

- FSIS separated “Animal Welfare” and “Environmental Stewardship” sections and renamed “Environmental Stewardship” to “Environment-Related” to better clarify the claims and the documentation to be submitted for each type of claim.

- FSIS made several changes to the formatting, language, and organizational structure of the guideline to improve readability.

As explained above, FSIS also made some significant changes to the guideline in response to petitions and public comments on the last version of the guideline.

- FSIS updated documentation that establishments are strongly encouraged to submit to LPDS to substantiate claims like “Pasture Raised,” “Pasture Fed,” “Pasture Grown,” and “Meadow Raised.”

- FSIS recommended criteria for third-party organizations that certify animal-raising or environment-related claims.

- FSIS further emphasized that, to substantiate a third-party certification claim, establishments should provide FSIS with a copy of their current certificate.

- FSIS further emphasized that if a claim was certified by a third-party organization, the Agency will approve the label bearing the claim only if it includes the certifying entity’s name, website address (where the relevant standards can be found), and logo, when the organization has a logo.

- FSIS added language strongly encouraging establishments to substantiate negative antibiotic use claims by instituting a routine sampling program to test for the use of antibiotics in animals prior to slaughter or by using a third-party certifier who performs routine antibiotic sampling and testing as part of their certification standards.

- FSIS added language stating that establishments are strongly encouraged to provide FSIS with relevant data or studies (e.g., soil/land variation or air quality studies and results) to substantiate environment-related claims.

- FSIS added language strongly encouraging establishments to use third-party certification to substantiate animal-raising or environment-related claims, given the limits of FSIS jurisdiction.

#### Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, FSIS will announce this **Federal Register** publication online through the FSIS web page located at <http://www.fsis.usda.gov/federal-register>.

[www.fsis.usda.gov/federal-register](http://www.fsis.usda.gov/federal-register). FSIS will also make copies of this publication available through the FSIS *Constituent Update*, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, and other types of information that could affect or would be of interest to our constituents and stakeholders. The *Constituent Update* is available on the FSIS web page. Through the web page, FSIS can provide information to a much broader, more diverse audience. In addition, FSIS offers an email subscription service that provides automatic and customized access to selected food safety news and information. This service is available at: <https://www.fsis.usda.gov/subscribe>. Options range from recalls to export information, regulations, directives, and notices. Customers can add or delete subscriptions themselves and have the option to password-protect their accounts.

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(2) *Fax*: (833) 256-1665 or (202) 690-7442; or

(3) *Email*: [program.intake@usda.gov](mailto:program.intake@usda.gov).

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Done at Washington, DC.

**Paul Kiecker,**

*Administrator.*

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 73

[NRC-2023-0171]

#### Regulatory Guide: Physical Security Event Notifications, Reports, and Records

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 to Regulatory Guide (RG), 5.62, “Physical Security Event Notifications, Reports, and Records.” This RG clarifies reporting and recording of security events and conditions adverse to security under NRC’s regulations concerning the physical protection of plants and materials.

**DATES:** Revision 3 to RG 5.62 is available on September 10, 2024.

**ADDRESSES:** Please refer to Docket ID NRC-2023-0171 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-2023-0171. 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, at 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*: The PDR, where you may examine and order copies of publicly available documents, is open by appointment. 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 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

Revision 3 to RG 5.62 may be found in ADAMS under Accession No. ML23299A176. The NRC staff's responses to public comments on Draft Regulatory Guide (DG)-5080 are available in ADAMS under Accession No. ML23299A187.

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**FOR FURTHER INFORMATION CONTACT:** Phil Brochman, Office of Nuclear Security and Incident Response, telephone: 301-287-3691; email: [Phil.Brochman@nrc.gov](mailto:Phil.Brochman@nrc.gov) or Stanley Gardocki, Office of Nuclear Regulatory Research, telephone: 301-415-1067; email: [Stanley.Gardocki@nrc.gov](mailto:Stanley.Gardocki@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Discussion**

The NRC is issuing a revision 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 proposed Revision 3 to RG 5.62 was issued with a temporary identification of DG-5080 (ADAMS Accession No. ML23198A191).

This revision provides additional guidance on physical security event notifications, written follow-up reports, and recordkeeping of security events and other security-related conditions adverse to quality. These new and updated requirements are part of the NRC's final rule, entitled "Enhanced Weapons, Firearms Background Checks, and Security Event Notifications" (hereafter the Enhanced Weapons rule), that was published in the **Federal Register** on March 14, 2023 (88 FR 15864). These provisions are found in the NRC's regulations under title 10 of the *Code of Federal Regulations* (10 CFR), §§ 73.1200, 73.1205, and 10 CFR 73.1210.

Revision 3 to RG 5.62 provides examples, considerations, and guidance to assist licensees and their security personnel in understanding their responsibilities in implementing the provisions of §§ 73.1200, 73.1205, and 73.1210.

##### **II. Additional Information**

The NRC published a notice of availability of DG-5080 in the **Federal Register** on October 27, 2023 (88 FR 73767) for a 45-day public comment period. The public comment period closed on December 11, 2023. The NRC staff made changes to RG 5.62 in response to public comments. The NRC staff's responses to these public comments on DG-5080 are available in ADAMS under Accession No. ML23299A187.

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

##### **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, Forward Fitting, and Issue Finality**

Issuance of Revision 3 to RG 5.62 does not constitute backfitting as defined in 10 CFR 72.62, "Backfitting," 10 CFR 70.76, "Backfitting," and 10 CFR 50.109, "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); does not constitute forward fitting as that term is defined and described in MD 8.4; and does not affect the issue finality of any approval

issued under 10 CFR part 52, "Licenses, Certificates, and Approvals for Nuclear Powerplants," because, as explained in Revision 3 to RG 5.62, licensees are not required to comply with the positions set forth in the RG.

##### **V. 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: September 4, 2024.

For the Nuclear Regulatory Commission.

**Meraj Rahimi,**

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

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**BILLING CODE 7590-01-P**

## **DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

### **10 CFR Part 1703**

[Docket No. DNFSB-2024-01]

**RIN 3155-AA03**

### **Freedom of Information Act: Revised Fee Schedule**

**AGENCY:** Defense Nuclear Facilities Safety Board.

**ACTION:** Final rule.

**SUMMARY:** This final rule revises the Defense Nuclear Facilities Safety Board's (DNFSB or Board) Freedom of Information Act (FOIA or Act) fee schedule and makes conforming amendments to two related provisions of its FOIA regulations.

**DATES:** This rule is effective October 10, 2024.

**FOR FURTHER INFORMATION CONTACT:** Tayrn L. Gude, Director, Division of Operational Services, Office of the General Manager, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue NW, Suite 700, Washington, DC 20004-2901, (202) 694-7000 (Toll Free (800) 788-4016.)

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Freedom of Information Act permits Federal agencies to recover certain costs they incur in processing requests filed under its authority. 5