

# Proposed Rules

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This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF JUSTICE

### 2 CFR Chapter XXVII

### 5 CFR Chapter XXVIII

### 8 CFR Chapter V

### 21 CFR Chapter II

### 27 CFR Chapter II

### 28 CFR Chapters I, III, V, and VI

### 31 CFR Chapter IX

### 40 CFR Chapter IV

### 41 CFR Chapter 128

### 45 CFR Chapter V

### 48 CFR Chapter 28

[Docket No. OLP 164]

### Enforcing the Regulatory Reform Agenda; Department of Justice Task Force on Regulatory Reform Under E.O. 13777

**AGENCY:** Department of Justice.

**ACTION:** Request for public comment.

**SUMMARY:** Pursuant to Executive Order 13777, the Department of Justice's Regulatory Reform Task Force is publishing this Notice to solicit public suggestions for subjects meriting the Task Force's attention.

**DATES:** Written comments must be postmarked and electronic comments must be submitted on or before August 14, 2017. Commenters should be aware that the electronic Federal Docket Management System (FDMS) will accept comments submitted prior to Midnight Eastern Time on the last day of the comment period.

**ADDRESSES:** To ensure proper handling of comments, please reference "Docket No. OLP 164" on all electronic and written correspondence. The Department encourages all comments be submitted electronically through <http://www.regulations.gov>

using the electronic comment form provided on that site. An electronic copy of this document is also available at <http://www.regulations.gov> for easy reference. Paper comments that duplicate the electronic submission are not necessary as the comments submitted to <http://www.regulations.gov> will be posted for public review and are part of the official docket record. Should you, however, wish to submit written comments by mail, they should be addressed to Robert Hinchman, Senior Counsel, Office of Legal Policy, U.S. Department of Justice, Room 4252 RFK Building, 950 Pennsylvania Avenue NW., Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Robert Hinchman, (202) 514-8059. This is not a toll-free number.

#### SUPPLEMENTARY INFORMATION:

*Posting of Public Comments.* Please note that all comments received are considered part of the public record and made available for public inspection online at <http://www.regulations.gov>. If you wish to inspect the agency's public docket file in person by appointment, please see the paragraph above entitled **FOR FURTHER INFORMATION CONTACT**.

Such information includes personal identifying information (such as your name, address, *etc.*) voluntarily submitted by the commenter. If you do not wish personally identifying information to be posted online, you must include the phrase "PERSONAL IDENTIFYING INFORMATION" in the first paragraph of your comment. You must also place all the personal identifying information you do not want posted online or made available in the public docket in the first paragraph of your comment and identify what information you want redacted. Personal identifying information identified and located as set forth above will be placed in the agency's public docket file, but not posted online.

#### Overview

In February 2017, the President issued Executive Order 13777, "Enforcing the Regulatory Reform Agenda," which sets forth principles and requirements for each agency to evaluate and implement measures to lower regulatory burdens on the American people. Specifically, the Executive Order directs each agency's Regulatory Reform Task Force

to identify regulatory actions that do the following:

- (i) Eliminate jobs, or inhibit job creation;
- (ii) are outdated, unnecessary, or ineffective;
- (iii) impose costs that exceed benefits;
- (iv) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;
- (v) are inconsistent with the requirements of the Information Quality Act (section 515 of the Treasury and General Government Appropriations Act, 2001, 44 U.S.C. 3516 note), or OMB Information Quality Guidance issued pursuant to that provision, in particular those regulations that rely in whole or in part on data, information, or methods that are not publicly available or that are insufficiently transparent to meet the standard for reproducibility; or
- (vi) derive from or implement Executive Orders or other Presidential directives that have been subsequently rescinded or substantially modified.

Section 3(e) of this Order directs each agency's Regulatory Reform Task Force to seek input and other assistance, as permitted by law, from entities significantly affected by existing Federal regulations (as defined in Section 4 of Executive Order 13771) including State, local, and tribal governments, small businesses, consumers, non-governmental organizations, and trade associations. Pursuant to Executive Order 13777 and as one part of a broader consultation effort, the Department of Justice's Regulatory Reform Task Force is publishing this Notice to solicit public suggestions for subjects meriting the Task Force's attention.

#### Request for Comments

The Task Force seeks public comment for two purposes. First, the Task Force seeks comments from the public on the various kinds of actions taken by the Department's components that the public perceives to be regulatory in nature even if they are issued in a form other than rules promulgated upon notice and comment. For purposes of this inquiry, the public may perceive an action to be regulatory in nature if it imposes binding requirements on any person or entity outside the federal government or if it states criteria that a Department component will use to assess compliance with such a binding requirement.

Second, the Task Force seeks suggestions from the public for specific regulatory actions previously taken by the Department that should be repealed, replaced, or modified, consistent with applicable law. In particular, the Task Force welcomes specific comments that identify regulatory actions that meet the criteria as proscribed in Executive Order 13777.

The Department's Regulatory Reform Task Force will consider public comments as it conducts its own evaluation of the Department's regulations in order to identify candidate regulations for repeal, replacement, or modification.

The Department notes that this Request for Comment is issued solely for information and planning purposes. The Department will give careful consideration to the comments, and may use them as appropriate during its review, but we do not anticipate providing a point-by-point response to each comment submitted. While responses to this Request for Comments do not bind the Department to any further actions related to the response, all submissions will be made publicly available on <http://www.regulations.gov>.

Dated: June 21, 2017.

**Rachel L. Brand,**

*Associate Attorney General, Chair, Regulatory Reform Task Force.*

[FR Doc. 2017-13551 Filed 6-27-17; 8:45 am]

**BILLING CODE 4410-BB-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2017-0089]

RIN 3150-AK03

#### List of Approved Spent Fuel Storage Casks: Holtec International HI-STORM Flood/Wind Multipurpose Canister Storage System, Certificate of Compliance No. 1032, Amendment No. 3

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its spent fuel storage regulations by revising the Holtec International (Holtec) HI-STORM Flood/Wind (FW) Multipurpose Canister (MPC) Storage System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 3 to Certificate of Compliance (CoC) No. 1032. Amendment No. 3 revises authorized

contents to allow burnup credit for fuel types in the MPC-37 and revises CoC Condition 8, which has been previously incorporated in Amendment No. 2 to CoC No. 1032.

**DATES:** Submit comments by July 28, 2017. 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.

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

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0089. 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.

- **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:

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

#### SUPPLEMENTARY INFORMATION:

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

###### A. Obtaining Information

Please refer to Docket ID NRC-2017-0089 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-2017-0089.

- **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-2017-0089 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.

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 proposed rule is limited to the changes contained in Amendment No. 3 to CoC No. 1032 and does not include other aspects of the Holtec HI-STORM FW MPC Storage System design. Because the NRC considers this action noncontroversial and routine, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the **Federal Register**. Adequate protection of public health and safety continues to be ensured. The direct final rule will become effective on September 11, 2017. However, if the NRC receives significant adverse comments on this proposed rule by July 28, 2017, then the NRC will publish a document that