

# 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.

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Parts 72 and 73

[NRC-2009-0558]

#### Vulnerability and Threat Information for Facilities Storing Spent Nuclear Fuel and High-Level Radioactive Waste

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

**ACTION:** Public meeting.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) will discuss with affected stakeholders vulnerability and threat information associated with the forthcoming security rulemaking to revise Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste," and 73, "Physical Protection of Plants and Materials." This information will be used to inform the regulatory basis for the rulemaking which will issue new risk-informed and performance-based security regulations

for Spent Nuclear Fuel (SNF) and High-Level Radioactive Waste (HLW) storage facilities. The draft regulatory basis was published for comment in the **Federal Register** (FR) on December 16, 2009 (74 FR 66589).

This meeting will be closed under exemptions 3.a and 3.b of the Commission's policy statement<sup>1</sup>, due to the expected discussion of classified information.

**DATES:** Tuesday, July 26, 2011, 9 a.m. to 4 p.m. (Eastern Time) (Closed to Public—Requires Access to Classified Information)

**ADDRESSES:** U.S. Nuclear Regulatory Commission, One White Flint North, Commissioners' Conference Room, O-1 G16, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Dennis Andrukat, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone 301-415-3561; *e-mail:* [Dennis.Andrukat@nrc.gov](mailto:Dennis.Andrukat@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

The NRC requires high assurance of adequate protection of public health and safety, the common defense and security, and the environment for the secure storage of SNF and HLW. The NRC meets this strategic goal by requiring Independent Spent Fuel

Storage Installation licensees to comply with security requirements specified in 10 CFR Part 73. Following the terrorist attacks of September 11, 2001, the NRC has continued to achieve this requisite high assurance for all facilities licensed to store SNF through a combination of these existing security regulations and the issuance of security orders to individual licensees.

Based on the Commission's direction presented in SRM-SECY-10-0114 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103210025) and stakeholder requests from the NRC sponsored May 2, 2011, open and closed public meetings (ADAMS Package Accession No. ML111450161), the staff is hosting this meeting to enhance stakeholder understanding of the security assessments used to inform the draft regulatory basis and to enhance staff understanding of the comments received. The meeting will discuss classified national security information.

The NRC notes that the public, licensees, certificate holders, and other stakeholders will have a future opportunity to comment on the proposed rulemaking when that document is published in the FR.

#### Availability of Documents

The following table indicates the related documents that are available to the public and how they may be obtained.

Document	Public Document Room (PDR)	Web	Electronic Reading Room (ADAMS)
Draft Technical Basis, Revision 1 (December 2009) [NRC-2009-0558] .....	X	X	ML093280743
Commission: SECY-10-0114 (August 26, 2010) .....	X	.....	ML101960614
Commission: SRM-SECY-10-0114 (November 16, 2010) .....	X	X	ML103210025
Commission: SECY-07-0148 (redacted) (August 28, 2007) .....	X	X	ML080030050
Commission: SRM-SECY-07-0148 (December 18, 2007) .....	X	X	ML073530119
Public Meeting Notice for May 2, 2011 (March 30, 2011) .....	X	.....	ML110880263
Meeting Summary Package for May 2, 2011 meeting .....	X	.....	ML111450161

You can access publicly available documents related to this notice using the following methods:

**NRC's PDR:** The public may examine and have copied, for a fee, publicly available documents at the NRC's PDR, Public File Area O-1 G21, One White

Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738.

**NRC's ADAMS:** Publicly available documents created or received at the NRC are available online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the

public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209,

<sup>1</sup> "Commission's Policy Statement on Enhancing Public Participation in NRC Meetings," (67 FR 36920), May 28, 2002.

301-415-4737, or by e-mail to [pdresource@nrc.gov](mailto:pdresource@nrc.gov).

**Federal Rulemaking Site:** Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2009-0558.

**Availability of Services:**

The NRC provides reasonable accommodations to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in this meeting (e.g., sign language), or need this meeting notice or other information from the meeting in another format, please notify the NRC meeting contact, Dennis Andrukat at 301-415-3561 by July 5, 2011, so that arrangements can be made.

All expected attendees must register with the NRC meeting contact by close of business on July 12, 2011. Attendees must provide their full name, company/organization, last four of social security number, phone number, acknowledgement of current access to Classified Information (minimum "L" clearance), and basis for need-to-know in order to verify that attendees are cleared for access to the information.

No electronic devices will be allowed in the Commissioners' Conference Room during the meeting, this includes cell phones, laptops, pagers, PDAs, etc. No food or drink is allowed in the Commissioners' Conference Room.

All attendees are to use the One White Flint North temporary entrance located on Marinelli Street. The NRC is accessible to the White Flint Metro Station. Visitor parking near the NRC buildings is limited. Parking is available at the White Flint Metro Station using the Metro Smart Card.

Dated at Rockville, Maryland, this 7th day of June 2011.

For the Nuclear Regulatory Commission.

**Sandra L. Wastler,**

*Branch Chief, Division of Security Policy, Office of Nuclear Security and Incident Response.*

[FR Doc. 2011-14666 Filed 6-15-11; 8:45 am]

**BILLING CODE 7590-01-P**

## FARM CREDIT ADMINISTRATION

### 12 CFR Part 652

RIN 3052-AC70

#### Federal Agricultural Mortgage Corporation Funding and Fiscal Affairs; Farmer Mac Risk-Based Capital Stress Test, Version 5.0

**AGENCY:** Farm Credit Administration.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** In this advance notice of proposed rulemaking (ANPRM), the Farm Credit Administration (FCA, we, us, our) is requesting comments on alternatives to using credit ratings issued by nationally recognized statistical ratings organizations (NRSRO or credit rating agency) in regulations addressing the Risk-Based Capital Stress Test (RBCST or stress test) for the Federal Agricultural Mortgage Corporation (Farmer Mac or FAMC). Recent legislation requires every Federal agency to remove any references to credit ratings from its regulations and to substitute them with other standards of creditworthiness considered appropriate. Additionally, in response to this same legislative emphasis on ensuring appropriate prudential oversight of derivatives transactions, we are considering whether the RBCST should include a more explicit and comprehensive capital charge for counterparty risk stemming from derivative transactions. Lastly, through the ANPRM we are seeking public input on how we might revise the operational and strategic business planning requirements for FAMC to place greater emphasis on diversity and inclusion.

**DATES:** You may send comments on or before August 15, 2011.

**ADDRESSES:** We offer a variety of methods for you to submit comments. For accuracy and efficiency reasons, commenters are encouraged to submit comments by e-mail or through the FCA's Web site. As facsimiles (fax) are difficult for us to process and achieve compliance with section 508 of the Rehabilitation Act, we no longer accept comments submitted by fax. Regardless of the method you use, please do not submit your comment multiple times via different methods. You may submit comments by any of the following methods:

- *E-mail:* Send us an e-mail at [reg-comm@fca.gov](mailto:reg-comm@fca.gov).
- *FCA Web site:* <http://www.fca.gov>. Select "Public Commenters", then "Public Comments", and follow the directions for "Submitting a Comment".
- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Laurie A. Rea, Director, Office of Secondary Market Oversight, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090.

You may review copies of all comments we receive at our office in McLean, Virginia, or on our Web site at <http://www.fca.gov>. Once you are in the Web site, select "Public Commenters", then "Public Comments", and follow the directions for "Reading Submitted

Public Comments". We will show your comments as submitted, including any supporting data provided, but for technical reasons we may omit items such as logos and special characters. Identifying information that you provide, such as phone numbers and addresses, will be publicly available. However, we will attempt to remove e-mail addresses to help reduce Internet spam.

**FOR FURTHER INFORMATION CONTACT:**

Joseph T. Connor, Associate Director for Policy and Analysis, Office of Secondary Market Oversight, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4280, TTY (703) 883-4434,

Or

Laura McFarland, Senior Counsel, Office of the General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TTY (703) 883-4020.

**SUPPLEMENTARY INFORMATION:**

#### I. Objective

The purpose of this ANPRM is to gather public input on how FCA might:

- Revise existing Farmer Mac RBCST regulations to replace data from credit rating agencies.

- Comprehensively address derivative counterparty exposure in the RBCST; and
- Revise operational and strategic business planning requirements to place greater emphasis on diversity and inclusion.

#### II. Background

Farmer Mac is an institution of the Farm Credit System, regulated by FCA through the FCA Office of Secondary Market Oversight (OSMO). Farmer Mac was established and chartered by Congress to create a secondary market for agricultural real estate mortgage loans, rural housing mortgage loans, and rural utilities loans, and it is a stockholder-owned instrumentality of the United States. Title VIII of the Farm Credit Act of 1971, as amended, (Act) governs Farmer Mac.<sup>1</sup>

On July 21, 2010, the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act) was enacted.<sup>2</sup> Section 939A of the Dodd-Frank Act requires Federal agencies to review all regulatory references to NRSRO credit ratings and replace those references with other appropriate standards for determining creditworthiness. The Dodd-Frank Act

<sup>1</sup> Public Law 92 181, 85 Stat. 583, 12 U.S.C. 2001 *et seq.* (December 10, 1971).

<sup>2</sup> Public Law 111-203, 124 Stat. 1376, (H.R. 4173), July 21, 2010.