

The proposed revisions relate to the renewal of the certificates of compliance to allow for continued storage of spent fuel under title 10 of the *Code of Federal Regulations* part 72. These revisions are specifically discussed in Chapter 4 of the Preliminary Safety Evaluation Report (ADAMS Accession No. ML22098A303). The Proposed Certificates of Compliance and Proposed Technical Specifications documents referenced in the proposed rule contain the revised conditions and specifications discussed in the Preliminary Safety Evaluation Report. The proposed aging management programs and the proposed changes to the final safety analysis report are located in the Certificate of Compliance Renewal Application (ADAMS Accession No. ML21113A203), in Appendix A and Appendix D, respectively. Section IV (“Discussion of Changes”) in the direct final rule also describes the changes in the proposed renewal of Certificate of Compliance No. 1014. The proposed renewal only applies to the storage of spent fuel in an independent spent fuel storage installation at power reactor sites under a general license pursuant to the requirements of 10 CFR part 72; it does not address or apply to transportation of the HI–STORM 100 Cask System. Transport of the HI–STORM 100 Cask System would be subject to the separate requirements of 10 CFR part 71.

The public comment period closed on March 15, 2023. The NRC received two requests to extend the comment period for the proposed rule and the concurrent direct final rule. The NRC is reopening the public comment period to allow additional time for members of the public to develop and submit comments. The comment period is reopened and now closes on April 14, 2023, which is 60 days after the initial opening of the public comment period.

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <https://www.regulations.gov> under Docket ID NRC–2022–0109. In addition, the Federal rulemaking website allows members of the public to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) navigate to the docket folder (NRC–2022–0109); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

Dated: March 16, 2023.

For the Nuclear Regulatory Commission.

**Cindy K. Bladey,**

*Chief, Regulatory Analysis and Rulemaking Support Branch, Division of Rulemaking, Environmental, and Financial Support Office of Nuclear Material Safety and Safeguards.*

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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; extension of comment period.

**SUMMARY:** On February 21, 2023, the U.S. Nuclear Regulatory Commission (NRC) solicited comments on draft regulatory guide (DG), DG–5065, “Perimeter Intrusion Alarm Systems.” The public comment period was originally scheduled to close on March 23, 2023. The NRC has decided to extend the public comment period to allow more time for members of the public to develop and submit their comments.

**DATES:** The due date for comments requested in the document published on February 21, 2023 (88 FR 10481) is extended. Comments should be filed no later than May 22, 2023. Comments received after this date will be considered, if it is practical to do so, but the Commission 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](mailto: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](mailto:Al.Tardiff@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 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](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 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 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. Discussion

On February 21, 2023, the NRC published a document in the **Federal Register** (88 FR 10481) soliciting comments on DG-5065, “Perimeter Intrusion Alarm Systems” (ADAMS Accession No. ML22194A912). 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 comment period was originally scheduled to close on March 23, 2023. Upon the request of the Nuclear Energy Institute, the NRC has decided to extend the public comment period on this document until May 22, 2023, to allow more time for members of the public to submit their comments.

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*.

Dated: March 16, 2023.

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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## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

RIN 2900-AR76

### Reevaluation of Claims for Dependency and Indemnity Compensation

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Proposed rule.

**SUMMARY:** The Department of Veterans Affairs (VA) proposes to amend its adjudication regulations concerning certain awards of Dependency and Indemnity Compensation (DIC). Under the proposed amendment, relevant claimants will be eligible to elect to have certain previously denied DIC claims reevaluated pursuant to changes that establish or modify a presumption of service connection. Any award as a result of the reevaluation may be made retroactive as if the establishment or modification of the presumption of service connection had been in effect on the date of the submission of the original claim. This amendment incorporates legislative changes enacted by the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 or the Honoring our PACT Act of 2022 and will bring federal regulations into conformance with those changes.

**DATES:** Comments must be received on or before May 22, 2023.

**ADDRESSES:** Comments must be submitted through [www.regulations.gov](http://www.regulations.gov). Except as provided below, comments received before the close of the comment period will be available at [www.regulations.gov](http://www.regulations.gov) for public viewing, inspection, or copying, including any personally identifiable or confidential business information that is included in a comment. We post the comments received before the close of the comment period on the following website as soon as possible after they have been received: <http://www.regulations.gov>. VA will not post on *Regulations.gov* public comments that make threats to individuals or institutions or suggest that the commenter will take actions to harm the individual. VA encourages individuals not to submit duplicative comments. We will post acceptable comments from multiple unique commenters even if the content is identical or nearly identical to other comments. Any public comment received after the comment period’s closing date is considered late and will not be considered in the final rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Eric Baltimore, Program Analyst, Pension and Fiduciary Service (21PF), Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420, (202) 632-8863. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** Section 204 of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 or the Honoring our PACT Act of 2022, Public Law 117-168 (herein referred to as “the PACT Act”), enacted on August 10, 2022, amended, in relevant part, subchapter I of chapter 13 of title 38, United States Code, by adding a new section 1305 titled, “Reevaluation of dependency and indemnity compensation determinations pursuant to changes in presumptions of service connection.” VA proposes to issue a new regulation to be codified at 38 CFR 3.33 that incorporates this amendment.

### Reevaluation of DIC Claim

DIC benefits are payable to eligible survivors of service members who died while on active duty, active duty for training, or inactive duty training; or eligible survivors of Veterans who (1) died as a result of a service-connected injury or disease or (2) were in receipt of, or entitled to receive, compensation at the time of death for a service-connected disability rated totally disabling (a) for at least 10 years immediately preceding death; or (b) for not less than five years since their release from active duty; or (c) for at least one year before death, if they were a former prisoner of war.

Service connection may be considered for certain conditions that VA presumes were caused by military service. If a Veteran’s death is determined to be caused by a condition presumed to be incurred or aggravated by service, and the Veteran meets the unique circumstances and service requirements for that condition, DIC benefits may be awarded to an eligible survivor. Historically, VA has applied new presumptions of service connection based on statutory or regulatory changes prospectively, in accordance with 38 U.S.C. 5110(g). The amendments within the PACT Act will allow certain previously denied claims for DIC to be eligible for reevaluation based on any new (*i.e.*, postdating the prior DIC claims’ denial) law, regulation, or Federal court decision or settlement that establishes or modifies a presumption of service connection, and allow for retroactive application (where applicable), commencing with