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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 72

[NRC-2012-0052]

RIN 3150-AJ12

### List of Approved Spent Fuel Storage Casks: HI-STORM 100 Cask System; Amendment No. 9; Corrections

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final rule; correcting amendment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) published a document in the **Federal Register** (FR) on December 26, 2013, which corrected and delayed the effective date of a direct final rule published in the FR on December 6, 2013. The notice corrected several Agencywide Documents Access and Management System (ADAMS) accession numbers and delayed the effective date of the direct final rule from February 19, 2014, to March 11, 2014. The direct final rule amends the NRC's spent fuel storage regulations by revising the Holtec International HI-STORM 100 Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 9 to Certificate of Compliance (CoC) No. 1014. This action is necessary to provide notification that the NRC is amending its regulations by revising the Holtec HI-STORM 100 Cask System listing within the "List of Approved Spent Fuel Storage Casks" to correct the effective date of Amendment No. 9 to CoC No. 1014.

**DATES:** This rule is effective on April 14, 2014.

**ADDRESSES:** Please refer to Docket ID NRC-2012-0052 when contacting the NRC about the availability of information for this action. You may access publicly-available information

related to this action by any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0052. Address questions about NRC dockets to Carol Gallagher, telephone: 301-287-3422, email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **NRC's ADAMS:** You may access publicly available documents online in the NRC Library at: <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then 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).

- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Naïem S. Tanious, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-415-6103, email: [Naïem.Tanious@nrc.gov](mailto:Naïem.Tanious@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

#### I. Discussion

The NRC published a direct final rule in the **Federal Register** on December 6, 2013 (78 FR 73379), and companion proposed rule (78 FR 73456) which revised the Holtec International HI-STORM 100 Cask System listing within the "List of Approved Spent Fuel Storage Casks" to include Amendment No. 9 to CoC No. 1014. The direct final rule was to become effective February 19, 2014, unless significant adverse comments on the proposed rule were received by January 6, 2014. Subsequently, on December 26, 2013, the NRC published a correction to the direct final rule delaying the effective date to March 11, 2014 (78 FR 78165), and a correction to the companion proposed rule (78 FR 78285) extending the comment period to January 27, 2014. The December 26, 2013, correction was necessary to correct ADAMS accession

numbers listed in the December 6, 2013, direct final and proposed rules.

The December 26, 2013, document omitted the revised effective date of Amendment No. 9 of CoC No. 1014. This document corrects the effective date to March 11, 2014.

## II. Rulemaking Procedure

Because this amendment corrects an effective date of a direct final rule that was already noticed in the FR, the Commission finds that the notice and comment provisions of the Administrative Procedure Act are unnecessary and is exercising its authority under 5 U.S.C. 553(b)(3)(B) to publish this amendment as a final rule. This amendment does not require action by any person or entity regulated by the NRC. Also, the final rule does not change the substantive responsibilities of any person or entity regulated by the NRC.

#### List of Subjects in 10 CFR Part 72

Administrative practice and procedure, Criminal penalties, Manpower training programs, Nuclear materials, Occupational safety and health, Penalties, Radiation protection, Reporting and recordkeeping requirements, Security measures, Spent fuel, Whistleblowing.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; and 5 U.S.C. 552 and 553, 10 CFR part 72 is corrected by making the following correcting amendment.

### PART 72—LICENSING REQUIREMENTS FOR THE INDEPENDENT STORAGE OF SPENT NUCLEAR FUEL, HIGH-LEVEL RADIOACTIVE WASTE, AND REACTOR-RELATED GREATER THAN CLASS C WASTE

■ 1. The authority citation for part 72 continues to read as follows:

**Authority:** Atomic Energy Act secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2232, 2233, 2234, 2236, 2237, 2239, 2273, 2282, 2021); Energy Reorganization Act sec. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Protection Act sec. 102 (42 U.S.C. 4332); Nuclear Waste Policy Act secs. 131, 132, 133, 135, 137, 141, 148 (42 U.S.C. 10151, 10152, 10153, 10155, 10157, 10161, 10168);

Government Paperwork Elimination Act sec. 1704, (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. 109–58, 119 Stat. 788 (2005).

Section 72.44(g) also issued under Nuclear Waste Policy Act secs. 142(b) and 148(c)–(d) (42 U.S.C. 10162(b), 10168(c)–(d)). Section 72.46 also issued under Atomic Energy Act sec. 189 (42 U.S.C. 2239); Nuclear Waste Policy Act sec. 134 (42 U.S.C. 10154). Section 72.96(d) also issued under Nuclear Waste Policy Act sec. 145(g) (42 U.S.C. 10165(g)). Subpart J also issued under Nuclear Waste Policy Act secs. 117(a), 141(h) (42 U.S.C. 10137(a), 10161(h)). Subpart K also issued under Nuclear Waste Policy Act sec. 218(a) (42 U.S.C. 10198).

■ 2. In § 72.214, Certificate of Compliance 1014 is revised to read as follows:

**§ 72.214 List of approved spent fuel storage casks.**

\* \* \* \* \*

Certificate Number: 1014.

Initial Certificate Effective Date: May 31, 2000.

Amendment Number 1 Effective Date: July 15, 2002.

Amendment Number 2 Effective Date: June 7, 2005.

Amendment Number 3 Effective Date: May 29, 2007.

Amendment Number 4 Effective Date: January 8, 2008.

Amendment Number 5 Effective Date: July 14, 2008.

Amendment Number 6 Effective Date: August 17, 2009.

Amendment Number 7 Effective Date: December 28, 2009.

Amendment Number 8 Effective Date: May 2, 2012, as corrected on November 16, 2012 (ADAMS Accession No. ML12213A170).

Amendment Number 9 Effective Date: March 11, 2014.

SAR Submitted by: Holtec International.

SAR Title: Final Safety Analysis Report for the HI–STORM 100 Cask System.

Docket Number: 72–1014.

Certificate Expiration Date: May 31, 2020.

Model Number: HI–STORM 100.

\* \* \* \* \*

Dated at Rockville, Maryland, this 8th day of April, 2014.

For the Nuclear Regulatory Commission.

**Cindy K. Bladey,**

Chief, Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.

[FR Doc. 2014–08250 Filed 4–11–14; 8:45 am]

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## FEDERAL DEPOSIT INSURANCE CORPORATION

**12 CFR Parts 303, 308, 324, 327, 333, 337, 347, 349, 360, 362, 363, 364, 365, 390, and 391**

**RIN 3064–AD95**

### Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action, Standardized Approach for Risk-Weighted Assets, Market Discipline and Disclosure Requirements, Advanced Approaches Risk-Based Capital Rule, and Market Risk Capital Rule

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Final rule.

**SUMMARY:** The Federal Deposit Insurance Corporation (FDIC) is adopting as final an interim final rule that revised the risk-based and leverage capital requirements for FDIC-supervised institutions, with no substantive changes. This final rule is substantively identical to a joint final rule issued by the Office of the Comptroller of the Currency (OCC) and the Board of Governors of the Federal Reserve System (Federal Reserve) (together, with the FDIC, the agencies). The interim final rule became effective on January 1, 2014; however, the mandatory compliance date for FDIC-supervised institutions that are not subject to the advanced internal ratings-based approaches (advanced approaches) is January 1, 2015.

**DATES:** *Effective date:* April 14, 2014. *Mandatory compliance date:* January 1, 2014 for advanced approaches FDIC-supervised institutions; January 1, 2015 for all other FDIC-supervised institutions.

#### FOR FURTHER INFORMATION CONTACT:

Bobby R. Bean, Associate Director, [bbean@fdic.gov](mailto:bbean@fdic.gov); Ryan Billingsley, Chief, Capital Policy Section, [rbillingsley@fdic.gov](mailto:rbillingsley@fdic.gov); Karl Reitz, Chief, Capital Markets Strategies Section, [kreitz@fdic.gov](mailto:kreitz@fdic.gov); David Riley, Senior Policy Analyst, [dariley@fdic.gov](mailto:dariley@fdic.gov); Benedetto Bosco, Capital Markets Policy Analyst, [bbosco@fdic.gov](mailto:bbosco@fdic.gov), [regulatorycapital@fdic.gov](mailto:regulatorycapital@fdic.gov), Capital Markets Branch, Division of Risk Management Supervision, (202) 898–6888; or Mark Handzlik, Counsel, [mhandzlik@fdic.gov](mailto:mhandzlik@fdic.gov); Michael Phillips, Counsel, [mphillips@fdic.gov](mailto:mphillips@fdic.gov); Greg Feder, Counsel, [gfeder@fdic.gov](mailto:gfeder@fdic.gov); or Rachel Ackmann, Senior Attorney, [rackmann@fdic.gov](mailto:rackmann@fdic.gov), Supervision Branch, Legal Division,

Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

On August 30, 2012, the agencies published in the **Federal Register** three joint notices of proposed rulemaking seeking public comment on revisions to their risk-based and leverage capital requirements and the methodologies for calculating risk-weighted assets under the standardized and advanced approaches (each, a proposal, and together, the notices of proposed rulemaking (NPRs), the proposed rules, or the proposals).<sup>1</sup> The proposed rules, in part, reflected revisions to international capital standards adopted by the Basel Committee on Banking Supervision (BCBS) and described in, *Basel III: A Global Regulatory Framework for More Resilient Banks and Banking Systems* (Basel III), as well as subsequent changes to the Basel III framework and recent BCBS consultative papers.<sup>2</sup> The proposals also included certain provisions that are required under, or maintain consistency with, the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).<sup>3</sup> After considering the public comments received on the NPRs, on September 10, 2013, the FDIC issued the three proposals as a consolidated interim final rule (Basel III interim final rule).<sup>4</sup>

Concurrent with the adoption of the Basel III interim final rule, the agencies issued a related joint notice of proposed rulemaking that would adopt enhanced supplementary leverage ratio standards for large, interconnected U.S. banking organizations and their insured depository institution subsidiaries (enhanced supplementary leverage ratio NPR).<sup>5</sup> The Basel III interim final rule sought comments on the interaction between the Basel III interim final rule

<sup>1</sup> 77 FR 52792 (August 30, 2012); 77 FR 52888 (August 30, 2012); 77 FR 52978 (August 30, 2012).

<sup>2</sup> Basel III was published in December 2010 and revised in June 2011. The text is available at <http://www.bis.org/publ/bcbs189.htm>. The BCBS is a committee of banking supervisory authorities, which was established by the central bank governors of the G–10 countries in 1975. More information regarding the BCBS and its membership is available at <http://www.bis.org/bcbs/about.htm>. Documents issued by the BCBS are available through the Bank for International Settlements Web site at <http://www.bis.org>.

<sup>3</sup> Public Law 111–203, 124 Stat. 1376, 1435–38 (2010).

<sup>4</sup> 78 FR 55340 (Sept. 10, 2013). The OCC and the Federal Reserve issued the three proposals as a consolidated final rule that was substantively identical to the FDIC's Basel III interim final rule (78 FR 62018 (Oct. 11, 2013)).

<sup>5</sup> 78 FR 51101 (Aug. 20, 2013).