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#### 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.*

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**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).

recognize an exemption or relieve a restriction; (2) interpretative rules and statements of policy; or (3) as otherwise provided by the agency for good cause.<sup>5</sup> 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.<sup>6</sup> Therefore, the OCC similarly finds good cause to dispense with the 30-day delayed effective date.

#### B. Congressional Review Act

For purposes of Congressional Review Act, the OMB makes a determination as to whether a final rule constitutes a “major” rule.<sup>7</sup> If a rule is deemed a “major rule” by the Office of Management and Budget (OMB), the Congressional Review Act generally provides that the rule may not take effect until at least 60 days following its publication.<sup>8</sup>

The Congressional Review Act defines a “major rule” as any rule that the Administrator of the Office of Information and Regulatory Affairs of the OMB finds has resulted in or is likely to result in (A) an annual effect on the economy of \$100,000,000 or more; (B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies or geographic regions, or (C) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.<sup>9</sup>

For the same reasons set forth above, the OCC is adopting the final rule without the delayed effective date generally prescribed under the Congressional Review Act. The delayed effective date required by the Congressional Review Act does not apply to any rule for which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.<sup>10</sup> In light of the fact that the final rule has no substantive effect and 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, the OCC believes that delaying the effective date of the rule is unnecessary.

As required by the Congressional Review Act, the OCC will submit the final rule and other appropriate reports to Congress and the Government Accountability Office for review.

#### C. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521) (PRA) states that no agency may conduct or sponsor, nor is the respondent required to respond to, an information collection unless it displays a currently valid OMB control number. The final rule does not affect any current information collections for 12 CFR part 34.

#### D. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA)<sup>11</sup> requires an agency to consider whether the rules it proposes will have a significant economic impact on a substantial number of small entities.<sup>12</sup> The RFA applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b). As discussed previously, consistent with section 553(b)(B) of the APA, the OCC has determined for good cause that general notice and opportunity for public comment is unnecessary, and therefore the OCC has not issued a notice of proposed rulemaking. Accordingly, the OCC has concluded that the RFA’s requirements relating to initial and final regulatory flexibility analysis do not apply.

#### E. Riegle Community Development and Regulatory Improvement Act of 1994

Pursuant to section 302(a) of the Riegle Community Development and Regulatory Improvement Act (RCDRIA),<sup>13</sup> in determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on insured depository institutions (IDIs), each Federal banking agency must consider, consistent with the principle of safety and soundness and the public interest, any administrative burdens that such regulations would place on depository institutions, including small depository institutions, and customers of depository institutions, as well as the

benefits of such regulations. In addition, section 302(b) of RCDRIA requires new regulations and amendments to regulations that impose additional reporting, disclosures, or other new requirements on IDIs generally to take effect on the first day of a calendar quarter that begins on or after the date on which the regulations are published in final form, with certain exceptions, including for good cause.<sup>14</sup> For the reasons described above, the OCC finds good cause exists under section 302 of RCDRIA to publish this final rule with an immediate effective date.

As such, the final rule will be effective on July 17, 2020.

#### F. Use of Plain Language

Section 722 of the Gramm-Leach-Bliley Act<sup>15</sup> requires the Federal banking agencies to use plain language in all proposed and final rules published after January 1, 2000. The OCC has sought to present the final rule in a simple and straightforward manner.

#### G. Unfunded Mandates

As a general matter, the Unfunded Mandates Act of 1995 (UMRA), 2 U.S.C. 1531 *et seq.*, requires the preparation of a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year. However, the UMRA does not apply to final rules for which a general notice of proposed rulemaking was not published. See 2 U.S.C. 1532(a). Therefore, because the OCC has found good cause to dispense with notice and comment for this final rule, the OCC has not prepared a budgetary impact statement for the rule under the UMRA.

#### List of Subjects in 12 CFR Part 34

Appraisal, Appraiser, Banks, Banking, Consumer protection, Credit, Mortgages, National banks, Reporting and recordkeeping requirements, Savings associations, Truth in lending.

For the reasons stated in the preamble, the Office of the Comptroller of the Currency amends 12 CFR part 34 as follows:

#### PART 34—REAL ESTATE LENDING AND APPRAISALS

■ 1. The authority citation for part 34 continues to read as follows:

**Authority:** 12 U.S.C. 1 *et seq.*, 25b, 29, 93a, 371, 1462a, 1463, 1464, 1465, 1701j–3, 1828(o), 3331 *et seq.*, 5101 *et seq.*, and 5412(b)(2)(B) and 15 U.S.C. 1639h.

<sup>14</sup> 12 U.S.C. 4802.

<sup>15</sup> 12 U.S.C. 4809.

<sup>5</sup> 5 U.S.C. 553(d).

<sup>6</sup> 5 U.S.C. 553(d)(1).

<sup>7</sup> 5 U.S.C. 801 *et seq.*

<sup>8</sup> 5 U.S.C. 801(a)(3).

<sup>9</sup> 5 U.S.C. 804(2).

<sup>10</sup> 5 U.S.C. 808.

<sup>11</sup> 5 U.S.C. 601 *et seq.*

<sup>12</sup> Under regulations issued by the Small Business Administration, a small entity includes a depository institution, bank holding company, or savings and loan holding company with total assets of \$600 million or less and trust companies with total assets of \$41.5 million or less. See 13 CFR 121.201.

<sup>13</sup> 12 U.S.C. 4802(a).

**Subpart E—Other Real Estate Owned****§ 34.83 [Amended]**

■ 2. In § 34.83 amend paragraph (a)(3)(i) introductory text by adding “or Federal savings association” after “national bank” wherever it occurs.

**Brian P. Brooks,**

*Acting Comptroller of the Currency.*

[FR Doc. 2020–14108 Filed 7–16–20; 8:45 am]

BILLING CODE 4810–33–P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 25**

[Docket No. FAA–2020–0285; Special Conditions No. 25–771–SC]

**Special Conditions: Avidyne Corporation, Textron Aviation Inc. Model 550, 560, and 560XL Airplanes; Electronic-System Security Protection From Unauthorized External Access**

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

**ACTION:** Final special conditions; request for comments.

**SUMMARY:** These special conditions are issued for Textron Aviation Inc. (Textron) Model 550, 560, and 560XL airplanes. These airplanes, as modified by Avidyne Corporation, will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport category airplanes. This design feature is Avidyne Corporation avionics that allow external connection to previously isolated data networks, which are connected to systems that perform functions required for the safe operation of the airplane. This feature creates a potential for unauthorized persons to access the aircraft-control domain and airline information-services domain, and presents security vulnerabilities related to the introduction of computer viruses and worms, user errors, and intentional sabotage of airplane electronic assets (networks, systems, and databases). The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** This action is effective on Avidyne Corporation on July 17, 2020.

Send comments on or before August 31, 2020.

**ADDRESSES:** Send comments identified by Docket No. FAA–2020–0285 using any of the following methods:

- **Federal eRegulations Portal:** Go to <http://www.regulations.gov/> and follow the online instructions for sending your comments electronically.
- **Mail:** Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.
- **Hand Delivery or Courier:** Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** Fax comments to Docket Operations at 202–493–2251.

**Privacy:** The FAA will post all comments it receives, without change, to <http://www.regulations.gov/>, including any personal information the commenter provides. Using the search function of the docket website, anyone can find and read the electronic form of all comments received into any FAA docket, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). DOT’s complete Privacy Act Statement can be found in the **Federal Register** published on April 11, 2000 (65 FR 19477–19478).

**Docket:** Background documents or comments received may be read at <http://www.regulations.gov/> at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Varun Khanna, Airplane and Flightcrew Interface Section, AIR–671, Transport Standards Branch, Policy and Innovation Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, Washington 98198; telephone and fax 206–231–3159; email [varun.khanna@faa.gov](mailto:varun.khanna@faa.gov).

**SUPPLEMENTARY INFORMATION:** The substance of these special conditions has been published in the **Federal Register** for public comment in several prior instances with no substantive comments received. Therefore, the FAA has determined that prior public notice and comment are unnecessary, and

finds that, for the same reason, good cause exists for adopting these special conditions upon publication in the **Federal Register**.

**Comments Invited**

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments. The FAA may change these special conditions based on the comments received.

**Background**

On February 1, 2019, Avidyne Corporation applied for a supplemental type certificate for Avidyne Corporation avionics connected to the aircraft-control domain and airline information-services domain in Textron Model 550, 560, and 560XL airplanes.

The Model 550 is a twin-engine, transport-category airplane with a maximum takeoff weight of 14,800 pounds, and seating for up to 11 passengers, depending upon configuration.

The Model 560 is a twin-engine, transport-category airplane with a maximum takeoff weight of 16,630 pounds, and seating for up to 11 passengers, depending upon configuration.

The Model 560XL is a twin-engine, transport-category airplane with a maximum takeoff weight of 20,200 pounds, and seating for up to 12 passengers, depending upon configuration.

**Type Certification Basis**

Under the provisions of title 14, Code of Federal Regulations (14 CFR) 21.101, Avidyne Corporation must show that the Textron Model 550, 560, and 560XL airplanes, as changed, continue to meet the applicable provisions of the regulations listed in Type Certificate No. A22CE or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (*i.e.*, 14 CFR part 25) do not contain adequate or appropriate safety standards for Textron Model 550, 560, and 560XL airplanes because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.