

2016–17 fiscal period include \$3,000 for the contracted management fee to the Washington State Fruit Commission, \$1,200 for Committee travel, \$2,000 for the annual audit, \$500 for computer and technical services, and \$250 for office supplies. Budgeted expenses for these items in the 2015–2016 fiscal period were \$3,000 for the management fee, \$1,200 for Committee travel, \$2,500 for the annual audit, and \$500 for office supplies.

The Committee discussed alternatives to this action, including recommending alternative expenditure levels and assessment rates. Although lower assessment rates were considered, none were selected because they would not have generated sufficient income to administer the order.

A review of historical data and preliminary information pertaining to the upcoming 2016–17 fiscal period season indicates that the grower price for Washington apricots could range between \$1,050 and \$1,300 per ton. Therefore, the assessment revenue for the 2016–17 fiscal period, as a percentage of total grower revenue, could range between 0.133 and 0.108 percent.

This action would increase the assessment obligation imposed on handlers. While assessments impose some additional costs on handlers, the costs are minimal and uniform on all handlers. However, these costs would be offset by the benefits derived by the operation of the order.

In addition, the Committee's meeting was widely publicized throughout the Washington apricot industry and all interested persons were invited to attend the meeting and participate in Committee deliberations on all issues. Like all Committee meetings, the May 11, 2016, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the order's information collection requirements have been previously approved by the Office of Management and Budget (OMB) and assigned OMB No. 0581–0189. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would not impose any additional reporting or recordkeeping requirements on either

small or large Washington apricot handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this action.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Antoinette Carter at the previously-mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

A 30-day comment period is provided to allow interested persons to respond to this proposed rule. Thirty days is deemed appropriate because: (1) The 2016–17 fiscal period began on April 1, 2016, and the marketing order requires that the rate of assessment for each fiscal period apply to all assessable Washington apricots handled during such fiscal period; (2) the Committee needs to have sufficient funds to pay its expenses, which are incurred on a continuous basis; (3) handlers are already shipping Washington apricots from the 2016 crop; and (4) handlers are aware of this action, which was unanimously recommended by the Committee at a public meeting and is similar to other assessment rate actions issued in past years.

#### List of Subjects in 7 CFR Part 922

Apricots, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 922 is proposed to be amended as follows:

#### PART 922—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

■ 1. The authority citation for 7 CFR part 922 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 922.235 is revised to read as follows:

#### § 922.235 Assessment rate.

On or after April 1, 2016, an assessment rate of \$1.40 per ton is

established for Washington apricots handled in the production area.

Dated: August 18, 2016.

Elanor Starmar,

Administrator, Agricultural Marketing Service.

[FR Doc. 2016–20096 Filed 8–22–16; 8:45 am]

BILLING CODE 3410–02–P

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 1260

[No. AMS–LPS–15–0084]

#### Amendment to the Beef Promotion and Research Rules and Regulations

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

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would amend the Beef Promotion and Research Order (Order) established under the Beef Promotion and Research Act of 1985 (Act) to add six Harmonized Tariff System (HTS) codes for imported veal and veal products and update assessment levels for imported veal and veal products based on revised determinations of live animal equivalencies.

**DATES:** Comments must be received by October 24, 2016.

**ADDRESSES:** Comments should be posted online at [www.regulations.gov](http://www.regulations.gov). Comments received will be posted without change, including any personal information provided. All comments should reference the docket number AMS–LPS–15–0084; the date of submission; and the page number of this issue of the **Federal Register**. Comments may also be sent to Mike Dinkel, Agricultural Marketing Specialist, Research and Promotion Division, Livestock, Poultry, and Seed Program, AMS, USDA, Room 2610–S, STOP 0249, 1400 Independence Avenue SW., Washington, DC 20250–0249; or via fax (202) 720–1125. Comments will be made available for public inspection at the above address during regular business hours or via the Internet at [www.regulations.gov](http://www.regulations.gov). Comments must be received by October 24, 2016.

**FOR FURTHER INFORMATION CONTACT:** Mike Dinkel, Agricultural Marketing Specialist, Research and Promotion Division, Livestock, Poultry, and Seed Program, AMS, USDA, Room 2610–S, STOP 0249, 1400 Independence Avenue SW., Washington, DC 20250–0249; fax (202) 720–1125; telephone (301) 352–

7497; or email *Michael.Dinkel@ams.usda.gov*.

#### SUPPLEMENTARY INFORMATION:

##### Executive Order 12866

The Office of Management and Budget (OMB) has waived the review process required by Executive Order 12866 for this action.

##### Executive Order 12988

This proposed rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect.

Section 11 of the Act (7 U.S.C. 2910) provides that nothing in the Act may be construed to preempt or supersede any other program relating to beef promotion organized and operated under the laws of the United States or any State. There are no administrative proceedings that must be exhausted prior to any judicial challenge to the provisions of this rule.

##### Regulatory Flexibility Act

Pursuant to the requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic effect of this action on small entities and has determined that this proposed rule will not have a significant economic impact on a substantial number of small business entities. The effect of the Order upon small entities was discussed in the July 18, 1986, **Federal Register** [51 FR 26132]. The purpose of RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly burdened.

Based on conversations with importing companies, there are approximately 270 importers who import beef and beef products and veal and veal products into the U.S. and about 198 importers who import live cattle into the U.S. The majority of these operations subject to the Order are considered small businesses under the criteria established by the Small Business Administration (SBA) [13 CFR 121.201]. SBA defines small agricultural service firms as those having annual receipts of \$7.5 million or less.

The proposed rule will impose no significant burden on the industry. It will merely add six HTS codes for imported veal and veal products and update assessment levels for imported veal and veal products based on revised determinations of live animal equivalencies. The addition of HTS codes reflects an increase of imported veal and veal product into the U.S. Accordingly, the Administrator of AMS

has determined that this action will not have a significant impact on a substantial number of small entities.

##### Paperwork Reduction Act

In accordance with OMB regulations [5 CFR part 1320] that implement the Paperwork Reduction Act of 1995 [44 U.S.C. Chapter 35], the information collection and recordkeeping requirements contained in the Order and accompanying Rules and Regulations have previously been approved by OMB under OMB control number 0581-0093.

##### Background

The Act authorized the establishment of a national beef promotion and research program. The final Order was published in the **Federal Register** on July 18, 1986 (51 FR 21632), and the collection of assessments began on October 1, 1986. The program is administered by the Cattlemen's Beef Promotion and Research Board (Board), appointed by the Secretary of Agriculture (Secretary) from industry nominations, and composed of 100 cattle producers and importers. The program is funded by a \$1-per-head assessment on producers selling cattle in the U.S. as well as an equivalent assessment on importers of cattle, beef, and beef products.

Importers pay assessments on imported cattle, beef, and beef products. U.S. Customs and Border Protection collects and remits the assessment to the Board. The term "importer" is defined as "any person who imports cattle, beef, or beef products from outside the United States." Imported beef or beef products is defined as "products which are imported into the United States which the Secretary determines contain a substantial amount of beef including those products, which have been assigned one or more of the following numbers in the Tariff Schedule of the United States."

On March 16, 2016, AMS published a proposed rule in the **Federal Register** (81 FR 14022) amending § 1260.172 of the Order to add six HTS codes for imported veal and veal products. On May 6, 2016, AMS announced in a Notice to the Trade that it was withdrawing the proposed rule because an error was discovered in the imported veal carcass weight. AMS also announced at that time that it intended to publish another proposed rule with the correct carcass weight and to include the formula and an explanation of how the calculations for the new assessment rates are calculated. On June 30, 2016, AMS published the withdrawal Notice in the **Federal**

**Register** (81 FR 42576). This proposed rule replaces the March 16, 2016, version. In § 1260.172 of the Order, the table would be revised to include the new codes and assessment rates for imported veal and veal products.

The Act requires that assessments on imported beef and beef products and veal and veal products be determined by converting such imports into live animal equivalents to ascertain the corresponding number of head of cattle. Carcass weight is the principle factor in calculating live animal equivalents.

Prior to publishing the March 16, 2016, proposed rule, USDA received information from the Board regarding imported veal assessments. The Board requested expanding the number of HTS codes for imported veal and veal products in order to capture product that is not currently being assessed and to update the live animal equivalency rate on imported veal to reflect the same assessment as domestic veal and veal products. The Board also suggested that AMS update the dressed veal weight to better reflect current dressed veal weights. The Board recommended using an average dressed veal weight from 2010 to the most current data. The Board stated that establishing an average over this period of time takes into account short-term highs and lows due to the cattle cycle, weather effects, and feed prices. This average would be 154 pounds.

In order to convert carcasses and cuts back to a live animal equivalency, conversion factors are used. The conversion factor takes into account what is lost (feet, head, tail, hide, internal organs, and bone for boneless product) as the veal is processed into carcasses, bone-in cuts, and boneless cuts.

For bone-in carcasses and cuts, a one-to-one ratio is used to convert product weight to a live animal equivalent. For these items, a conversion factor of 1.00 is used.

For boneless veal cuts, the conversion factor "adds back" the weight of the bones removed from the product. For boneless veal cuts, a conversion factor of 1.32 is used.

To determine the conversion factor of boneless veal cuts to carcass weight equivalents, AMS used the latest boneless veal factor for pounds (0.685) from Table 7 of the Economic Research Service Agricultural Handbook Number 697, *Weights, Measures, and Conversion Factors for Agricultural Commodities and Their Products* (June 1992), subtracted this factor from "1," and added "1" to the result, as follows:  $(1 - 0.685) + 1 = 1.315$  (rounded to 1.32)

The assessment per kilograms is determined by dividing the conversion factor by the carcass weight and multiplying it by the pounds-to-kilograms factor of 2.2046.

Calculations:

- Carcass and Bone-in Cuts

$$\frac{1.00}{154} (2.2046) = .01431558$$

- Boneless Cuts

$$\frac{1.32}{154} (2.2046) = .01889657$$

These rates appear as assessment rates in the HTS code tables in § 1260.172.

#### List of Subjects in 7 CFR Part 1260

Administrative practice and procedure, Advertising, Agricultural research, Imports, Marketing agreement, Meat and meat products, Reporting and recordkeeping requirements.

For the reasons stated in the preamble, AMS proposes to amend 7 CFR part 1260 as follows:

#### PART 1260—BEEF PROMOTION AND RESEARCH

- 1. The authority citation for 7 CFR part 1260 continues to read as follows:

#### IMPORTED BEEF AND BEEF PRODUCTS [Veal]

**Authority:** 7 U.S.C. 2901–2911 and 7 U.S.C. 7401.

- 2. Amend § 1260.172 by revising paragraph (b) (2) to read as follows:

#### § 1260.172 Assessments.

\* \* \* \* \*

(b) \* \* \*

(2) The assessment rates for imported cattle, beef, beef products, veal, and veal products are as follows:

HTS No.	Item description	Assessment rate per kg
0201.10.0510 .....	Veal carcasses and half carcasses .....	.01431558
0201.10.1010 .....	Misc. Veal .....	.01431558
0201.10.5010 .....	Misc. Veal .....	.01431558
0202.10.0510 .....	Veal carcasses and half carcasses .....	.01431558
0202.10.1010 .....	Veal carcasses and half carcasses .....	.01431558
0202.10.5010 .....	Veal carcasses and half carcasses .....	.01431558

#### IMPORTED BEEF AND BEEF PRODUCTS [Veal]

HTS No.	Item description	Assessment rate per kg
0201.20.5010 .....	Fresh or chilled bone in veal cuts .....	.01431558
0201.20.5020 .....	Other .....	.01431558
0201.30.5010 .....	Fresh or chilled boneless veal cuts .....	.01889657
0201.30.5020 .....	Other .....	.01889657
0202.30.5010 .....	Frozen boneless veal cuts .....	.01889657
0202.30.5020 .....	Other .....	.01889657

\* \* \* \* \*

Dated: August 18, 2016

**Elanor Starnmer,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2016–20098 Filed 8–22–16; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

#### 10 CFR Part 72

[NRC–2016–0103]

RIN 3150–AJ75

#### List of Approved Spent Fuel Storage Casks: Holtec International HI–STORM Flood/Wind Multipurpose Canister Storage System, Amendment No. 2

**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 “List of Approved Spent Fuel Storage Casks” to add Amendment No. 2 to the Certificate of Compliance (CoC) No. 1032 for the Holtec International (Holtec) HI–STORM Flood/Wind (FW) Multipurpose Canister (MPC) Storage. Amendment No. 2 adds new fuel types to the HI–STORM FW MPC Storage System, includes new criticality calculations, updates an existing fuel type description, and includes changes previously incorporated in Amendment No. 0 to CoC No. 1032, Revision 1, and revises CoC Condition No. 8 to provide additional clarity and guidance.

**DATES:** Submit comments by September 22, 2016. 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 (unless this document describes a different method for submitting comments on a specific subject):

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC–2016–0103. 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,