

increased spending on promotion, and to add funds to Board reserves, which have been depleted due to reduced production in previous seasons. At the current assessment rate of \$0.00575 and with the 2022–23 crop production at 242,352,172 pounds, assessment income would equal \$1,393,525 (\$0.00575 multiplied by 242,352,172), an amount insufficient to cover the Committee's anticipated expenditures of \$1,667,000. By increasing the assessment rate by \$0.00175, assessment income would be approximately \$1,817,641 (\$0.0075 multiplied by 242,352,172). This amount, along with interest income, and funds from the reserve, should provide sufficient funds to meet 2022–23 anticipated expenses.

Prior to arriving at this budget and assessment rate, the Board considered the level of production, projected expenditures, and the amount in the authorized reserve. The Board discussed alternatives, including maintaining the current assessment rate of \$0.00575. However, leaving the assessment unchanged would not generate sufficient revenue to meet Board expenses for the 2022–23 fiscal period. Consequently, the Board determined that the assessment rate should be increased to \$0.0075 per pound to generate sufficient revenue to meet expenses. Therefore, the Committee rejected the idea of maintaining the current assessment rate.

A review of historical information and preliminary information pertaining to the upcoming season indicates the producer price for the 2022–23 season should be approximately \$0.23 per pound of tart cherries. The assessment rate of \$0.0075 per pound represents 3.26 percent of the \$0.23 revenue for the 2021–22 fiscal period as a percentage of total producer revenue (\$0.0075 divided by \$0.23 multiplied by 100).

This rule increases the assessment obligation imposed on handlers. While assessments impose additional costs on handlers, the costs are minimal and uniform on all handlers, and some of the costs may be passed on to growers. However, these costs are expected to be offset by the benefits derived by the operation of the Order.

The Board's meeting was widely publicized throughout the tart cherry industry, and all interested persons were invited to attend the meeting and participate in Board deliberations on all issues. Like all Board meetings, the September 8, 2022, meeting was a public meeting and all entities, both large and small, were able to express views on this issue. In addition, interested persons were invited to submit comments on the proposed rule,

including the regulatory and informational impacts of this action on small businesses.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Order's information collection requirements have been previously approved by the OMB and assigned OMB No. 0581–0177, Tart Cherries Grown in Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin. No changes in those requirements would be necessary because of this rule. If any changes become necessary, they would be submitted to OMB for approval.

This rule does not impose any additional reporting or recordkeeping requirements on either small or large tart cherry handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. AMS has not identified any relevant Federal rules that duplicate, overlap, or conflict with this final rule.

AMS is committed to complying with the E-Government Act, to promote the use of the internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

A proposed rule concerning this action was published in the **Federal Register** on February 24, 2023 (88 FR 11822). Copies of the proposed rule were also mailed or sent via email to all tart cherry handlers. A copy of the proposed rule was made available through the internet by AMS via <https://www.regulations.gov>. A 30-day comment period ending March 27, 2023, was provided for interested persons to respond to the proposal.

No comments were received. Accordingly, no changes have been made to the rule as proposed.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <https://www.ams.usda.gov/rules-regulations/moa/small-businesses>. Any questions about the compliance guide should be sent to Richard Lower at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

After consideration of all relevant material presented, including the information and recommendations submitted by the Board and other available information, AMS has determined that this rule tends to effectuate the declared policy of the Act.

List of Subjects in 7 CFR Part 930

Cherries, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 930 as follows:

PART 930—TART CHERRIES GROWN IN THE STATES OF MICHIGAN, NEW YORK, PENNSYLVANIA, OREGON, UTAH, WASHINGTON, AND WISCONSIN

■ 1. The authority citation for 7 CFR part 930 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 930.200 is revised to read as follows:

§ 930.200 Assessment rate.

On and after October 1, 2022, the assessment rate imposed on handlers shall be \$0.0075 per pound of tart cherries grown in the production area and utilized in the production of tart cherry products. Included in this rate is \$0.0055 per pound of tart cherries to cover the cost of the research and promotion program and \$0.002 per pound of tart cherries to cover administrative expenses.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2023–12770 Filed 6–14–23; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2023–0050]

RIN 3150–AK93

List of Approved Spent Fuel Storage Casks: TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System Certificate of Compliance No. 1042, Amendment No. 3

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is confirming the effective date of July 17, 2023, for the direct final rule that was published in the **Federal Register** on May 2, 2023. The direct final rule amended the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System listing within the “List of approved spent fuel

storage casks” to include Amendment No. 3 to Certificate of Compliance No. 1042.

DATES: The effective date of July 17, 2023, for the direct final rule published May 2, 2023 (88 FR 27397), is confirmed.

ADDRESSES: Please refer to Docket ID NRC–2023–0050 when contacting the NRC about the availability of information for 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–2023–0050. Address questions about NRC dockets to Dawn Forder; telephone: 301–415–3407; email: Dawn.Forder@nrc.gov. For technical questions, contact the individual 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. The Amendment No. 3 of certificate of compliance No. 1042 and associated changes to the technical specifications, and safety evaluation report can also be viewed in ADAMS under Package Accession No. ML23137A409.

- *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 8:00 a.m. and 4:00 p.m. eastern time, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Caylee Kenny, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7150, email: Caylee.Kenny@nrc.gov.

SUPPLEMENTARY INFORMATION: On May 2, 2023 (88 FR 27397), the NRC published a direct final rule amending its regulations in part 72 of title 10 of the *Code of Federal Regulations* to revise

the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System listing within the “List of approved spent fuel storage casks” to include Amendment No. 3 to Certificate of Compliance No. 1042.

Amendment No. 3 revises the certificate of compliance to: add three new heat load zone configurations (HLZCs) for the EOS–89BTH Dry Shielded Canister (DSC) with increased heat load up to 1.7 kW per fuel assembly, which reduces the minimum cooling time to 1 year; add a variable-lead thickness EOS–TC125 for transfer with the EOS–89BTH DSC; add ATRIUM 11 fuel as an allowable content in the EOS–89BTH DSC and rerun the limiting GNF2 and ABB–10–C cases to reduce the statistical uncertainties and increase the enrichment limits; update the criticality evaluation to allow short-loading the EOS–89BTH DSC with less than 89 fuel assemblies to increase the enrichment limits; revise the technical specifications (TS) to allow for phased array automated ultrasonic testing and to utilize a single pass high amperage gas tungsten arc weld or multipass gas tungsten arc weld on the outer top cover plate; revise the TS to reduce EOS–37PTH HLZC 1 and 2 time limit for transfer to eight hours; incorporate a method to determine new loading patterns based on the maximum allowable heat load per DSC and per location specified in the TS and move all HLZCs and time limits for transfer for the EOS–89BTH DSC transferred in the EOS–TC125 from the technical specifications to Updated Final Safety Analysis Report (UFSAR) Chapter 2; waive the fabrication pressure test requirement for the single bottom forging EOS–DSCs; and make minor changes to TS and UFSAR for consistency among DSC types and terminology clarification. Amendment No. 3 also revises the certificate of compliance with three scope changes including: UFSAR revisions associated with transfer cask lifting heights and consideration of severe weather; UFSAR revisions associated with maintaining water in the annulus; and design changes to the Matrix Loading Crane.

In the direct final rule, the NRC stated that if no significant adverse comments were received, the direct final rule would become effective on July 17, 2023. The NRC did not receive any comments on the direct final rule. Therefore, this direct final rule will become effective as scheduled.

Dated: June 9, 2023.

For the Nuclear Regulatory Commission.

Krupskaya T. Castellon,
Acting Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support Office of Nuclear Material Safety and Safeguards.

[FR Doc. 2023–12709 Filed 6–14–23; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

10 CFR Parts 170 and 171

[NRC–2021–0024]

RIN 3150–AK58

Revision of Fee Schedules; Fee Recovery for Fiscal Year 2023

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending the licensing, inspection, special project, and annual fees charged to its applicants and licensees. These amendments are necessary to comply with the Nuclear Energy Innovation and Modernization Act, which requires the NRC to recover, to the maximum extent practicable, approximately 100 percent of its annual budget less certain amounts excluded from this fee-recovery requirement.

DATES: This final rule is effective on August 14, 2023.

ADDRESSES: Please refer to Docket ID NRC–2021–0024 when contacting the NRC about the availability of information for 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–2021–0024. Address questions about NRC dockets to Dawn Forder; telephone: 301–415–3407; email: Dawn.Forder@nrc.gov. For technical questions, contact the individual 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 or