

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.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 959 and 980

[Doc. No. AMS–SC–21–0003; SC21–959–2]

Onions Grown in South Texas and Imported Onions; Termination of Marketing Order 959 and Change in Import Requirements; Withdrawal

AGENCY: Agricultural Marketing Service, Department of Agriculture (USDA).

ACTION: Proposed rule; withdrawal.

SUMMARY: The Agricultural Marketing Service (AMS) is withdrawing the proposed rule to terminate the Federal marketing order regulating the handling of onions grown in South Texas and the rules and regulations issued thereunder, and the proposed corresponding change to the onion import regulation. After reviewing the results of a second producer referendum and considering the comments received on the proposed rule, the proposed rule is being withdrawn.

DATES: The proposed rule published August 5, 2021 at 86 FR 42748 and re-opened on November 8, 2021 at 86 FR 61718, is withdrawn as of February 21, 2023.

FOR FURTHER INFORMATION CONTACT: Abigail Maharaj, Marketing Specialist, or Christian D. Nissen, Branch Chief, Southeast Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA; Telephone: (863) 324–3375, Fax: (863) 291–8614, or Email: Abigail.Maharaj@usda.gov or Christian.Nissen@usda.gov.

SUPPLEMENTARY INFORMATION: This withdrawal is issued under Marketing Order No. 959, as amended (7 CFR part 959), regulating the handling of onions grown in South Texas. Part 959 (referred to as the “Order”) is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the “Act.” The South Texas Onion Committee (Committee) locally administers the

Order and is comprised of producers and handlers operating within the production area.

The withdrawal is also issued under section 8e of the Act (7 U.S.C. 608e–1), which provides whenever certain specified commodities, including onions, are regulated under a Federal marketing order, imports of those commodities into the United States are prohibited unless they meet the same or comparable grade, size, quality, and maturity requirements as those in effect for the same domestically produced commodities.

This action withdraws a proposed rule published in the **Federal Register** on August 5, 2021 (86 FR 42748), seeking public input on terminating the Order and the rules and regulations issued thereunder and making a corresponding change in the onion import requirements. AMS reopened the public comment period for the proposed rule for an additional 30 days in a notice published in the **Federal Register** on November 8, 2021 (86 FR 61718). The proposed termination was based on the results of a continuance referendum conducted by USDA from September 21 to October 13, 2020, in which producers failed to support the continuation of the Order. Section 959.84(d) of the Order provides that USDA shall conduct a referendum within six years after the establishment of the Order and every sixth year thereafter to ascertain whether continuance is favored by producers. The section further provides that USDA would consider termination of the Order if fewer than two-thirds of the producers voting in the referendum, and producers of less than two-thirds of the volume of onions represented in the referendum favor continuance.

During both comment periods, AMS received a combined total of 90 comments. All the comments may be viewed on the internet at <https://www.regulations.gov>. Of the comments received, 5 comments indicated support for termination, with 85 comments indicating opposition to termination. Thirty-three of all comments were from the production area, with 31 opposing termination of the Order. After reviewing and considering all comments received during both comment periods, the Secretary of Agriculture determined conducting a second referendum as appropriate to better assess the level of producer support for the continuation of

the Order. AMS conducted the second referendum September 1 through October 3, 2022, and continuance of the Order received the support of 78.6 percent of South Texas onion producers voting in the referendum. Continuance was favored by 73.7 percent of the volume voted in the referendum.

After reviewing all relevant materials, AMS determined the proposed rule to terminate the Order should be withdrawn. Accordingly, the proposed rule to terminate the Order that was published in the **Federal Register** on August 5, 2021 is hereby withdrawn. In addition, enforcement of the obligation to pay assessments at the rate of \$0.05 per 50-pound equivalent, which was administratively suspended on March 15, 2021, is re-instated for the 2022–23 fiscal period and subsequent fiscal periods, as published in the **Federal Register** on June 30, 2020 (85 FR 39047).

List of Subjects

7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

7 CFR Part 980

Food grades and standards, Imports, Marketing agreements, Onions, Potatoes, Tomatoes.

Authority: 7 U.S.C. 601–674.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2023–03542 Filed 2–17–23; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

[NRC–2022–0157]

Draft Regulatory Guide: Perimeter Intrusion Alarm Systems

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed guide; request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft Regulatory Guide (DG), DG–5065, “Perimeter Intrusion Alarm Systems.” This DG is proposed Revision

4 to Regulatory Guide (RG) 5.44 of the same name. This proposed revision describes an approach acceptable to the NRC staff for meeting requirements in NRC regulations related to the functions of perimeter intrusion detection sensors and detection methods.

DATES: Submit comments by March 23, 2023. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0157. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION**

CONTACT section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff.

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: Al Tardiff, Office of Nuclear Security and Incident Response, telephone: 301-287-3613, email: Al.Tardiff@nrc.gov, or Stanley Gardocki, Office of Nuclear Regulatory Research, telephone: 301-415-1067, email: Stanley.Gardocki@nrc.gov. Both are staff members of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2022-0157 when contacting the NRC about the availability of information regarding this action. You may obtain publicly available information related to this action, by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2022-0157.

- *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. 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 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 or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2022-0157 in your comment submission.

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 <https://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 into ADAMS.

II. Additional Information

The NRC is issuing for public comment a DG in the NRC’s “Regulatory Guide” series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, to explain techniques that the staff uses in evaluating specific issues or postulated

events, and to describe information that the staff needs in its review of applications for permits and licenses.

The DG, entitled “Perimeter Intrusion Alarm Systems,” (ADAMS Accession No. ML22194A912) is temporarily identified by its task number DG-5065, which is proposed Revision 4 of RG 5.44 of the same name.

This DG provides implementing guidance acceptable to the NRC staff for meeting requirements in NRC regulations related to the functions of perimeter intrusion detection sensors and detection methods. The DG provides guidance on sensors and methods that can be integrated to form an effective perimeter intrusion detection system. In addition, the DG provides guidance on selecting perimeter intrusion detection systems and on applications for nuclear power reactors, independent spent fuel storage installations, and certain special nuclear material processing facilities.

The staff is also issuing for public comment a draft regulatory analysis (ADAMS Accession No. ML22021B494). The staff developed a regulatory analysis to assess the value of issuing or revising a regulatory guide as well as alternative courses of action.

As noted in the **Federal Register** on December 9, 2022 (87 FR 75671), this document is being published in the “Proposed Rules” section of the **Federal Register** to comply with publication requirements under chapter 1 of title I of the *Code of Federal Regulations*.

III. Backfitting, Forward Fitting, and Issue Finality

Issuance of DG-5065, if finalized, would not constitute backfitting as defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), “Backfitting,” 10 CFR 70.76, “Backfitting,” and 10 CFR 72.62, “Backfitting,” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests” (ADAMS Accession No. ML18093B087); constitute forward fitting as that term is defined and described in MD 8.4; or affect issue finality of any approval issued under 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants.” As explained in DG-5065, applicants and licensees would not be required to comply with the positions set forth in this guide.

IV. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the

development of new RGs. Suggestions can be submitted on the NRC's public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements to the "Regulatory Guide" series.

Dated: February 14, 2023.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 2023-03490 Filed 2-17-23; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 200

[Release No. 34-96906; PA-59; File No. S7-03-23]

RIN 3235-AN21

The Commission's Privacy Act Regulations

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule.

SUMMARY: The Securities and Exchange Commission ("Commission" or "SEC") is proposing amendments to the Commission's regulations under the Privacy Act of 1974, as amended ("Privacy Act"). The proposed amendments would revise the Commission's regulations under the Privacy Act to clarify, update, and streamline the language of several procedural provisions.

DATES: Comments should be received by April 17, 2023.

ADDRESSES: Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's internet comment form (<https://www.sec.gov/rules/submitcomments.htm>);
- Send an email to rule-comments@sec.gov. Please include File Number S7-03-23 on the subject line; or

Paper Comments

- Send paper comments to Vanessa A. Countryman, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number S7-03-23. This file number should be included on the subject line if email is used. To help the

Commission process and review your comments more efficiently, please use only one method of submission. The Commission will post comments on the Commission's website (<https://www.sec.gov/rules/proposed.shtml>). Comments are also available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Operating conditions may limit access to the Commission's Public Reference Room. All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly.

Studies, memoranda, or other substantive items may be added by the Commission or staff to the comment file during this rulemaking. A notification of the inclusion in the comment file of any such materials will be made available on our website. To ensure direct electronic receipt of such notifications, sign up through the "Stay Connected" option at www.sec.gov to receive notifications by email.

FOR FURTHER INFORMATION CONTACT: Ray McInerney, FOIA/PA Officer, Office of FOIA Services, (202) 551-6249; Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-5041.

SUPPLEMENTARY INFORMATION:

I. Background

The Privacy Act is the principal law governing the handling of personal information in the Federal government. It governs the collection, maintenance, use, and dissemination of information about individuals that is maintained in systems of records by Federal agencies. The Privacy Act also affords individuals a right of access to records pertaining to them and a right to have inaccurate records corrected. The Commission last amended its Privacy Act regulations in 2011.

In the course of reviewing our regulations under the Privacy Act, we have identified areas where it would be beneficial to clarify, update, and streamline the language of several provisions. Accordingly, we are proposing revisions to our Privacy Act regulations. The proposed revisions include: adding a provision setting forth the process by which individuals may be provided with an accounting of disclosures made by the Commission; adding a provision to codify the existing

practice of providing 90 days to file an administrative appeal in response to a denial of a Privacy Act inquiry or request; deleting certain existing provisions that are duplicative and unnecessary; reorganizing certain provisions; and updating the fee provisions.¹ Due to the scope of the proposed revisions, the proposed rule would replace the Commission's current Privacy Act regulations in their entirety (17 CFR 200.301 through 200.313).

II. Discussion of the Proposed Rule

A. Proposed Amendments To Update, Clarify, and Streamline the Privacy Act Regulations

We are proposing to amend certain procedural provisions to clarify, update, and streamline the Commission's regulations.² The proposed revisions, among other things: clarify the purpose and scope of the regulations (proposed Section 200.301); update definitions so that the processes set forth in the regulations are more plainly described (proposed 17 CFR 200.302); simplify the processes for submitting and receiving responses to Privacy Act inquiries, requests, and administrative appeals (proposed 17 CFR 200.303, 305, 306, 307, and 308); allow for requesters to electronically verify their identities, including by facsimile, email, or an online Commission form (proposed 17 CFR 200.303);³ provide for a shorter Commission response time to Privacy Act inquiries as to whether a specific system of records maintained by the Commission contains a record pertaining to the requester, which aligns with other relevant time lines (proposed 17 CFR 200.304); update agency contact information (*e.g.*, office names, facsimile numbers, email addresses, and physical addresses) (proposed 17 CFR 200.303, 305, 308, and 309); and update the list of Commission systems of records that have promulgated rules exempting certain records from certain provisions of the Privacy Act (proposed 17 CFR 200.310).

B. Proposed Revisions to Fee Provisions

The proposed amendments would revise the fee provisions (proposed 17 CFR 200.309) to update the provisions to reflect existing practice. The present rule states that fees for copying documents will be determined by rates set by contract with commercial copiers.

¹ The terms "inquiry" and "request" are defined in 5 U.S.C. 552a.

² These amendments are discussed in greater detail in Section IV. Economic Analysis.

³ The Office of FOIA Services currently accepts electronic submission of verification of identity in all of these formats.