

Proposed Rules

Federal Register

Vol. 90, No. 22

Tuesday, February 4, 2025

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.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2024–0182]

RIN 3150–AL22

List of Approved Spent Fuel Storage Casks: Holtec International HI–STORM UMAX Canister Storage System, Certificate of Compliance No. 1040, Revision 1 to Amendment Nos. 0 Through 2

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its spent fuel storage regulations by revising the Holtec International HI–STORM UMAX Canister Storage System listing within the “List of approved spent fuel storage casks” to include Revision 1 to Amendment Nos. 0 through 2 to Certificate of Compliance (CoC) No. 1040. Revision 1 to Amendment Nos. 0 through 2 updates the CoC appendix A technical specifications for radiation protection and the associated bases information to clearly articulate the basis for the dose rate limits for the closure lids, modify the dose rate limit values and the description of the location of the dose rate measurements, and make other editorial changes.

DATES: Submit comments by March 6, 2025. 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: Submit your comments, identified by Docket ID NRC–2024–0182, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

You can read a plain language description of this proposed rule at

<https://www.regulations.gov/docket/NRC-2024-0182>. 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:

George Tartal, Office of Nuclear Materials Safety and Safeguards, telephone: 301–415–0016, email: George.Tartal@nrc.gov and Kristina Banovac, Office of Nuclear Materials Safety and Safeguards, telephone: 301–415–7116, email: Kristina.Banovac@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Obtaining Information and Submitting Comments
- II. Rulemaking Procedure
- III. Background
- IV. Plain Writing
- V. Availability of Documents

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0182 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–2024–0182. Address questions about NRC dockets to Helen Chang, telephone: 301–415–3228, email: Helen.Chang@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. For the convenience of the reader, instructions about obtaining materials referenced in

this document are provided in the “Availability of Documents” section.

- **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 or call 1–800–397–4209 or 301–415–4737, between 8 a.m. and 4 p.m. eastern time, 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–2024–0182 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. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the **Federal Register**. The direct final rule will become effective on April 21, 2025. However, if the NRC receives any significant adverse comment by March 6, 2025, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC will address the comments in a subsequent final rule. In general, absent significant modifications to the proposed revisions requiring republication, the NRC will not initiate

a second comment period on this action in the event the direct final rule is withdrawn.

A significant adverse comment is a comment where the commenter explains why the rule would be inappropriate, including challenges to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change. A comment is adverse and significant if:

(1) The comment opposes the rule and provides a reason sufficient to require a substantive response in a notice-and-comment process. For example, a substantive response is required when:

(a) The comment causes the NRC to reevaluate (or reconsider) its position or conduct additional analysis;

(b) The comment raises an issue serious enough to warrant a substantive response to clarify or complete the record; or

(c) The comment raises a relevant issue that was not previously addressed or considered by the NRC.

(2) The comment proposes a change or an addition to the rule, and it is apparent that the rule would be ineffective or unacceptable without incorporation of the change or addition.

(3) The comment causes the NRC to make a change (other than editorial) to the rule, CoC, or technical specifications.

For a more detailed discussion of the proposed rule changes and associated

analyses, see the direct final rule published in the Rules and Regulations section of this issue of the **Federal Register**.

III. Background

Section 218(a) of the Nuclear Waste Policy Act of 1982, as amended, requires that “[t]he Secretary [of the Department of Energy] shall establish a demonstration program, in cooperation with the private sector, for the dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the [Nuclear Regulatory] Commission may, by rule, approve for use at the sites of civilian nuclear power reactors without, to the maximum extent practicable, the need for additional site-specific approvals by the Commission.” Section 133 of the Nuclear Waste Policy Act states, in part, that “[t]he Commission shall, by rule, establish procedures for the licensing of any technology approved by the Commission under Section 219(a) [sic: 218(a)] for use at the site of any civilian nuclear power reactor.”

To implement this mandate, the Commission approved dry storage of spent nuclear fuel in NRC-approved casks under a general license by publishing a final rule that added a new subpart K in part 72 of title 10 of the *Code of Federal Regulations* (10 CFR)

entitled “General License for Storage of Spent Fuel at Power Reactor Sites” (55 FR 29181; July 18, 1990). This rule also established a new subpart L in 10 CFR part 72 entitled “Approval of Spent Fuel Storage Casks,” which contains procedures and criteria for obtaining NRC approval of spent fuel storage cask designs. The NRC subsequently issued a final rule on March 6, 2015 (80 FR 12073), as corrected (80 FR 15679; March 25, 2015), that approved the Holtec International HI-STORM UMAX Canister Storage System design and added it to the list of NRC-approved cask designs in § 72.214 as CoC No. 1040.

IV. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31885). The NRC requests comment on the proposed rule with respect to clarity and effectiveness of the language used.

V. Availability of Documents

The documents identified in the following table are available to interested persons as indicated.

Document	ADAMS accession No.
Proposed Certificate of Compliance and Technical Specifications Documents	
User Need Memo for Revision to Amendment Nos. 0, 1, and 2 of the Certificate of Compliance No. 1040 for the HI-STORM UMAX Canister Storage System.	ML24179A273
Preliminary Safety Evaluation Report for HI-STORM UMAX, CoC No. 1040, Revision to Amendment Nos. 0, 1, and 2	ML24179A263
Proposed CoC No. 1040, Amendment No. 0, Revision 1	ML24179A266
Proposed CoC No. 1040, Amendment No. 0, Revision 1, Appendix A	ML24179A264
Proposed CoC No. 1040, Amendment No. 0, Revision 1, Appendix B	ML24179A265
Proposed CoC No. 1040, Amendment No. 1, Revision 1	ML24179A269
Proposed CoC No. 1040, Amendment No. 1, Revision 1, Appendix A	ML24179A267
Proposed CoC No. 1040, Amendment No. 1, Revision 1, Appendix B	ML24179A268
Proposed CoC No. 1040, Amendment No. 2, Revision 1	ML24179A272
Proposed CoC No. 1040, Amendment No. 2, Revision 1, Appendix A	ML24179A270
Proposed CoC No. 1040, Amendment No. 2, Revision 1, Appendix B	ML24179A271
Holtec International, Inc. HI-STORM UMAX Canister Storage System Revision 1 to Amendment Nos. 0 through 2 Request Documents	
Letter, “Holtec International—Submittal of Application for Revision to HI-STORM UMAX CoC Amendments 0, 1, and 2,” dated May 5, 2023.	ML23125A237
Letter, “Holtec International, Submittal of RSI Responses for Revision to HI-STORM UMAX CoC Amendments 0, 1, and 2,” dated January 31, 2024.	ML24031A659
Letter, “Holtec International, Submittal of RSI Supplemental Information for Revision to HI-STORM UMAX CoC Amendments 0, 1, and 2,” dated March 4, 2024.	ML24072A501
Letter, “Supplement to Application for Revision to Amendment Nos. 0, 1, and 2 of Certificate of Compliance No. 1040 for HI-STORM UMAX,” dated June 26, 2024.	ML24178A111
Ameren Missouri letter to Holtec, “Attachment 8—General Licensee Letters Regarding Revisions,” dated March 1, 2023	ML23125A246
Ameren Missouri letter to Holtec, “Ameren Missouri’s Intent to Adopt Revision 1 to Amendment 0 of Certificate of Compliance No. 1040 as applicable to the ISFSI at the Callaway Plant Site,” dated June 6, 2024.	ML24178A113
Email Re: Supplement to Application for Revision to Amendment Nos. 0, 1, and 2 of CoC No. 1040 for HI-STORM UMAX, dated June 26, 2024.	ML24178A112

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–2024–0182. 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–2024–0182); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

Dated: January 16, 2025.

For the Nuclear Regulatory Commission.

Mirela Gavrilas,

Executive Director for Operations.

[FR Doc. 2025–02209 Filed 2–3–25; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 25

[Docket No. FAA–2024–2442; Notice No. 25–24–06–SC]

Special Conditions: Gulfstream Aerospace Corporation, Model GVII–G400 Airplane; Automatic Speed Protection for Design Dive Speed (Dive Speed Definition)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This action proposes special conditions for the Gulfstream Aerospace Corporation (Gulfstream) Model GVII–G400 airplane. This airplane will have a novel or unusual design feature when compared to the state of technology envisioned in the airworthiness standards for transport-category airplanes. This design feature is a high-speed protection system. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for this design feature. These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

DATES: Send comments on or before March 21, 2025.

ADDRESSES: Send comments identified by Docket No. FAA–2024–2442 using any of the following methods:

- *Federal eRegulations Portal:* Go to www.regulations.gov and follow the online instructions for sending your comments electronically.

- *Mail:* Send comments to Docket Operations, M–30, U.S. Department of Transportation (DOT), 1200 New Jersey Avenue SE, Room W12–140, West Building Ground Floor, Washington, DC 20590–0001.

- *Hand Delivery or Courier:* Take comments to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- *Fax:* Fax comments to Docket Operations at 202–493–2251.

Docket: Background documents or comments received may be read at www.regulations.gov at any time. Follow the online instructions for accessing the docket or go to Docket Operations in Room W12–140 of the West Building Ground Floor at 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Todd Martin, Airframe (P&S) Section, AIR–622, Technical Policy Branch, Policy and Standards Division, Aircraft Certification Service, Federal Aviation Administration, 2200 South 216th Street, Des Moines, WA 98198; telephone 206–231–3210; email todd.martin@faa.gov.

SUPPLEMENTARY INFORMATION:

Comments Invited

The FAA invites interested people to take part in this rulemaking by sending written comments, data, or views. The most helpful comments reference a specific portion of the proposed special conditions, explain the reason for any recommended change, and include supporting data.

The FAA will consider all comments received by the closing date for comments and will consider comments filed late if it is possible to do so without incurring delay. The FAA may change these special conditions based on the comments received.

Privacy

Except for Confidential Business Information (CBI) as described in the following paragraph, and other information as described in title 14, Code of Federal Regulations (14 CFR) 11.35, the FAA will post all comments received without change to www.regulations.gov, including any personal information you provide. The FAA will also post a report summarizing each substantive verbal contact received about these special conditions.

Confidential Business Information

Confidential Business Information (CBI) is commercial or financial information that is both customarily and actually treated as private by its owner. Under the Freedom of Information Act (FOIA) (5 U.S.C. 552), CBI is exempt from public disclosure. If your comments responsive to these special conditions contain commercial or financial information that is customarily treated as private, that you actually treat as private, and that is relevant or responsive to these special conditions, it is important that you clearly designate the submitted comments as CBI. Please mark each page of your submission containing CBI as “PROPIN.” The FAA will treat such marked submissions as confidential under the FOIA, and the indicated comments will not be placed in the public docket of these proposed special conditions. Send submissions containing CBI to the individual listed in the For Further Information Contact section above. Comments the FAA receives, which are not specifically designated as CBI, will be placed in the public docket for these proposed special conditions.

Background

On June 30, 2020, Gulfstream applied for an amendment to Type Certificate No. T00021AT to include the new Model GVII–G400 airplane. The Gulfstream Model GVII–G400 airplane, which is a derivative of the Model GVII–G500 airplane currently approved under Type Certificate No. T00021AT, is a twin-engine, transport-category, business jet, with a maximum seating for 19 passengers, and a maximum take-off weight of 73,500 pounds.

Type Certification Basis

Under the provisions of 14 CFR 21.101, Gulfstream must show that the Model GVII–G400 airplane meets the applicable provisions of the regulations listed in Type Certificate No. T00021AT, or the applicable regulations in effect on the date of application for the change, except for earlier amendments as agreed upon by the FAA.

If the Administrator finds that the applicable airworthiness regulations (e.g., 14 CFR part 25) do not contain adequate or appropriate safety standards for the Gulfstream Model GVII–G400 airplane because of a novel or unusual design feature, special conditions are prescribed under the provisions of § 21.16.

Special conditions are initially applicable to the model for which they are issued. Should the type certificate