

# Rules and Regulations

Federal Register

Vol. 85, No. 138

Friday, July 17, 2020

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents.

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2019-0202]

RIN 3150-AK39

#### List of Approved Spent Fuel Storage Casks: TN Americas LLC, Standardized NUHOMS® Horizontal Modular Storage System, Certificate of Compliance No. 1004, Renewed Amendment No. 16; Correction

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Direct final rule; correction.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is correcting a notice that was published in the **Federal Register** on June 30, 2020, revising the TN Americas LLC, Standardized NUHOMS® Horizontal Modular Storage System listing within the “List of approved spent fuel storage casks” to include Renewed Amendment No. 16 to Certificate of Compliance No. 1004. This action is necessary to provide ADAMS accession numbers in the Availability of Documents table listing that were inadvertently omitted.

**DATES:** The correction is effective on September 14, 2020, if no significant adverse comments are received by July 30, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2019-0202 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 <https://www.regulations.gov> and search for Docket ID NRC-2019-0202. 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.

- **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).

- **Attention:** The Public Document Room (PDR), where you may examine and order copies of public documents is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

#### FOR FURTHER INFORMATION CONTACT:

Norma Garcia Santos, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-6999; email: [Norma.GarciaSantos@nrc.gov](mailto:Norma.GarciaSantos@nrc.gov) or Torre Taylor, Office of Nuclear Material Safety and Safeguards; telephone: 301-415-7900; email: [Torre.Taylor@nrc.gov](mailto:Torre.Taylor@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** (FR) on June 30, 2020, in FR Doc. 2020-13730, on page 39054, in the Availability of Documents table listing for “Technical Specifications for TN Americas LLC Amendment No. 16 to Certificate of Compliance No. 1004,” add the ADAMS accession numbers ML19262E157, ML19262E159, and ML19262E153.

Dated July 9, 2020.

For the Nuclear Regulatory Commission.

**Pamela J. Shepherd-Vladimir,**

*Acting Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2020-15244 Filed 7-16-20; 8:45 am]

**BILLING CODE 7950-01-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2019-0250]

RIN 3150-AK41

#### List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM Flood/Wind Multipurpose Canister Storage System, Certificate of Compliance No. 1032, Amendment No. 4

**AGENCY:** Nuclear Regulatory Commission.

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

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of July 14, 2020, for the direct final rule that was published in the **Federal Register** on April 30, 2020. The direct final rule amends the NRC’s spent fuel storage regulations by revising the Holtec International HI-STORM Flood/Wind Multipurpose Canister Storage System listing within the “List of approved spent fuel storage casks” to include Amendment No. 4 to Certificate of Compliance No. 1032. Amendment No. 4 revises the certificate of compliance to: Add multipurpose canister (MPC)-32ML for storage and allow the fuel assembly class 16X16D as content for MPC-32ML; add the fuel assembly class 16X16E as content for MPC-37; and make changes to the final safety analysis report.

**DATES:** The effective date of July 14, 2020, for the direct final rule published April 30, 2020 (85 FR 23904), is confirmed.

**DATES:** Please refer to Docket ID NRC-2019-0250 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 <https://www.regulations.gov> and search for Docket ID NRC-2019-0250. 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 individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **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). The proposed amendment to the certificate of compliance, the proposed changes to the technical specifications, and the preliminary safety evaluation report are available in ADAMS under Accession No. ML19158A271. The final amendment to the certificate of compliance, final changes to the technical specifications, and final safety evaluation report can also be viewed in ADAMS under Accession No. ML20155K740.

• **Attention:** The Public Document Room (PDR), where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1–800–397–4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Vanessa Cox, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–8342 or email: [Vanessa.Cox@nrc.gov](mailto:Vanessa.Cox@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On April 30, 2020 (85 FR 23904), the NRC published a direct final rule amending its regulations in part 72 of title 10 of the *Code of Federal Regulations* to revise the Holtec International HI–STORM Flood/Wind Multipurpose Canister Storage System listing within the “List of approved spent fuel storage casks” to include Amendment No. 4 to Certificate of Compliance No. 1032. Amendment No. 4 revises the certificate of compliance to: add multipurpose canister (MPC)–32ML for storage and allow the fuel assembly class 16X16D as content for MPC–32ML; add the fuel assembly class 16X16E as content for MPC–37; and make changes to the final safety analysis report to separate the design pressure for the short-term operation from the off-normal condition (to provide clarity in Table 2.2.1), add cautionary notes to Sections 9.2.1 and 9.2.3, update a definition, and replace a test program.

In the direct final rule published on April 30, 2020, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on July 14, 2020. The NRC received and docketed one

comment on the companion proposed rule (85 FR 23923; April 30, 2020). The comment can be obtained from the Federal Rulemaking website <https://www.regulations.gov> under Docket ID NRC–2019–0250, and from ADAMS under Accession No. ML20154K577.

The NRC evaluated the comment against the criteria described in the direct final rule and determined that the comment was not significant and adverse. Specifically, the comment was outside the scope of this rulemaking, did not oppose the rule, or did not propose a change to the rule, such that the rule would be ineffective or unacceptable without incorporation of the change. Therefore, the direct final rule will become effective as scheduled.

Dated June 25, 2020.

For the Nuclear Regulatory Commission.

**Cindy K. Bladey,**

*Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2020–14076 Filed 7–16–20; 8:45 am]

**BILLING CODE 7590–01–P**

**DEPARTMENT OF TREASURY**

**Office of the Comptroller of the Currency**

**12 CFR Part 34**

[Docket ID OCC–2019–0004]

**RIN 1557–AE91**

**Other Real Estate Owned and Technical Amendments**

**AGENCY:** Office of the Comptroller of the Currency, Treasury.

**ACTION:** Final rule; correction.

**SUMMARY:** On October 22, 2019, the Office of the Comptroller of the Currency (OCC) published in the **Federal Register** a final rule to revise provisions on other real estate owned and make related technical amendments. Due to a technical error in the amendatory text, certain revisions in the final rule were not incorporated in the Code of Federal Regulations. This final rule corrects those omissions.

**DATES:** The final rule is effective on July 17, 2020.

**FOR FURTHER INFORMATION CONTACT:**

Kevin Korzeniewski, Counsel, or Anthony Borzaro, Attorney, Chief Counsel’s Office, (202) 649–5490; or for persons who are hearing impaired, TTY, (202) 649–5597.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On October 22, 2019, the OCC published in the **Federal Register** a final rule to revise its rule on other real estate owned (OREO) at 12 CFR part 34, subpart E, and make related technical amendments (OREO final rule).<sup>1</sup> The OREO final rule was intended to apply to national banks and federal savings associations, and the rule text printed in the OREO final rule did incorporate both types of institutions in all relevant sections. However, due to a technical error in the amendatory instructions, the phrase “federal savings associations” was not included in two places in the introductory text to 12 CFR 34.83(a)(3)(i). This final rule corrects the amendatory instructions to add the phrase “federal savings associations” in those two locations. This final rule does not make any substantive changes to the OREO final rule or any requirements of 12 CFR part 34, subpart E.

**II. Administrative Law Statements**

*A. Administrative Procedure Act*

The OCC is issuing the final rule without prior notice and the opportunity for public comment and the delayed effective date ordinarily prescribed by the Administrative Procedure Act (APA).<sup>2</sup> Pursuant to section 553(b)(B) of the APA, general notice and the opportunity for public comment are not required with respect to a rulemaking when an “agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.”<sup>3</sup>

The OCC believes that the final rule should be effective immediately upon publication in the **Federal Register**. The final rule merely implements a technical correction to the amendatory text to reflect the text of the OREO final rule for purposes of accurate printing in the Code of Federal Regulations and has no substantive effect. The OCC previously requested comment on the revision, adopted the revision in a final rule, and believes requesting further comment or delaying the correction would be unnecessary.

For these reasons, the OCC finds that there is good cause to issue the rule without notice and comment.<sup>4</sup>

The APA also requires a 30-day delayed effective date, except for (1) substantive rules which grant or

<sup>1</sup> 84 FR 56369 (Oct. 22, 2019).

<sup>2</sup> 5 U.S.C. 553.

<sup>3</sup> 5 U.S.C. 553(b)(3)(A).

<sup>4</sup> 5 U.S.C. 553(b)(B); 553(d)(3).