

price do not result in significant changes in the quantity demanded. Consumer prices largely do not reflect fluctuations in cherry supplies. Therefore, this proposal should have little or no effect on consumer prices and should not result in a reduction in retail sales.

The free and restricted percentages established by this proposal would provide the market with optimum supply and would apply uniformly to all regulated handlers in the industry, regardless of size. As the restriction represents a percentage of a handler's volume, the costs, when applicable, are proportionate and should not place an extra burden on small entities as compared to large entities.

The stabilizing effects of this proposal would benefit all handlers by helping them maintain and expand markets, despite seasonal supply fluctuations. Likewise, price stability positively impacts all growers and handlers by allowing them to better anticipate the revenues their tart cherries would generate. Growers and handlers, regardless of size, would benefit from the stabilizing effects of the volume restriction.

As noted earlier, the Board discussed several carry-out inventory alternatives, ranging from 70 million pounds to 100 million pounds. The Board noted if the carry-out number was too large, it could have a negative impact on grower returns, and if it was too small, it could negatively impact the supply processors need before the harvest next season. After consideration of the alternatives, the Board recommended a carry-out of 85 million pounds.

The Board also weighed alternatives when discussing the economic adjustment. At its June meeting, the Board did not recommend making an economic adjustment after considering alternatives that included making no economic adjustment or an economic adjustment of 26 million pounds. However, in September, the Board revisited the issue and after discussion, and considering the impact of purchases by the USDA on available supply, recommended an economic adjustment of 30 million pounds. Additionally, the Board met again on December 14, 2023, and unanimously recommended adding another 3.24 million pounds to the economic adjustment to reflect the additional production volume.

Given the concerns with regulation expressed by Board members and industry members in attendance, the Board also considered recommending no volume regulation. However, after considering the larger than expected harvest and the carry-in inventory

adding to the available supply, the industry recommended a six percent restriction to the 2023–24 crop. Thus, the alternatives were rejected.

The Board's meetings were 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 June, September, and December meetings were public meetings and all entities, both large and small, were able to express views on this issue. Finally, interested persons are invited to submit comments on this proposed rule, including the regulatory 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 OMB and assigned OMB No. 0581–0177, Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin. No changes are necessary in those requirements as a result of this action. Should any changes become necessary, they would be submitted to OMB for approval.

This proposed rule would 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 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.

AMS has not identified any relevant Federal rules that duplicate, overlap or conflict with this proposed rule.

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, USDA has determined that this proposed rule is

consistent with and would effectuate the purposes of the Act.

A 30-day comment period is provided to allow interested persons to comment on this proposed rule. All written comments timely received will be considered before a final determination is made on this matter.

List of Subjects in 7 CFR Part 930

Cherries, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Agriculture Marketing Services proposes to amend 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. Revise § 930.256 and its heading title to read as follows:

§ 930.256 Free and restricted percentages for the 2023–24 crop year.

The percentages for tart cherries handled by handlers during the crop year beginning on July 1, 2023, which shall be free and restricted, respectively, are designated as follows: Free percentage, 94 percent and restricted percentage, 6 percent.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2024–08149 Filed 4–18–24; 8:45 am]

BILLING CODE P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2023–0220]

RIN 3150–AL05

List of Approved Spent Fuel Storage Casks: FuelSolutions™ Spent Fuel Management System, Certificate of Compliance No. 1026, Renewal of Initial Certificate and Amendment Nos. 1 Through 4

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its spent fuel regulations by

revising the Westinghouse Electric Company LLC FuelSolutions™ Spent Fuel Management System listing within the “List of approved spent fuel storage casks” to renew the initial certificate and Amendment Nos. 1 through 4 to Certificate of Compliance No. 1026. The renewal of the initial certificate of compliance and Amendment Nos. 1 through 4 for 40 years would revise the certificate’s conditions and technical specifications to address aging management activities related to the structures, systems, and components important to safety of the dry storage system to ensure that these will maintain their intended functions during the period of extended storage operations.

DATES: Submit comments by May 20, 2024. 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–2023–0220, at <https://www.regulations.gov>. If your material cannot be submitted using <https://www.regulations.gov>, call or email the individuals 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-2023-0220>. 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 Material Safety and Safeguards, telephone: 301–415–0016, email: george.tartal@nrc.gov and Yen-Ju Chen, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–1018, email: yen-ju.chen@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–2023–0220 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–2023–0220. Address questions about NRC dockets to Dawn Forder, telephone: 301–415–3407, email: Dawn.Forder@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, 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

Please include Docket ID NRC–2023–0220 in your comment submission. The NRC requests that you submit comments through the Federal rulemaking website 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.

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 July 3, 2024. However, if the NRC receives any significant adverse comment by May 20, 2024, 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, certificate of compliance, or technical specifications (TS).

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 January 16, 2001 (66 FR 3444), that approved the FuelSolutions™ Spent Fuel Management System design and added it to the list of NRC-approved cask designs in § 72.214 as Certificate of Compliance No.1026.

On August 28, 2007 (72 FR 49352), the NRC amended the scope of the general licenses issued under 10 CFR 72.210 to include the storage of spent fuel in an independent spent fuel storage installations (ISFSI) at power reactor sites to persons authorized to possess or operate nuclear power reactors under 10 CFR part 52. On February 16, 2011 (76 FR 8872), the NRC amended subparts K and L in 10 CFR part 72, to extend and clarify the term limits for certificates of compliance and revised the conditions for spent fuel storage cask renewals, including adding

requirements for the safety analysis report to include time-limited aging analyses and a description of aging management programs. The NRC also clarified the terminology used in the regulations to use “renewal” rather than “reapproval” to better reflect that extending the term of a currently approved cask design is based on the cask design standards in effect at the time the certificate of compliance was approved rather than current standards.

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./web link/ Federal Register Citation |
|---|--|
| Proposed Certificate of Compliance | |
| Proposed Certificate of Compliance No. 1026, Renewed Amendment No. 0 | ML22354A265. |
| Proposed Certificate of Compliance No. 1026, Renewed Amendment No. 1 | ML22354A269. |
| Proposed Certificate of Compliance No. 1026, Renewed Amendment No. 2 | ML22354A273. |
| Proposed Certificate of Compliance No. 1026, Renewed Amendment No. 3 | ML22354A277. |
| Proposed Certificate of Compliance No. 1026, Renewed Amendment No. 4 | ML22354A281. |
| Preliminary Safety Evaluation Report for Renewed Certificate of Compliance No. 1026, Amendments Nos. 0–4. | ML22354A285. |
| Preliminary Safety Evaluation Report | |
| Preliminary Safety Evaluation Report for Renewed Certificate of Compliance No. 1026, Amendments Nos. 0–4. | ML22354A266 (Word, draft, non-public). |
| Proposed Technical Specifications | |
| Proposed Technical Specifications Appendix A for Certificate of Compliance No. 1026, Renewed Amendment No. 0. | ML22354A266. |
| Proposed Technical Specifications Appendix B for Certificate of Compliance No. 1026, Renewed Amendment No. 0. | ML22354A267. |
| Proposed Technical Specifications Appendix C for Certificate of Compliance No. 1026, Renewed Amendment No. 0. | ML22354A268. |
| Proposed Technical Specifications Appendix A for Certificate of Compliance No. 1026, Renewed Amendment No. 1. | ML22354A270. |
| Proposed Technical Specifications Appendix B for Certificate of Compliance No. 1026, Renewed Amendment No. 1. | ML22354A271. |
| Proposed Technical Specifications Appendix C for Certificate of Compliance No. 1026, Renewed Amendment No. 1. | ML22354A272. |
| Proposed Technical Specifications Appendix A for Certificate of Compliance No. 1026, Renewed Amendment No. 2. | ML22354A274. |
| Proposed Technical Specifications Appendix B for Certificate of Compliance No. 1026, Renewed Amendment No. 2. | ML22354A275. |
| Proposed Technical Specifications Appendix C for Certificate of Compliance No. 1026, Renewed Amendment No. 2. | ML22354A276. |
| Proposed Technical Specifications Appendix A for Certificate of Compliance No. 1026, Renewed Amendment No. 3. | ML22354A278. |

| Document | Adams Accession No./web link/ Federal Register Citation |
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| Proposed Technical Specifications Appendix B for Certificate of Compliance No. 1026, Renewed Amendment No. 3. | ML22354A279. |
| Proposed Technical Specifications Appendix C for Certificate of Compliance No. 1026, Renewed Amendment No. 3. | ML22354A280. |
| Proposed Technical Specifications Appendix A for Certificate of Compliance No. 1026, Renewed Amendment No. 4. | ML22354A282. |
| Proposed Technical Specifications Appendix B for Certificate of Compliance No. 1026, Renewed Amendment No. 4. | ML22354A283. |
| Proposed Technical Specifications Appendix C for Certificate of Compliance No. 1026, Renewed Amendment No. 4. | ML22354A284. |
| Environmental Documents | |
| “Environmental Assessment and Findings of No Significant Impact for the Final Rule Amending 10 CFR Part 72 License and Certificate of Compliance Terms.” (2010). | ML100710441. |
| Generic Environmental Impact Statement for Continued Storage of Spent Nuclear Fuel: Final Report (NUREG–2157, Volumes 1 and 2) (2014). | ML14198A440 (package). |
| Westinghouse Electric Company LLC FuelSolutions™ Spent Fuel Management System Renewal Application Documents | |
| Westinghouse Electric Company LLC “Submittal of FuelSolutions™ Spent Fuel Management System Certificate of Compliance (CoC) Renewal Application.” Westinghouse letter LTR–NRC–20–64. (November 6, 2020). | ML20315A012 (package). |
| Westinghouse Electric Company LLC “Reponses to Requests for Supplemental Information for the Application for the FuelSolutions™ Spent Fuel Management System Certificate of Compliance (CoC) Renewal Application.” Westinghouse letter LTR–NRC–21–14 Revision 0. (March 30, 2021). | ML21090A201 (package). |
| Westinghouse Electric Company LLC “Submittal of FuelSolutions™ Spent Fuel Management System Certificate of Compliance (CoC) Renewal Application.” Westinghouse letter LTR–NRC–22–27. (June 30, 2022). | ML22186A053 (package). |
| Westinghouse Electric Company LLC “Submittal of Supplemental Response to NRC RAI A–RCS1.” Westinghouse letter LTR–NRC–22–38. (September 13, 2022). | ML22256A285 (package). |
| Other Documents | |
| “Standard Review Plan for Renewal of Specific Licenses and Certificates of Compliance for Dry Storage of Spent Nuclear Fuel.” NUREG–1927, Revision 1. Washington, DC. (June 2016). | ML16179A148. |
| “Managing Aging Processes in Storage (MAPS) Report.” Final Report. NUREG–2214. Washington, DC. (July 2019). | ML19214A111. |
| “General License for Storage of Spent Fuel at Power Reactor Sites.” (July 18, 1990) | 55 FR 29181. |
| “List of Approved Spent Fuel Storage Casks: FuelSolutions Addition.” (January 16, 2001) | 66 FR 3444. |
| “License and Certificate of Compliance Terms.” (February 16, 2011) | 76 FR 8872. |
| “Agreement State Program Policy Statement; Correction.” (October 18, 2017) | 82 FR 48535. |
| Nuclear Energy Institute NEI 14–03, Revision 2, “Format, Content and Implementation Guidance for Dry Cask Storage Operations-Based Aging Management.” (December 2016). | ML16356A210. |
| Regulatory Guide 3.76, Revision 0, “Implementation of Aging Management Requirements for Spent Fuel Storage Renewals.” (July 2021). | ML21098A022. |
| “Licenses, Certifications, and Approvals for Nuclear Power Plants.” (August 28, 2007) | 72 FR 49352. |
| Presidential Memorandum, “Plain Language in Government Writing.” (June 10, 1998) | 63 FR 31885. |

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–2023–0220. 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–2023–0220); (2) click the “Subscribe” link; and (3) enter an email address and click on the “Subscribe” link.

Dated: April 8, 2024.

For the Nuclear Regulatory Commission.

Raymond Furstenau,

Acting Executive Director for Operations.

[FR Doc. 2024–08389 Filed 4–18–24; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 53

[REG–142338–07]

RIN 1545–BI33

Taxes on Taxable Distributions From Donor Advised Funds Under Section 4966; Hearing

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking; notice of hearing.

SUMMARY: This document provides a notice of public hearing on proposed regulations regarding excise taxes on

taxable distributions made by a sponsoring organization from a donor advised fund (DAF), and on the agreement of certain fund managers to the making of such distributions.

DATES: The public hearing on these proposed regulations has been scheduled for Monday, May 6, 2024, at 10:00 a.m. ET and Tuesday, May 7, 2024, at 10:00 a.m. ET.

ADDRESSES: On Monday, May 6, 2024, the public hearing will be held in the Auditorium, at the Internal Revenue Service Building, 1111 Constitution Avenue NW, Washington, DC. Due to security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present a valid photo identification to enter the building. Because of access restrictions,