

III. Discussion of the Petition

The petitioner proposes that the NRC issue two new rules to address concerns about the NRC's actions in response to the August 13, 2013, decision in *In re: Aiken County* ruling¹ by the U.S. Court of Appeals for the District of Columbia Circuit ("D.C. Circuit Court"). The petitioner requests that the NRC issue a regulation requiring prompt action "in response to each instance where a court of competent jurisdiction rules that NRC violated applicable law." The petitioner also requests that the NRC issue an additional regulation "intended to ensure that public safety and health, protection of the environment, the common defense and security, the reputation and credibility of the NRC as a 'trusted, independent, transparent, and effective nuclear regulator,' and prudent stewardship of the national fisc all receive due consideration when the agency does not receive sufficient funding to implement its statutory mandates; and that both that consideration and the circumstances that require it are appropriately brought into the light."

First Proposed Rule Request

The petitioner requests that the NRC amend its regulations in 10 CFR part 2 to require that in "each instance where a court of competent jurisdiction rules that NRC violated applicable law" the NRC promptly take the following actions:

- Evaluate and determine the cause or causes for each violation;
- conduct an "extent of condition" evaluation to determine whether NRC's implementation of other statutes and regulations (*i.e.*, statutes and regulations beyond those identified by the court in its ruling) are similarly affected;
- implement immediate corrective actions to address any violations identified by the extent of condition evaluation;
- formulate and implement robust corrective actions to prevent recurrence that are based on the cause and extent of condition evaluations; and
- prepare and issue a report to the public that documents these activities.

In addition, the NRC would be required to formally "request review by the U.S. Department of Justice (1) of the adequacy of NRC oversight mechanisms and whether enhancements are warranted . . . and (2) of whether offenses proscribed by the federal criminal code . . . formed the basis of

or contributed to the adverse court ruling." The petitioner states that these amendments "would be effective retroactively, beginning with the 08/13/13 *In re: Aiken County* ruling—because of the extraordinary significance of that ruling."

Second Proposed Rule Request

The petitioner also requests that 10 CFR part 2 be amended to require that the NRC annually "report to the public each instance where it does not receive sufficient funds reasonably necessary to implement in good faith its statutory mandates. . . ." The petitioner states that this report should include a discussion "of whether NRC (1) was directed to request either no or insufficient funds, and complied with that direction; (2) did request sufficient funds, which were withheld by Congress; or (3) did not request sufficient funds." The petitioner recommends that the report also include "a discussion of the consequences of each instance with respect to (1) public safety and health; (2) environmental protection; (3) the common defense and security; (4) the reputation/credibility of the agency as a 'trusted, independent, transparent, and effective nuclear regulator,' and (5) collateral fiscal impacts (*e.g.*, the ongoing Judgment Fund disbursements to the nation's nuclear utilities flowing from the government's breach of the NWSA [Nuclear Waste Policy Act] 'standard contracts')."

The petitioner asserts that some of the "Benefits to [the] NRC and the Nation" that would be gained as a result of issuing these proposed rules include:

- Enhancing public safety and health;
- Reducing cost;
- Aligning the NRC's practices with its principles;
- Aligning the NRC's practices with the tenets it has set out for ensuring a positive safety culture; and
- Aligning the NRC's practices with its mission statement, vision, and organizational values.

VI. Conclusion

The NRC has determined that the petition meets the threshold sufficiency requirements for docketing a petition for rulemaking under 10 CFR 2.802, "Petition for rulemaking—requirements for filing," and the petition has been docketed as PRM-2-15. The NRC will examine the issues raised in PRM-2-15, to determine whether they should be considered in the rulemaking process.

Dated at Rockville, Maryland, this 10th day of February, 2016.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,
Secretary of the Commission.

[FR Doc. 2016-03254 Filed 2-16-16; 8:45 am]

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DEPARTMENT OF ENERGY

10 CFR Part 429

[Docket No. EERE-2015-BT-CE-0019]

RIN 1990-AA44

Energy Conservation Program: Certification and Enforcement—Import Data Collection; Notice of Public Meeting and Reopening of Comment Period

AGENCY: Office of the General Counsel, Department of Energy.

ACTION: Notice of public meeting and reopening of comment period.

SUMMARY: On December 29, 2015, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking in the **Federal Register** proposing that a person importing into the United States any covered product or equipment subject to an applicable energy conservation standard provide, prior to importation, a certification of admissibility to the DOE. The comment period ended February 12, 2016. After receiving several requests for additional time to prepare and submit comments, DOE has decided to reopen the period for submitting comments. In addition, DOE announces a public meeting and webinar regarding its proposal. DOE is reopening the comment period until February 29, 2016.

DATES: The comment period for the notice of proposed rulemaking published on December 29, 2015 (80 FR 81199), has been extended. DOE will accept comments, data, and information in response to the NOPR received no later than February 29, 2016. See **SUPPLEMENTARY INFORMATION** section for meeting dates.

ADDRESSES: The meetings will be held at U.S. Department of Energy, Forrestal Building, Room 8E-089, 1000 Independence Avenue SW., Washington, DC 20585. See the section "Public Participation" for details on submitting comments.

FOR FURTHER INFORMATION CONTACT: Ms. Ashley Armstrong, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-5B, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: 202-586-6590. Email:

¹ See [https://www.cadc.uscourts.gov/internet/opinions.nsf/BAE0CF34F762EBD985257BC6004DEB18/\\$file/11-1271-1451347.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/BAE0CF34F762EBD985257BC6004DEB18/$file/11-1271-1451347.pdf).

ashley.armstrong@ee.doe.gov; or Mr. Steven Goering, U.S. Department of Energy, Office of the General Counsel, Forrestal Building, GC-32, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: 202-286-5691. Email: *steven.goering@hq.doe.gov*.

SUPPLEMENTARY INFORMATION: On December 29, 2015, the U.S. Department of Energy (DOE) published a notice of proposed rulemaking (NPR) in the **Federal Register** proposing that a person importing into the United States any covered product or equipment subject to an applicable energy conservation standard provide, prior to importation, a certification of admissibility to the DOE. (80 FR 81199) The comment period ended February 12, 2016. After receiving several requests for additional time to prepare and submit comments, DOE has decided to extend the period for submitting comments. In addition, DOE announces a public meeting and webinar regarding its proposal.

DOE will host a public meeting and webinar on February 19, 2016, from 9:30 a.m. to 2:00 p.m. at DOE's Forrestal Building, Room 8E-089.

DOE will accept comments, data, and information in response to the NPR received no later than February 29, 2016. DOE will consider any comments in response to the NPR received by midnight of February 29, 2016, and deems any comments received by that time to be timely submitted.

Meeting Address

U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, Room 8E-089. Individuals will also have the opportunity to participate by webinar. To register for the webinar and receive call-in information, please register at <https://attendee.gotowebinar.com/register/8895993921663587586>.

To attend the meeting and/or to make oral statements regarding any of the items on the agenda, email Ms. Brenda Edwards *brenda.edwards@ee.doe.gov*. In the email, please indicate your name, organization (if appropriate), citizenship, and contact information. Please note that foreign nationals participating in the public meeting are subject to advance security screening procedures which require advance notice prior to attendance at the public meeting. If a foreign national wishes to participate in the public meeting, please inform DOE as soon as possible by contacting Ms. Regina Washington at (202) 586-1214 or by email: *Regina.Washington@ee.doe.gov* so that the necessary procedures can be

completed. Anyone attending the meeting will be required to present a government photo identification, such as a passport, driver's license, or government identification. Due to the required security screening upon entry, individuals attending should arrive early to allow for the extra time needed.

Due to the REAL ID Act implemented by the Department of Homeland Security (DHS) recent changes have been made regarding ID requirements for individuals wishing to enter Federal buildings from specific states and U.S. territories. Driver's licenses from the following states or territory will not be accepted for building entry and one of the alternate forms of ID listed below will be required.

DHS has determined that regular driver's licenses (and ID cards) from the following jurisdictions are not acceptable for entry into DOE facilities: Alaska, Louisiana, New York, American Samoa, Maine, Oklahoma, Arizona, Massachusetts, Washington, and Minnesota.

Acceptable alternate forms of Photo-ID include: U.S. Passport or Passport Card; an Enhanced Driver's License or Enhanced ID-Card issued by the states of Minnesota, New York or Washington (Enhanced licenses issued by these states are clearly marked Enhanced or Enhanced Driver's License); A military ID or other Federal government issued Photo-ID card.

Public Participation

Any comments submitted must identify the NPR for Import Data Collection, and provide docket number EERE-2015-BT-CE-0019 and/or regulatory information number (RIN) number 1990-AA44. Comments may be submitted using any of the following methods:

1. *Federal eRulemaking Portal:* www.regulations.gov. Follow the instructions for submitting comments.
2. *Email:* *ImportData2015CE0019@ee.doe.gov*. Include the docket number and/or RIN in the subject line of the message.
3. *Mail:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, Mailstop EE-5B, 1000 Independence Avenue SW., Washington, DC 20585-0121. If possible, please submit all items on a CD. It is not necessary to include printed copies.
4. *Hand Delivery/Courier:* Ms. Brenda Edwards, U.S. Department of Energy, Building Technologies Program, 950 L'Enfant Plaza SW., Suite 600, Washington, DC 20024. Telephone: (202) 586-2945. If possible, please

submit all items on a CD. It is not necessary to include printed copies.

Docket: The docket, which includes **Federal Register** notices, public meeting attendee lists and transcripts, comments, and other supporting documents/materials, is available for review at regulations.gov. All documents in the docket are listed in the regulations.gov index. However, some documents listed in the index, such as those containing information that is exempt from public disclosure, may not be publicly available.

A link to the docket Web page can be found at: <http://www.regulations.gov/#!docketDetail;D=EERE-2015-BT-CE-0019>. This Web page will contain a link to the docket for this notice on the regulations.gov site. The regulations.gov Web page will contain simple instructions on how to access all documents, including public comments, in the docket.

For further information on how to submit a comment, review other public comments and the docket, or to request a public meeting, contact Ms. Brenda Edwards at (202) 586-2945 or by email: *Brenda.Edwards@ee.doe.gov*.

Issued in Washington, DC, on February 8, 2016.

Kathleen B. Hogan,

Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2016-3696; Directorate Identifier 2015-NM-113-AD]

RIN 2120-AA64

Airworthiness Directives; Airbus Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: We propose to adopt a new airworthiness directive (AD) for all Airbus Model A318, A319, A320, and A321 series airplanes. This proposed AD was prompted by a report of a partial loss of the no-back brake (NBB) efficiency during endurance qualification tests on the trimmable horizontal stabilizer actuator (THSA). This proposed AD would require inspecting certain THSAs to determine