

Service (all rates in dollars per hour)	Current	February 2013	October 2013
Continuous resident services .....	\$63.00	\$72.00	\$76.00
Non-resident services .....	68.00	78.00	82.00
Non-resident services 6 p.m.–6 a.m. (10 percent night differential) .....	74.80	85.80	90.20
Continuous resident services—in excess of 8 hours (1½ × base) .....	94.50	108.00	114.00
Non-resident—in excess of 8 hours .....	102.00	117.00	123.00

AMS estimates that dairy grading and inspection fees including the proposed increases will generate the following revenue (in thousands of dollars): FY 2013 (\$5,618); FY 2014 (\$6,199); FY 2015 (\$6,254); and FY 2016 (\$6,296). Program costs are estimated as follows (in thousands of dollars): FY 2013 (\$5,522); FY 2014 (\$5,517); FY 2015 (\$5,583); FY 2016 (\$5,800). The additional cost to the industry will represent less than \$0.0004 per pound of product certified. Even at this increased rate, program analysis estimate that trust fund reserves will not reach its required minimum level before FY 2016. Trust fund reserves are estimated as follows (in thousands of dollars): FY 2013 (\$113); FY 2014 (\$795); FY 2015 (\$1,466); FY 2016 (\$1,961).

#### List of Subjects in 7 CFR Part 58

Dairy Products, Food grades and standards, Food labeling, Reporting and recordkeeping requirements.

For the reason set forth in the preamble, 7 CFR part 58 is proposed to be amended as follows:

#### PART 58—GRADING AND INSPECTION, GENERAL SPECIFICATIONS FOR APPROVED PLANTS AND STANDARDS FOR GRADES OF DAIRY PRODUCTS

■ 1. The authority citation for 7 CFR part 58 continues to read as follows:

**Authority:** 7 U.S.C. 1621–1627.

■ 2. Section 58.43 is revised to read as follows:

#### § 58.43 Fees for inspection, grading, and sampling.

Except as otherwise provided in §§ 58.38 through 58.46 and through the last day of September 2013 inclusive, charges shall be made for inspection, grading, and sampling service at the hourly rate of \$78.00 for services performed between 6:00 a.m. and 6:00 p.m. and at \$85.80 for services performed between 6:00 p.m. and 6:00 a.m. for service performed for the time required to perform the service calculated to the nearest 15-minute period, including the time required for preparation of certificates and reports and the travel time of the inspector or grader in connection with the

performance of the service. Following the last day of September 2013, the hourly rate will be equal to \$82.00 for service performed between 6:00 a.m. and 6:00 p.m. and \$90.20 for services performed between 6:00 p.m. and 6:00 a.m. calculated in the same manner. A minimum charge of one-half hour shall be made for service pursuant to each request or certificate issued. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section.

■ 3. Section 58.45 is revised to read as follows:

#### § 58.45 Fees for continuous resident services.

Irrespective of the fees and charges provided in §§ 58.39 and 58.43, charges for the inspector(s) and grader(s) assigned to a continuous resident program shall be made at the rate of \$72.00 per hour for services performed during the assigned tour of duty until the last day of September 2013. Following the last day of September 2013, the hourly rate shall be assessed at \$76.00 for services calculated in the same manner. Charges for service performed in excess of the assigned tour of duty shall be made at a rate of 1½ times the rate stated in this section.

Dated: January 14, 2013.

**David R. Shipman,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2013–00916 Filed 1–16–13; 8:45 am]

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#### NUCLEAR REGULATORY COMMISSION

#### 10 CFR Parts 71 and 72

[NRC–2013–0004]

#### Retrievability, Cladding Integrity and Safe Handling of Spent Fuel at an Independent Spent Fuel Storage Installation and During Transportation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Request for comments for potential rulemaking.

**SUMMARY:** The regulations for packaging and transport of spent nuclear fuel are

separate from requirements for storage of spent nuclear fuel. Because these regulatory schemes are separate, there is no requirement that loaded storage casks also meet transportation requirements. Integration of storage and transport regulations could enable a more predictable transition from storage to transport by potentially minimizing future handling of spent fuel and uncertainty as to whether loaded storage casks may be transported from the storage location. As part of its evaluation of integration and compatibility between storage and transportation regulations, the U.S. Nuclear Regulatory Commission (NRC) staff is reviewing its policies, regulations, guidance, and technical needs in several key areas, such as: retrievability, cladding integrity, and safe handling of spent fuel; criticality safety features and requirements for spent fuel transportation; and aging management and qualification of dual-purpose canisters and components after long-term storage. The NRC staff is reviewing the potential policy issues and requirements related to retrievability, cladding integrity, and safe handling of spent fuel as the lead issue for evaluating compatibility of storage and transportation regulations. As part of its evaluation of integration and compatibility between NRC's storage regulations and transportation regulations, the NRC is issuing this request for comment (available in the NRC's Agencywide Documents Access and Management System (ADAMS) under Accession No. ML12293A434) as the staff begins its review of NRC policies, guidance, and technical needs related to retrievability, cladding integrity, and safe handling of spent fuel.

**DATES:** Submit comments by March 18, 2013. Comments received after the comment period deadline will be considered if it is practical to do so, but the NRC is only able to ensure consideration of comments received on or before the end of the public comment period.

**ADDRESSES:** You may access information and comment submissions related to this document, which the NRC possesses and are publicly available, by searching on <http://www.regulations.gov>

under Docket ID NRC–2013–0004. 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–2013–0004. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB–05–B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

- *Fax comments to:* RADB at 301–492–3446.

For additional direction on accessing information and submitting comments, see “Accessing Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Bernard White, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–492–3303, or email: [Bernard.White@nrc.gov](mailto:Bernard.White@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Accessing Information and Submitting Comments**

*A. Accessing Information*

Please refer to Docket ID NRC–2013–0004 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly available, by any of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2013–0004.

- *ADAMS:* You may access publicly available documents online in the NRC Library 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 in this document (if that document is available in ADAMS) is provided the first time that a document is referenced. The request for comment document is available in

ADAMS under Accession No. ML12293A434.

- *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–2013–0004 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 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. 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 submissions into ADAMS.

**II. Background**

After more than 20 years of regulatory experience with dry cask storage and in the anticipation of longer storage durations and with more nuclear power plants storing high burnup fuel (fuel with peak rod average burnup greater than 45,000 MWd/MTU is considered high burnup fuel), the NRC is reviewing its policies and regulatory framework for dry cask storage and spent fuel transportation in several key areas. As discussed in COMSECY–10–0007, “Project Plan for the Regulatory Program Review to Support Extended Storage and Transportation of Spent Nuclear Fuel” (ADAMS Accession No. ML101390216), the NRC is currently evaluating its spent fuel storage and transportation regulatory structure. The goal of this review is to identify areas for enhancing the regulatory framework (e.g. regulations, guidance, procedures and processes) to incorporate past regulatory knowledge and experience, and to ensure long-term stability and effectiveness of NRC’s future dry cask storage and transportation program.

NRC expects to consider a number of issues for which NRC will request public input early in the decisionmaking process. Current regulatory areas that NRC has identified for evaluation and potential enhancement include: (1) Compatibility and integration of storage and transportation requirements; (2) streamlining the process for spent fuel storage cask design certification; (3) administration of storage certificates of compliance and amendments to certificates of compliance; (4) applicability, compatibility, and consistency of the storage regulatory framework; and (5) regulating stand-alone ISFSIs. The NRC staff held two public meetings on July 27, 2011 and August 16, 2012, (see <http://www.nrc.gov/waste/spent-fuel-storage/public-involvement.html> for more information on these two meetings) to solicit initial stakeholder feedback on these topics. This is the first of a series of requests for stakeholder input related to these topics that NRC expects to issue during its review of its storage and transportation regulatory framework.

**III. NRC Consideration of Public Comments**

The NRC does not intend to provide detailed comment responses to information provided by stakeholders in response to this request. The NRC staff will consider timely comments on this request in its evaluation of policy issues on retrievability, cladding integrity and safe handling of spent fuel. In its efforts to enhance the efficiency and effectiveness of the regulatory framework for spent fuel storage and transportation, NRC may ultimately revise regulations or guidance. Stakeholders will have the opportunity to participate in any future rulemaking or guidance developments.

Dated at Rockville, Maryland, this 31st day of December, 2012.

For the Nuclear Regulatory Commission.

**Mark Lombard,**

*Director, Division of Spent Fuel Storage and Transportation, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2013–00478 Filed 1–16–13; 8:45 am]

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**DEPARTMENT OF ENERGY**

**10 CFR Chapter II**

**Appliance Standards and Rulemaking Federal Advisory Committee (ASRAC)**

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.