

TABLE 2—STANDARDS OSHA IS PROPOSING TO ADD TO THE NRTL PROGRAM'S LIST OF APPROPRIATE TEST STANDARDS

Test standard	Test standard title
UL 122701 .....	Requirements for Process Sealing Between Electrical Systems and Flammable or Combustible Process Fluids.
UL 248–19 .....	Standard for Low-Voltage Fuses—Part 19: Photovoltaic Fuses.

#### IV. Preliminary Findings on the Application

UL submitted an acceptable application for expansion of the scope of recognition. OSHA's review of the application files and related material preliminarily indicate that UL can meet the requirements prescribed by 29 CFR 1910.7 for expanding recognition to include the addition of the test standards listed above for NRTL testing and certification. This preliminary finding does not constitute an interim or temporary approval of UL's application.

OSHA also preliminarily determined that the test standards listed above are appropriate test standards. OSHA seeks public comment on these preliminary determinations.

#### V. Public Participation

OSHA welcomes public comment as to whether UL meets the requirements of 29 CFR 1910.7 for expansion of recognition as a NRTL and whether the test standards listed above are appropriate test standards that should be included in the NRTL Program's List of Appropriate Test Standards. Comments should consist of pertinent written documents and exhibits.

Commenters needing more time to comment must submit a request in writing, stating the reasons for the request by the due date for comments. OSHA will limit any extension to no longer than 10 days unless the requester justifies a longer time period. OSHA may deny a request for an extension if it is not adequately justified.

To review copies of the exhibits identified in this notice, as well as comments submitted to the docket, contact the Docket Office, Occupational Safety and Health Administration, U.S. Department of Labor, listed in ADDRESSES. These materials also are generally available online at <https://www.regulations.gov> under Docket No. OSHA–2009–0025 (for further information, see the “Docket” heading in the section of this notice titled ADDRESSES).

OSHA staff will review all comments to the docket submitted in a timely manner and after addressing the issues raised by these comments, make a recommendation to the Assistant Secretary for Occupational Safety and Health on whether to grant UL's application for expansion of its scope of recognition and to add the test standards listed above to the NRTL Program's List of Appropriate Test Standards. The Assistant Secretary will make the final decision on granting the application and on adding the test standards listed above to the NRTL Program's List of Appropriate Test Standards. In making these decisions, the Assistant Secretary may undertake other proceedings prescribed in Appendix A to 29 CFR 1910.7.

OSHA will publish a public notice of its final decision in the **Federal Register**.

#### VI. Authority and Signature

Douglas L. Parker, Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this notice. Accordingly, the agency is issuing this notice pursuant to 29 U.S.C. 657(g)(2), Secretary of Labor's Order No. 8–2020 (85 FR 58393, Sept. 18, 2020), and 29 CFR 1910.7.

Signed at Washington, DC, on January 14, 2022.

**Douglas L. Parker,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2022–01453 Filed 1–25–22; 8:45 am]

**BILLING CODE 4510–26–P**

#### OFFICE OF MANAGEMENT AND BUDGET

##### Notice; 2021 Statutory Pay-As-You-Go Act Annual Report

**AGENCY:** Office of Management and Budget (OMB).

**ACTION:** Notice.

**SUMMARY:** This report is being published as required by the Statutory Pay-As-You-Go (PAYGO) Act of 2010. The Act requires that OMB issue an annual report and a sequestration order, if necessary.

**FOR FURTHER INFORMATION CONTACT:** Erin O'Brien. 202–395–3106.

**SUPPLEMENTARY INFORMATION:** This report can be found at <https://www.whitehouse.gov/omb/paygo/>.

*Authority:* 2 U.S.C. 934.

**Kelly A. Kinneen,**

*Assistant Director for Budget.*

This Report is being published pursuant to section 5 of the Statutory

Pay-As-You-Go (PAYGO) Act of 2010, Public Law 111–139, 124 Stat. 8, 2 U.S.C. 934, which requires that OMB issue an annual PAYGO report, including a sequestration order if necessary, no later than 14 working days after the end of a congressional session.

This Report describes the budgetary effects of all PAYGO legislation enacted during the first session of the 117th Congress and presents the 5-year and 10-year PAYGO scorecards maintained by OMB.<sup>1</sup> Because neither the 5-year nor 10-year scorecard shows a debit for the budget year, which for purposes of this Report is fiscal year 2022,<sup>2</sup> a sequestration order under subsection 5(b) of the PAYGO Act, 2 U.S.C. 934(b) is not required.

The budget year balance on each of the PAYGO scorecards is zero because the Protecting Medicare and American Farmers from Sequester Cuts Act (Pub. L. 117–71) shifted the debits on both scorecards from fiscal year 2022 to fiscal year 2023. The change directed by Public Law 117–71 is discussed in more detail in section IV of this report.

During the first session of the 117th Congress, two laws with PAYGO effects were enacted with emergency requirements under section 4(g) of the PAYGO Act, 2 U.S.C. 933(g). Four laws had estimated budgetary effects on direct spending and/or revenues that were excluded from the calculations of the PAYGO scorecards due to provisions excluding all or part of the law from section 4(d) of the PAYGO Act, 2 U.S.C. 933(d).

#### I. PAYGO Legislation With Budgetary Effects

PAYGO legislation is authorizing legislation that affects direct spending or revenues, and appropriations legislation that affects direct spending in the years after the budget year or affects revenues in any year.<sup>3</sup> For a more complete description of the Statutory PAYGO Act, see Chapter 6, “Budget Concepts,” of the *Analytical*

<sup>1</sup> This report encompasses laws enacted between January 3, 2021 at noon and January 3, 2022 at 11:56 a.m. (Pub. L. 116–285 through Pub. L. 117–81).

<sup>2</sup> References to years on the PAYGO scorecards are to fiscal years.

<sup>3</sup> Provisions in appropriations acts that affect direct spending in the years after the budget year (also known as “outyears”) or affect revenues in any year are considered to be budgetary effects for the purposes of the PAYGO scorecards except if the provisions produce outlay changes that net to zero over the current year, budget year, and the four subsequent years. As specified in section 3 of the PAYGO Act, off-budget effects are not counted as budgetary effects. Off-budget effects refer to effects on the Social Security trust funds (Old-Age and Survivors Insurance and Disability Insurance) and the Postal Service.

*Perspectives* volume of the 2022 President's Budget, found on the website of the U.S. Government Printing Office (<https://www.govinfo.gov/app/collection/budget/2022/BUDGET-2022-PER>).

The PAYGO Act's requirement of deficit neutrality is based on two scorecards that tally the cumulative budgetary effects of PAYGO legislation as averaged over rolling 5- and 10- year periods starting with the budget year. The 5-year and 10-year PAYGO scorecards for each congressional session begin with the balances of costs or savings carried over from previous sessions and then tally the costs or savings of PAYGO laws enacted in the most recent session.

The 5-year and 10-year PAYGO scorecards for the first session of the 117th Congress began with balances of zero in each year because Section 1401(d) of Public Law 116–260 set each year of the scorecards to zero at the end of the second session of the 116th Congress. Laws enacted during the first session of the 117th Congress created balances on the 5- and 10-year scorecards of \$370,633 million and \$187,020 million in each year, respectively. Public Law 117–71 shifted the fiscal year 2022 debits on both scorecards to fiscal year 2023. Therefore, the 2022 balance on both the 5- and 10-year scorecards is zero and the 2023 balances on the 5- and 10-year scorecards are \$741,265 million and \$374,039 million, respectively. The debit for the remaining years on the 5-year scorecard, 2024–2026, is \$370,633 million per year and the debit for the remaining years on the 10-year scorecard, 2024–2031, is \$187,020 million per year.

In the first session of the 117th Congress, 35 laws were enacted that were determined to constitute PAYGO legislation. Of the 35 enacted PAYGO laws, 12 laws were estimated to have PAYGO budgetary effects (costs or savings) in excess of \$500,000 over one or both of the 5-year or 10-year PAYGO windows. These were:

- Public Law 116–286, 1921 Silver Dollar Coin Anniversary Act;
- Public Law 116–313, To deem an urban Indian organization and employees thereof to be a part of the Public Health Service for the purposes of certain claims for personal injury, and for other purposes.;
- Public Law 116–315, Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act of 2020;
- Public Law 116–325, Bankruptcy Administration Improvement Act of 2020;
- Public Law 117–2, American Rescue Plan Act of 2021;
- Public Law 117–7, To prevent across-the-board direct spending cuts, and for other purposes.;
- Public Law 117–27, VOCA Fix to Sustain the Crime Victims Fund Act of 2021;
- Public Law 117–43, Extending Government Funding and Delivering Emergency Assistance Act;
- Public Law 117–58, Infrastructure Investment and Jobs Act;
- Public Law 117–61, Protecting America's First Responders Act of 2021;
- Public Law 117–71, Protecting Medicare and American Farmers from Sequester Cuts Act; and
- Public Law 117–76, Responsible Education Mitigating Options and Technical Extensions Act.

In addition to the laws identified above, 23 laws enacted in this session were estimated to have negligible budgetary effects on the PAYGO scorecards—costs or savings of less than \$500,000 over both the 5-year and 10-year PAYGO windows—including the two laws enacted with emergency designations discussed below.

## II. Budgetary Effects Excluded From the Scorecard Balances

### A. Legislation Designated as Emergency Requirements

As shown on the scorecards, two laws were enacted in the first session of the 117th Congress with an emergency

designation under the Statutory PAYGO Act, and that had PAYGO effects:

- Public Law 117–31, Emergency Security Supplemental Appropriations Act, 2021; and
- Public Law 117–39, Emergency Repatriation Assistance for Returning Americans Act.

The effects of the provisions in these laws that are designated as emergency requirements appear on the scorecard, but are subtracted before computing the scorecard totals.

### B. Statutory Provisions Excluding Legislation From the Scorecards

Four laws enacted in the first session of the 117th Congress had estimated budgetary effects on direct spending and revenues that were excluded from the calculations for the PAYGO scorecards due to provisions in law excluding all or part of the law from section 4(d) of the PAYGO Act.

One law was excluded entirely from the scorecards:

- Public Law 117–6, PPP Extension Act of 2021.

In addition, budgetary effects in three laws were excluded by provisions excluding certain portions of those laws from the scorecards:

- Public Law 117–43, Extending Government Funding and Delivering Emergency Assistance Act;
- Public Law 117–58, Infrastructure Investment and Jobs Act; and
- Public Law 117–70, Further Extending Government Funding Act.<sup>4</sup>

## III. PAYGO Scorecards

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<sup>4</sup> Section 2201 of Public Law 117–70 excluded the budgetary effects of Division C from the PAYGO scorecards. There were no PAYGO budgetary effects for Divisions A and B of Public Law 117–70, so the scorecards do not include an entry for Public Law 117–70.



#### IV. Legislative Revisions to the PAYGO Scorecards

Section 7 of Public Law 117–71, the Protecting Medicare and American Farmers from Sequester Cuts Act, states, “For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the first session of the 117th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2022 and added to such scorecard in 2023.” Accordingly, both the 5- and 10-year scorecards deduct the debit from 2022 and add that debit to 2023.

#### V. Sequestration Order

As shown on the scorecards, the budgetary effects of PAYGO legislation enacted in the first session of the 117th Congress, combined with section 7 of Public Law 117–71, resulted in no costs on either the 5-year or the 10-year scorecard in the budget year, which is 2022 for the purposes of this Report. Because the costs for the budget year, as shown on the scorecards, were set to zero for the budget year, there is no “debit” on either scorecard under section 3 of the PAYGO Act, 2 U.S.C. 932, and a sequestration order is not required.<sup>5</sup>

[FR Doc. 2022–01516 Filed 1–25–22; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[NRC–2021–0087]

### Preparing Probabilistic Fracture Mechanics Submittals

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing a new Regulatory Guide (RG) 1.245 (Revision 0), “Preparing Probabilistic Fracture Mechanics Submittals” and accompanying NUREG/CR–7278, “Technical Basis for the use of Probabilistic Fracture Mechanics in

Regulatory Applications.” This RG describes a framework to develop the contents of a licensing submittal that the staff of the NRC considers acceptable when performing probabilistic fracture mechanics (PFM) analyses in support of regulatory applications. The NUREG provides the technical basis for RG 1.245.

**DATES:** Revision 0 to RG 1.245 is available on January 26, 2022.

**ADDRESSES:** Please refer to Docket ID NRC–2021–0087 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2021–0087. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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 (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *NRC’s PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC’s Public Document Room (PDR), Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1–800–397–4209 or 301–415–4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

Revision 0 to RG 1.245, the associated regulatory analysis, and NUREG/CR–7278 may be found in ADAMS under Accession Nos. ML21334A158, ML21034A261, and ML22014A406, respectively.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

**FOR FURTHER INFORMATION CONTACT:** Patrick Raynaud, telephone: 301–145–1987, email: [Patrick.Raynaud@nrc.gov](mailto:Patrick.Raynaud@nrc.gov) and Kyle Song, telephone: 301–415–3612, email: [Kyle.Song@nrc.gov](mailto:Kyle.Song@nrc.gov). Both are staff in the Office of Nuclear Regulatory Research at the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

#### SUPPLEMENTARY INFORMATION:

##### I. Discussion

The NRC is issuing a new guide in the NRC’s “Regulatory Guide” series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, techniques that the NRC staff uses in evaluating specific issues or postulated events, and data that the NRC staff needs in its review of applications for permits and licenses.

RG 1.245 was issued with a temporary identification of Draft Regulatory Guide, DG–1382, ADAMS Accession No. ML21034A328.

##### II. Additional Information

The NRC published a notice of the availability of DG–1382 in the **Federal Register** on September 23, 2021 (86 FR 52927) for a 30-day public comment period. The public comment period closed on October 25, 2021. Public comments and the staff responses to the public comments on DG–1382 are available in ADAMS under Accession No. ML21306A292.

##### III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

##### IV. Backfitting and Issue Finality

RG 1.245 and NUREG/CR–7278 do not constitute backfitting as defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), “Backfitting,” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests;” do not constitute forward fitting as that term is defined and described in MD 8.4; and do not affect the issue finality of any approval issued under 10 CFR part 52. As explained in RG 1.245, applicants and licensees are not be required to comply with the positions set forth in the RG.

Dated: January 20, 2022.

<sup>5</sup> Sequestration reductions pursuant to the Balanced Budget and Deficit Control Act (BBEDCA) Section 251A for 2022 were calculated and ordered in a separate report and are not affected by this determination. See: [https://www.whitehouse.gov/wp-content/uploads/2021/05/BBEDCA\\_251A\\_Sequestration\\_Report\\_FY2022.pdf](https://www.whitehouse.gov/wp-content/uploads/2021/05/BBEDCA_251A_Sequestration_Report_FY2022.pdf)