

mitigation criteria for the mitigation of fines under section 273(e) and incorporates the administrative procedures provided for in 8 CFR 280.12 and 280.51. In determining the amount of the mitigation, CBP may take into account the effectiveness of the carrier's screening procedures, the carrier's history of fines, and the existence of extenuating circumstances. This mitigation is available to any carrier, including small entities.

Alternative 3 would eliminate the economic impact of the proposed rule for all noncompliant carriers, regardless of size. In addition, the current inconsistency in fines for violations of section 273 would continue. Carriers who transport aliens who qualify for parole would be subject to a fine if they do not adhere to the requirements of section 273, but those who transport aliens who qualify for unforeseen emergency waivers would not be subject to a fine.

#### C. Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), 2 U.S.C. 1501 *et seq.*, requires agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. This rule will not 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 (adjusted for inflation), and it will not significantly or uniquely affect small governments. Therefore, no actions are necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

#### D. Executive Order 13132

This rule will not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with section 6 of Executive Order 13132, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### E. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3507) an agency may not conduct, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number assigned by OMB. The collections of information for this final rule are included in an existing collection for

DHS Form I–193 (OMB control number 1651–0107).

#### List of Subjects in 8 CFR Part 212

Administrative practice and procedure, Aliens, Immigration, Passports and visas, Reporting and recordkeeping requirements.

#### Amendments to the Regulations

For the reasons stated in the preamble, DHS amends part 212 of title 8 of the Code of Federal Regulations (8 CFR part 212), as set forth below.

#### PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

■ 1. The general authority citation for part 212 is revised to read as follows:

**Authority:** 6 U.S.C. 111, 202, 236 and 271; 8 U.S.C. 1101 and note, 1102, 1103, 1182 and note, 1184, 1185, 1187, 1223, 1225, 1226, 1227, 1255, 1359; 8 U.S.C. 1185 note (section 7209 of Pub. L. 108–458); 8 CFR part 2.

\* \* \* \* \*

■ 2. Amend § 212.1 by revising paragraph (g) to read as follows:

#### § 212.1 Documentary requirements for nonimmigrants.

\* \* \* \* \*

(g) *Unforeseen emergency.* A nonimmigrant seeking admission to the United States must present an unexpired visa and passport valid for the amount of time set forth in section 212(a)(7)(B)(i) of the Act, 8 U.S.C. 1182(a)(7)(B)(i), or a valid biometric border crossing card issued by the DOS on Form DSP–150, at the time of application for admission, unless the nonimmigrant satisfies the requirements described in one or more of paragraphs (a) through (f) or (i), (o), or (p) of this section. Upon a nonimmigrant's application on Form I–193, or successor form, "Application for Waiver of Passport and/or Visa," a district director may, in the exercise of its discretion, on a case-by-case basis, waive either or both of the documentary requirements of section 212(a)(7)(B)(i) if satisfied that the nonimmigrant cannot present the required documents because of an unforeseen emergency. The district director may at any time revoke a waiver previously authorized pursuant to this paragraph and notify the nonimmigrant in writing to that effect.

\* \* \* \* \*

**Elaine C. Duke,**

*Acting Secretary.*

[FR Doc. 2017–18749 Filed 9–1–17; 8:45 am]

**BILLING CODE 9111–14–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:** Direct final rule; confirmation of effective date.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of September 11, 2017, for the direct final rule that was published in the **Federal Register** on June 28, 2017. This direct final rule amended NRC's spent fuel storage regulations by revising the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 3 to Certificate of Compliance (CoC) No. 1032 for the Holtec International (Holtec) HI–STORM Flood/Wind (FW) Multipurpose Canister (MPC) Storage System.

**DATES: Effective Date:** The effective date of September 11, 2017, for the direct final rule published June 28, 2017 (82 FR 29225), is confirmed.

**ADDRESSES:** 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. 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 <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). The

ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in the **SUPPLEMENTARY INFORMATION** 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.

**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 June 28, 2017 (82 FR 29225), 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 HI-STORM FW MPC Storage System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 3 to 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. In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on September 11, 2017. The NRC did not receive any comments on the direct final rule. Therefore, this direct final rule will become effective as scheduled. The final CoC, Technical Specifications, and Safety Evaluation Report can be viewed in ADAMS under Package Accession No. ML17214A039.

Dated at Rockville, Maryland, this 29th day of August, 2017.

For the Nuclear Regulatory Commission.

**Cindy Bladey,**

*Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.*

[FR Doc. 2017-18699 Filed 9-1-17; 8:45 am]

**BILLING CODE 7590-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

[Docket No. FAA-2016-9517; Product Identifier 2016-NM-100-AD; Amendment 39-18984; AD 2017-16-07]

**RIN 2120-AA64**

**Airworthiness Directives; Airbus 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 Model A330-200, A330-200 Freighter, A330-300, A340-500, and A340-600 series airplanes; and A340-313 airplanes. This AD was prompted by the discovery of Tartaric Sulfuric Anodizing (TSA)/Chromic Acid Anodizing (CAA) surface treatment in certain bulk cargo door frame holes of certain airplanes. This AD requires inspection of the fuselage bulk cargo door frames at specific locations, and corrective action if necessary. We are issuing this AD to address the unsafe condition on these products.

**DATES:** This AD is effective October 10, 2017.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in this AD as of October 10, 2017.

**ADDRESSES:** For service information identified in this final rule, contact Airbus SAS, Airworthiness Office—EAL, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, 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 referenced service information at the FAA, Transport Standards Branch, 1601 Lind Avenue SW., Renton, WA. For information on the availability of this material at the FAA, call 425-227-1221. It is also available on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2016-9517.

**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-2016-9517; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket

contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Office (telephone 800-647-5527) is Docket Management Facility, U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue SE., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:**

Vladimir Ulyanov, Aerospace Engineer, International Section, Transport Standards Branch, FAA, 1601 Lind Avenue SW., Renton, WA 98057-3356; telephone 425-227-1138; fax 425-227-1149.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

We issued a notice of proposed rulemaking (NPRM) to amend 14 CFR part 39 by adding an AD that would apply to all Airbus Model A330-200, A330-200 Freighter, A330-300, A340-500, and A340-600 series airplanes; and A340-313 airplanes. The NPRM published in the *Federal Register* on December 28, 2016 (81 FR 95538) ("the NPRM"). The NPRM was prompted by the discovery of TSA/CAA surface treatment in certain bulk cargo door frame holes of certain airplanes. The NPRM proposed to require inspection of the fuselage bulk cargo door frames at specific locations, and corrective action if necessary. We are issuing this AD to detect and correct fatigue cracks in the bulk cargo door frames, caused by TSA/CAA surface treatment in certain bulk cargo door frame holes. Cracks in the bulk cargo door frames can cause the in-flight loss of a bulk cargo door, damage to the airplane, and subsequent reduced control of the airplane.

The European Aviation Safety Agency (EASA), which is the Technical Agent for the Member States of the European Union, has issued EASA Airworthiness Directive 2016-0102, dated June 1, 2016; corrected June 7, 2016 (referred to after this as the Mandatory Continuing Airworthiness Information, or "the MCAI"); to correct an unsafe condition for all Airbus Model A330-200, A330-200 Freighter, A330-300, A340-500, and A340-600 series airplanes; and A340-313 airplanes. The MCAI states:

In the frame of the certification of the A330 Extended Service Goal exercise, it has been identified that Tartaric Sulfuric Anodising (TSA)/Chromic Acid Anodising (CAA) surface treatment is present in some frame holes, from aeroplane MSN [manufacturer serial number] 0400 and later MSN, following production process modification. On bulk cargo door frames (FR) 67 and FR 69 Right Hand Side, the door fitting attachment holes have this TSA/CAA