this draft regulatory guide.

Dated: May 27, 2020.

For the Nuclear Regulatory Commission.

**Stanley J. Gardocki,**

*Acting Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

**[Docket No. FAA-2020-0493; Product Identifier 2019-CE-046-AD]**

**RIN 2120-AA64**

#### **Airworthiness Directives; Textron Aviation, Inc. Airplanes**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede Airworthiness Directive (AD) 2019-08-13 for Textron Aviation, Inc. (type certificate previously held by

Cessna Aircraft Company) Models 525, 525A, and 525B airplanes with Tamarack active load alleviation system (ATLAS) winglets installed in accordance with Supplemental Type Certificate (STC) SA03842NY. AD 2019-08-13 resulted from mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as malfunction of the ATLAS. This AD results from the identification of corrective actions that, if implemented, allow operators to reactivate the ATLAS and restore operations to normal procedures. The FAA is proposing this AD to address the unsafe condition on these products.

**DATES:** The FAA must receive comments on this proposed AD by July 17, 2020.

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

- *Federal eRulemaking Portal*: Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax*: (202) 493-2251.

- *Mail*: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery*: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For Cranfield Aerospace Solutions Limited and Tamarack Aerospace Group service information identified in this AD, contact Cranfield Aerospace Solutions Ltd., Cranfield, Bedford MK43 0AL, United Kingdom; telephone: +44 1234 754 166; FAX: +44 1234 752 375; email: [g.mitchell@cranfielddaerospace.com](mailto:g.mitchell@cranfielddaerospace.com); internet: <https://www.cranfielddaerospace.com/service/aircraft-modification-products/et>. You may review copies of the referenced service information at the FAA, Airworthiness Products Section, Operational Safety Branch, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148.

#### **Examining the AD Docket**

You may examine the AD docket on the internet at <https://www.regulations.gov> by searching for and locating Docket No. FAA-2020-0493; or in person at Docket Operations Monday through Friday, except Federal holidays. The AD docket contains this