

# Proposed Rules

Federal Register

Vol. 66, No. 230

Thursday, November 29, 2001

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 AGRICULTURE

### Agricultural Marketing Service

**7 CFR Parts 1000, 1001, 1005, 1006, 1007, 1030, 1032, 1033, 1124, 1126, 1131, and 1135**

[Docket No. AO-14-A69, et al.; DA-00-03]

#### Milk in the Northeast and Other Marketing Areas; Notice of Extension of Time for Filing Comments

7 CFR part	Marketing area	AO Nos.
1000 ....	General Provisions of Federal Milk Marketing Orders	
1001 ....	Northeast .....	AO-14-A69
1005 ....	Appalachian .....	AO-388-A11
1006 ....	Florida .....	AO-356-A34
1007 ....	Southeast .....	AO-366-A40
1030 ....	Upper Midwest .....	AO-361-A34
1032 ....	Central .....	AO-313-A43
1033 ....	Mideast .....	AO-166-A67
1124 ....	Pacific Northwest ..	AO-368-A27
1126 ....	Southwest .....	AO-231-A65
1131 ....	Arizona-Las Vegas.	AO-271-A35
1135 ....	Western .....	AO-380-A17

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Proposed rule; extension of time for filing comments.

**SUMMARY:** This document extends the time for filing comments on a recommended decision issued October 19, 2001, concerning proposed amendments to the minimum Class III and Class IV price formulas for Federal milk orders. Additional time to file comments was requested by a number of proprietary and cooperative handlers. Those requesting the extension state that more time is needed to fully analyze the impacts of the technical changes in the pricing formulas.

**DATES:** Comments are now due on or before January 25, 2002.

**ADDRESSES:** Comments (six copies) should be filed with the Hearing Clerk, Room 1083, South Building, United

States Department of Agriculture, Washington, DC 20250. Parties filing comments are advised that faxing comments to (202) 690-0552 or e-mailing them to [joyce.mcpherson@usda.gov](mailto:joyce.mcpherson@usda.gov) may better assure their timely receipt and consideration. Reference should be made to the title of action and docket number.

#### FOR FURTHER INFORMATION CONTACT:

Clifford M. Carman, Branch Chief, USDA/AMS/Dairy Programs, Order Formulation Branch, Room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 720-7183, e-mail address: [clifford.carman@usda.gov](mailto:clifford.carman@usda.gov).

#### SUPPLEMENTARY INFORMATION:

Prior documents in this proceeding: *Notice of Hearing:* Issued April 6, 2000; Published April 14, 2000, (65 FR 20094).

*Tentative Final Decision:* Issued November 29, 2000; Published December 7, 2000, (65 FR 76832).

*Extension of Time—Northeast, et al.;* DA-00-03

*Interim Final Rule:* Issued December 21, 2000; Published December 28, 2000, (65 FR 82832).

*Recommended Decision:* Issued October 19, 2001; Published October 25, 2001, (66 FR 54064).

Notice is hereby given that the time for filing comments to the Recommended Decision on Proposed Amendments to Tentative Marketing Agreements and to the Class III and IV price formulas used under Federal milk orders is hereby extended from November 26, 2001, to January 25, 2002. This notice is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900).

#### List of Subjects in 7 CFR Parts 1000, 1001, 1005, 1006, 1007, 1030, 1032, 1033, 1124, 1126, 1131, and 1135

Milk marketing orders.

Dated: November 26, 2001.

**Kenneth C. Clayton,**

*Acting Administrator, Agricultural Marketing Service.*

[FR Doc. 01-29677 Filed 11-26-01; 3:07 pm]

**BILLING CODE 3410-02-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 50

#### Risk-Informed Treatment of Structures, Systems and Components

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Availability of draft rule wording.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is making available the draft wording of a possible amendment of its regulations. The proposal would add 10 CFR 50.69, "Risk-Informed Treatment of Structures, Systems and Components." The proposal would permit power reactor licensees and applicants to implement an alternative regulatory framework with respect to certain treatment requirements currently imposed beyond practices for commercial grade equipment to add assurance of capability of structures, systems and components (SSCs) to perform their intended functions. Under this framework, licensees, using a risk-informed process for categorizing SSC according to their safety and risk significance, could remove SSCs of low safety significance from the scope of certain identified treatment requirements. The availability of the draft wording is intended to inform stakeholders of the current status of the NRC's activities to adopt 10 CFR 50.69 and to provide stakeholders the opportunity to comment on the draft changes. The NRC has also provided additional ("I") information within the body of the draft rule language which is bracketed ("I") to facilitate understanding of the NRC's intent on certain aspects of the proposed rule.

**DATES:** Comments should be submitted on or before December 31, 2001. Any comments received after this date may not be considered during drafting of the proposed rule. Because of scheduling considerations in preparing a proposed rule, the NRC requests that stakeholders provide their comments at their earliest convenience before the end of the comment period, if practicable.

**ADDRESSES:** Submit written comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, Mail Stop O-16C1

or deliver written comments to One White Flint North, 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

You may also provide comments via the NRC's interactive rulemaking Web site through the NRC's home page at <http://ruleforum.llnl.gov>. This site provides the capability to upload comments as files (any format), if your web browser supports that function. For information about the interactive rulemaking Web site, contact Ms. Carol Gallagher at (301) 415-5905 or by e-mail to [cag@nrc.gov](mailto:cag@nrc.gov). Copies of any comments received and certain documents related to this rulemaking may be examined at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/NRC/ADAMS/index.html>. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Eileen M. McKenna, Risk-Informed Initiatives, Environmental, Decommissioning, and Rulemaking Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; Telephone: (301) 415-2189; Internet: [emm@nrc.gov](mailto:emm@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Since the Commission published a Policy Statement on the Use of Probabilistic Risk Assessment in 1995, the NRC's efforts to consider risk insights in the regulatory infrastructure have evolved over the years. In SECY-98-300, dated December 23, 1998, under Option 2, the NRC staff proposed to add provisions to Part 50 for risk-informed alternative regulations, revise existing requirements to reflect risk-informed considerations, and to remove unnecessary or ineffective regulations. In SECY-99-256, dated October 29, 1999, the staff provided a rulemaking plan and an Advance Notice of Proposed Rulemaking (ANPR) for risk-informed changes using 10 CFR 50.69. In a Staff Requirements Memorandum dated January 31, 2000, the Commission directed the staff to proceed with the

rulemaking and to publish the ANPR (65 FR 11488, March 3, 2000). In SECY-00-0194, dated September 7, 2000, the NRC staff subsequently communicated to the Commission its preliminary analysis of public comments on the ANPR and discussed issues involving 10 CFR 50.69.

The NRC has now developed draft wording for the changes to its regulations and has made them available on the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>. This draft rule language is preliminary and may be incomplete in one or more respects. This draft rule language was released to inform stakeholders of the current status of the 10 CFR 50.69 rulemaking and to provide stakeholders with an opportunity to comment on the draft revisions. Comments received prior to publishing the proposed rule will be considered in the development of the proposed rule. Comments may be provided through the rulemaking Web site at <http://ruleforum.llnl.gov/> or by mail as indicated under the **ADDRESSES** heading. The NRC may post updates periodically on the rulemaking Web site that may be of interest to stakeholders.

Dated at Rockville, Maryland, this 21st day of November 2001.

For the Nuclear Regulatory Commission.

**Cynthia A. Carpenter**,  
*Chief, Risk-Informed Initiatives,  
Environmental, Decommissioning, and  
Rulemaking Branch, Division of Regulatory  
Improvement Programs, Office of Nuclear  
Reactor Regulation.*

[FR Doc. 01-29584 Filed 11-28-01; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

#### RIN 3150-AG 88

#### List of Approved Spent Fuel Storage Casks: Standardized NUHOMS®-24P, -52B, and -61BT Revision

**AGENCY:** Nuclear Regulatory  
Commission.

**ACTION:** Proposed rule.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) is proposing to amend its regulations revising the Transnuclear West, Inc. Standardized NUHOMS®-24P, -52B, and -61BT cask system listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 4 to Certificate of Compliance (CoC) No. 1004. Amendment No. 4 would allow the storage of low burn-up spent fuel in the NUHOMS®-24P canister. In addition,

the Technical Specifications (TS) would be revised to correct administrative errors regarding the width dimension of the spent fuel. Specific changes would be made to TS 1.2.1 and 1.2.15, Tables 1-1a, 1-1b, 1-1c, 1-1d, 1-2a, and 1-2c, and Figure 1-1. The CoC would be revised to change the certificate holder from Transnuclear West, Inc. to Transnuclear Inc. Minor editorial changes would also be made to the CoC.

**DATES:** Comments on the proposed rule must be received on or before December 31, 2001.

**ADDRESSES:** Submit comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attn: Rulemakings and Adjudications Staff.

Deliver comments to 11555 Rockville Pike, Rockville, MD, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

Certain documents related to this rulemaking, as well as all public comments received on this rulemaking, may be viewed and downloaded electronically via the NRC's rulemaking website at <http://ruleforum.llnl.gov>. You may also provide comments via this website by uploading comments as files (any format) if your web browser supports that function. For information about the interactive rulemaking site, contact Ms. Carol Gallagher, (301) 415-5905; e-mail [CAG@nrc.gov](mailto:CAG@nrc.gov).

Certain documents related to this rule, including comments received by the NRC, may be examined at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. For more information, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Documents created or received at the NRC after November 1, 1999 are also available electronically at the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/NRC/ADAMS/index.html>. From this site, the public can gain entry into the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. An electronic copy of the proposed Certificate of Compliance (CoC) and preliminary safety evaluation report (SER) can be found under ADAMS Accession No. ML012620237. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Merri Horn, telephone (301) 415-8126, e-mail, [mlh1@nrc.gov](mailto:mlh1@nrc.gov) of the Office of