

removing the word “under” and adding the words “in accordance with” in its place.

**§§ 318.13–18 through 318.13–22 [Removed]**

■ 8. Sections 318.13–18 through 318.13–22 are removed.

**§ 318.13–23 [Redesignated as § 318.13–17]**

■ 9. Section 318.13–23 is redesignated as § 318.13–17.

**§§ 318.13–24 through 318.13–26 [Removed]**

■ 10. Sections 318.13–24 through 318.13–26 are removed.

**PART 319—FOREIGN QUARANTINE NOTICES**

■ 11. The authority citation for part 319 continues to read as follows:

**Authority:** 7 U.S.C. 450, 7701–7772, and 7781–7786; 21 U.S.C. 136 and 136a; 7 CFR 2.22, 2.80, and 371.3.

**Subpart—CITRUS FRUIT [Removed]**

■ 12. Subpart—CITRUS FRUIT is removed.

**§ 319.56–2 [Amended]**

■ 13. Section 319.56–2 is amended by removing the definitions for *Above ground parts*, *Cucurbits*, *Field*, *Place of production*, *Production site*, and *West Indies*.

■ 14. Section 319.56–4 is revised to read as follows:

**§ 319.56–4 Authorization of certain fruits and vegetables for importation.**

(a) *Determination by the Administrator.* No fruit or vegetable is authorized importation into the United States unless the Administrator has determined that the risk posed by each quarantine pest associated with the fruit or vegetable can be mitigated by the application of one or more phytosanitary measures designated by the Administrator and the fruit or vegetable is imported into the United States in accordance with, and as stipulated in, the permit issued by the Administrator.

(b) *Designated phytosanitary measures.* (1) The fruits and vegetables are subject to phytosanitary treatments, which could include, but are not limited to, pest control treatments in the field or growing site, and post-harvest treatments.

(2) The fruits and vegetables are subject to growing area pest mitigations, which could include, but are not limited to detection surveys, trapping requirements, pest exclusionary structures, and field inspections.

(3) The fruits and vegetables are subject to safeguarding and movement

mitigations, which could include, but are not limited to, safeguarded transport, box labeling, limited distribution, insect-proof boxes, and importation as commercial consignments only.

(4) The fruits and vegetables are subject to administrative mitigations, which could include, but are not limited to, registered fields or orchards, registered growing sites, registered packinghouses, inspection in the country of origin by an inspector or an official of the national plant protection organization of the exporting country, and operational workplan monitoring.

(5) The fruits and vegetables are subject to any other measures deemed appropriate by the Administrator.

(c) *Authorized fruits and vegetables.*

(1) *Comprehensive list.* The name and origin of all fruits and vegetables authorized importation under this section, as well as the applicable requirements for their importation, may be found on the Internet at [http://www.aphis.usda.gov/import\\_export/plants/manuals/ports/downloads/fv.pdf](http://www.aphis.usda.gov/import_export/plants/manuals/ports/downloads/fv.pdf) or <http://www.aphis.usda.gov/favir>.

(2) *Fruits and vegetables authorized importation prior to [EFFECTIVE DATE OF FINAL RULE].* Fruits and vegetables that were authorized importation under this subpart either directly by permit or by specific regulation as of [EFFECTIVE DATE OF FINAL RULE] may continue to be imported into the United States under the same requirements that applied before [EFFECTIVE DATE OF FINAL RULE], except as provided in paragraph (c)(4) of this section.

(3) *Other fruits and vegetables.* Fruits and vegetables not already authorized for importation as described in paragraph (c)(2) of this section may be authorized importation only after:

(i) *Pest risk analysis and mitigations.* APHIS has analyzed the pest risk posed by the importation of a fruit or vegetable from a specified foreign region and has determined that the risk posed by each quarantine pest associated with the fruit or vegetable can be mitigated by the application of one or more phytosanitary measures.

(ii) *Opportunity for public comment.* APHIS has made its pest risk analysis and determination available for public comment for at least 60 days through a notice published in the **Federal Register**.

(iii) *Import authorization.* The Administrator has announced his or her decision in a subsequent **Federal Register** notice to authorize the importation of the fruit or vegetable subject to the phytosanitary measures specified in the notice.

(4) *Changes to phytosanitary measures.* (i) If the Administrator determines that the phytosanitary measures required for a fruit or vegetable that has been authorized importation under this subpart are no longer sufficient to mitigate the pest risk posed by the fruit or vegetable, APHIS will prohibit or further restrict importation of the fruit or vegetable. APHIS will also publish a notice in the **Federal Register** advising the public of its finding. The notice will specify the amended importation requirements, provide an effective date for the change, and will invite public comment on the subject.

(ii) If the Administrator determines that any of the phytosanitary measures required for a fruit or vegetable that has been authorized importation under this subpart are no longer necessary to mitigate the pest risk posed by the fruit or vegetable, APHIS will make new pest risk documentation available for public comment, in accordance with paragraph (c)(3) of this section, prior to allowing importation of the fruit or vegetable subject to the phytosanitary measures specified in the notice.

(Approved by the Office of Management and Budget under control number 0579–0293)

**§§ 319.56–13 through 319.56–69 [Removed]**

■ 15. Sections 319.56–13 through 319.56–69 are removed.

**§ 319.56–70 [Removed]**

■ 16. § 319.56–70, as added at 79 FR 52543, September 4, 2014, and effective October 6, 2014, is removed.

Done in Washington, DC, this 2nd day of September 2014.

**Gary Woodward,**

*Deputy Under Secretary for Marketing and Regulatory Programs.*

[FR Doc. 2014–21406 Filed 9–8–14; 8:45 am]

**BILLING CODE 3410–34-P**

**NUCLEAR REGULATORY COMMISSION**

**10 CFR Part 72**

[NRC–2014–0120]

**RIN 3150–AJ42**

**List of Approved Spent Fuel Storage Casks: Holtec International HI–STORM Underground Maximum Capacity Canister Storage System, Certificate of Compliance No. 1040**

**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 adding the Holtec International HI-STORM Underground Maximum Capacity (UMAX) Canister Storage System, Certificate of Compliance (CoC) No. 1040, to the “List of approved spent fuel storage casks.” Holtec International intends to provide an underground storage option compatible with the Holtec International HI-STORM FLOOD/WIND System (CoC No. 1032). The Holtec International HI-STORM UMAX Canister Storage System stores a hermetically sealed canister containing spent nuclear fuel in an in-ground vertical ventilated module. The Holtec International HI-STORM UMAX Canister Storage System is designed to provide long-term underground storage of loaded multi-purpose canisters previously certified for storage in CoC No. 1032.

**DATES:** Submit comments by October 9, 2014. 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 one 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-2014-0120. Address questions about NRC dockets to Carol Gallagher, telephone: 301-287-3422, email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, please 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:** Gregory R. Trussell, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6445, email: [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

#### *A. Obtaining Information*

Please refer to Docket ID NRC-2014-0120 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-2014-0120.

- **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-2014-0120 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions 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, and 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.

### **II. Procedural Background**

This proposed rule is limited to the addition of CoC No. 1040 to the “List of approved spent fuel storage casks.” 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 November 24, 2014. However, if the NRC receives significant adverse comments on this proposed rule by October 9, 2014, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments received in response to these proposed revisions in a subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule’s underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC staff to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or (c) The comment raises a relevant issue that was not previously addressed or considered by the NRC staff.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC staff to make a change (other than editorial)

to the rule, CoC, or Technical Specifications.

For additional procedural information, including the regulatory analysis and the environmental assessment and finding of no significant impact, see the direct final rule published in the Rules and Regulations section of this issue of the **Federal Register**.

### III. Background

Section 218(a) of the Nuclear Waste Policy Act (NWPA) of 1982, as amended, requires that “the Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the

maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the NWPA states, in part, that “[the Commission] shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule which added a new subpart K in part 72 of Title 10 of the *Code of Federal Regulations* (10 CFR) entitled, “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled, “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for

obtaining NRC approval of spent fuel storage cask designs.

### IV. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, well-organized manner that also follows other best practices appropriate to the subject or field and the intended audience. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31883). The NRC requests comment on the proposed rule with respect to clarity and effectiveness of the language used.

### V. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS Accession No.
CoC No. 1040 .....	ML14122A443
Safety Evaluation Report .....	ML14122A441
Technical Specifications, Appendix A .....	ML14122A444
Technical Specifications, Appendix B .....	ML14122A442
Application .....	ML12363A282
Application supplemental July 16, 2012 .....	ML12205A134
Application Supplemental November 20, 2012 .....	ML12348A483
Application supplemental January 30, 2013 .....	ML13032A008
Application supplemental April 2, 2013 .....	ML13107B249
Application supplemental April 19, 2013 .....	ML13114A191
Application supplemental June 21, 2013 .....	ML13175A363
Application supplemental August 28, 2013 .....	ML13261A062
Application Supplemental December 6, 2013 .....	ML13343A169
Application supplemental December 31, 2013 .....	ML14002A402
Application supplemental January 13, 2014 .....	ML14015A145
Application supplemental January 28, 2014 .....	ML14030A055

The NRC may post materials related to this document, including public comments, on the Federal rulemaking Web site at <http://www.regulations.gov> under Docket ID NRC–2014–0120. The Federal rulemaking Web site allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2014–0120); (2) click the “Sign up for Email Alerts” link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

### List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Criminal penalties, Manpower training programs, Nuclear materials, Occupational safety and health, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is proposing to adopt the following amendments to 10 CFR part 72.

### PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

**Authority:** Atomic Energy Act secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201,

2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act sec. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Protection Act sec. 102 (42 U.S.C. 4332); Nuclear Waste Policy Act secs. 131, 132, 133, 135, 137, 141, 148 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168); sec. 1704 (112 Stat. 2750 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. No. 109–58, 119 Stat. 549 (2005).

Section 72.44(g) also issued under Nuclear Waste Policy Act secs. 142(b) and 148(c)–(d) (42 U.S.C. 10162(b), 10168(c)–(d)).

Section 72.46 also issued under Atomic Energy Act sec. 189 (42 U.S.C. 2239); Nuclear Waste Policy Act sec. 134 (42 U.S.C. 10154).

Section 72.96(d) also issued under Nuclear Waste Policy Act sec. 145(g) (42 U.S.C. 10165(g)).

Subpart J also issued under Nuclear Waste Policy Act secs. 117(a), 141(h) (42 U.S.C. 10137(a), 10161(h)).

Subpart K also issued under Nuclear Waste Policy Act sec. 218(a) (42 U.S.C. 10198).

■ 2. In § 72.214, Certificate of Compliance No. 1040 is added to read as follows:

**§ 72.214 List of approved spent fuel storage casks.**

\* \* \* \* \*

Certificate Number: 1040.  
Initial Certificate Effective Date: November 24, 2014.  
SAR Submitted by: Holtec International, Inc.  
SAR Title: Final Safety Analysis Report for the Holtec International HI-STORM UMAX Canister Storage System.  
Docket Number: 72–1040.  
Certificate Expiration Date: September 9, 2034.

Model Number: MPC–37, MPC–89.

Dated at Rockville, Maryland, this 22nd day of August, 2014.

For the Nuclear Regulatory Commission.

**Darren B. Ash,**

*Acting Executive Director for Operations.*

[FR Doc. 2014–21419 Filed 9–8–14; 8:45 am]

**BILLING CODE 7590–01–P**

## DEPARTMENT OF COMMERCE

### Bureau of Economic Analysis

#### 15 CFR Part 801

[Docket No. 1206013202–4700–01]

**RIN 0691–AA83**

#### Direct Investment Surveys: BE–10, Survey of U.S. Direct Investment Abroad; Correction

**AGENCY:** Bureau of Economic Analysis, Commerce.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** This action corrects the Regulation Identifier Number (RIN) in a proposed rule published in the **Federal Register** on Thursday, August 14, 2014, to amend regulations of the Department of Commerce's Bureau of Economic Analysis (BEA) to reinstate reporting requirements for the 2014 BE–10, Benchmark Survey of U.S. Direct Investment Abroad. Benchmark surveys are conducted every five years; the prior survey covered 2009.

**DATES:** Comments on the proposed rule will receive consideration if submitted in writing on or before 5:00 p.m., October 14, 2014.

**FOR FURTHER INFORMATION CONTACT:** Patricia Abaroa, Chief, Direct Investment Division (BE–50), Bureau of Economic Analysis, U.S. Department of Commerce, Washington, DC 20230; phone (202) 606–9591.

**SUPPLEMENTARY INFORMATION:** On Thursday, August 14, 2014, BEA published a Notice of Proposed Rulemaking reinstating reporting requirements for the 2014 BE–10, Benchmark Survey of U.S. Direct Investment Abroad. That rule incorrectly identified the RIN as 0691–XC026. The correct RIN for the action is 0691–AA83.

#### Correction

Accordingly, in proposed rule FR Doc. 2014–18629, beginning on page 47599 in the issue of Thursday, August 14, 2014 (79 FR 47599), the RIN in the heading of the document is revised to read 0691–AA83.

**Authority:** 5 U.S.C. 301; 15 U.S.C. 4908; 22 U.S.C. 3101–3108; E.O. 11961 (3 CFR, 1977 Comp., p. 86), as amended by E.O. 12318 (3 CFR 1981 Comp., p. 173); and E.O. 12518 (3 CFR 1985 Comp., p. 348).

Dated: August 25, 2014.

**Brian C. Moyer,**

*Acting Director, Bureau of Economic Analysis.*

[FR Doc. 2014–21330 Filed 9–8–14; 8:45 am]

**BILLING CODE 3510–06–P**

## ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[EPA–R06–OAR–2012–0096; FRL–9916–31–Region 6]

#### Approval and Promulgation of Implementation Plans; Texas; Revision to Control Volatile Organic Compound Emissions from Storage Tanks

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing to approve a Texas State Implementation (SIP) revision for control of volatile organic compound (VOC) emissions from storage tanks. The revision implements additional controls in the Dallas-Fort Worth 1997 ozone nonattainment area (DFW area); modifies control requirements in the DFW area, the Houston-Galveston-Brazoria ozone nonattainment area (HGB area), the Beaumont-Port Arthur area and El Paso, Gregg, Nueces and Victoria Counties; and makes non-substantive changes to VOC control provisions that apply in Aransas, Bexar, Calhoun, Matagorda, San Patricio and Travis Counties. In addition, EPA is proposing to find that the SIP revision implements serious area reasonable available control

technology (RACT) controls for the VOC storage source category in the DFW area and continues to implement severe area RACT for this source category in the HGB area as required by the Clean Air Act.

**DATES:** Written comments should be received on or before October 9, 2014.

**ADDRESSES:** Comments may be mailed to Mr. Guy Donaldson, Chief, Air Planning Section (6PD–L), Environmental Protection Agency, 1445 Ross Avenue, Suite 1200, Dallas, Texas 75202–2733. Comments may also be submitted electronically or through hand delivery/courier by following the detailed instructions in the **ADDRESSES** section of the direct final rule located in the rules section of this **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Carl Young, (214) 665–6645, [young.carl@epa.gov](mailto:young.carl@epa.gov).

**SUPPLEMENTARY INFORMATION:** In the final rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct rule without prior proposal because the Agency views this as noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

For additional information, see the direct final rule which is located in the rules section of this **Federal Register**.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: August 22, 2014.

**Samuel Coleman,**

*Acting Regional Administrator, Region 6.*

[FR Doc. 2014–21305 Filed 9–8–14; 8:45 am]

**BILLING CODE 6560–50–P**