

**§ 22.3 Proposed codification.**

Any part of a proposed rule document that contains the full text of a proposed regulation must conform to part 21 of this subchapter, except for § 21.30.

■ 17. Add part 23 to read as follows:

**PART 23—PREPARATION OF NOTICES AND REGULATORY NOTICES**

Sec.

23.1 Exception to required document headings.

23.2 Authority citation.

**Authority:** 44 U.S.C. 1506; sec. 6, E.O. 10530, 19 FR 2709; 3 CFR, 1954–1958 Comp., p. 189.

**§ 23.1 Exception to required document headings.**

Documents are not required to have numerical references to the title and parts of the CFR affected.

**§ 23.2 Authority citation.**

The authority under which an agency issues a notice must be cited in narrative form within text or in parentheses on a separate line following text.

■ 18. Add part 24 to read as follows:

**PART 24—HANDLING OF THE UNITED STATES GOVERNMENT MANUAL STATEMENTS**

Sec.

24.1 Liaison officers.

24.2 Preparation of agency statements.

24.3 Information about an organization.

24.4 Description of program activities.

24.5 Sources of information.

24.6 Form, style, arrangement and apportionment of space.

24.7 Deadline dates.

**Authority:** 44 U.S.C. 1506; sec. 6, E.O. 10530, 19 FR 2709; 3 CFR, 1954–1958 Comp., p. 189.

**§ 24.1 Liaison officers.**

(a) Each of the following must appoint an officer to maintain liaison with the OFR on matters relating to *The United States Government Manual*:

(1) Agencies of the legislative and judicial branches.

(2) Executive agencies that do not have a liaison officer designated under § 16.1 of this chapter or who wish to appoint a liaison officer for *Manual* matters other than the one designated under such § 16.1.

(3) Quasi-official agencies represented in the *Manual*.

(4) Any other agency that the Director believes should be included in the *Manual*.

(b) Each liaison officer will ensure agency compliance with part 9 of this chapter, and this part.

**§ 24.2 Preparation of agency statements.**

In accordance with schedules established under § 24.7 of this part, each agency must submit an official draft of the information required by § 9.2 of this chapter and this part.

**§ 24.3 Information about an organization.**

(a) Information about lines of authority and organization may be reflected in a chart if the chart clearly delineates the agency's organizational structure.

(b) Listings of heads of operating units should be arranged whenever possible to reflect relationships between units.

(c) Narrative descriptions of organizational structure or hierarchy that duplicate information conveyed by charts or by lists of officials will not be published in the *Manual*.

**§ 24.4 Description of program activities.**

(a) Descriptions should clearly state the public purposes that the agency serves, and the programs that carry out those purposes.

(b) Descriptions of the responsibilities of individuals or of administrative units common to most agencies will not be accepted for publication in the *Manual*.

**§ 24.5 Sources of information.**

Each agency statement should include pertinent sources of information useful to the public, covering areas such as employment, consumer activities, contracts, services to small business, and other topics of public interest. These sources of information must plainly identify the places where the public may obtain information or make submittals or requests.

**§ 24.6 Form, style, arrangement, and apportionment of space.**

(a) The Director determines the form, style, arrangement, and space apportionment of agency statements and other materials included in the *Manual*.

(b) Agencies must use the U.S. Government Printing Office Style Manual to determine style.

**§ 24.7 Deadline dates.**

Agencies must promptly notify the Director of major organizational changes and comply with periodic deadlines set by the OFR for agency statements, charts, and other materials to be included in the *Manual*. Failure to do so may result in publication of an outdated statement or the omission of important material.

By Order of the Committee.

**Charles A. Barth,**

*Secretary, Administrative Committee of the Federal Register.*

[FR Doc. 2014–25520 Filed 10–27–14; 8:45 am]

**BILLING CODE 1505–02–P**

**NUCLEAR REGULATORY COMMISSION****10 CFR Part 37**

[Docket No. PRM–37–1; NRC–2014–0172]

**Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; notice of docketing and request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received a petition for rulemaking from Anthony R. Pietrangelo on behalf of the Nuclear Energy Institute (NEI or the petitioner) dated June 12, 2014, requesting that the NRC amend its regulations to “remove unnecessary and burdensome requirements on licensees with established physical security programs.” The petition was docketed by the NRC on July 17, 2014, and has been assigned Docket No. PRM–37–1. The NRC is requesting public comments on this petition for rulemaking.

**DATES:** Submit comments by January 12, 2015. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods:

- Federal rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC–2014–0172. 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.

- *Email comments to:* [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov). If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

- *Fax comments to:* Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

- *Mail comments to:* Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

- *Hand deliver comments to:* 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

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:** Merri L. Horn, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-7000, email: [Merri.Horn@nrc.gov](mailto:Merri.Horn@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Obtaining Information and Submitting Comments**

*A. Obtaining Information*

Please refer to Docket ID NRC-2014-0172 when contacting the NRC about the availability of information for this petition for rulemaking. You may obtain publicly-available information related to this petition by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2014-0172.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection 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). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

*B. Submitting Comments*

Please include Docket ID NRC-2014-0172 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

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 <http://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 submissions into ADAMS.

**II. The Petitioner**

The petition states that “NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues.” The petition further states that “NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, nuclear material licensees, and other organizations and individuals involved in the nuclear energy industry. NEI asserts that it is responsible for coordinating the combined efforts of licensed facilities on matters involving generic NRC regulatory policy issues and generic operational and technical regulatory issues.”

**III. The Petition**

Anthony R. Pietrangelo, Senior Vice President and Chief Nuclear Officer, NEI, submitted a PRM dated June 12, 2014 (ADAMS Accession No. ML14199A570), requesting that the NRC amend its regulations regarding “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material.” The NRC has determined that the petition meets the threshold sufficiency requirements for a petition for rulemaking under § 2.802 of Title 10 of the *Code of Federal Regulations* (10 CFR), “Petition for rulemaking,” and the petition has been docketed as PRM-37-1. The NRC is requesting public comment on the petition for rulemaking.

**IV. Discussion of the Petition**

The NRC's regulations at 10 CFR part 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,” require licensees that possess Category 1 and Category 2 quantities of radioactive material to secure and protect the materials from theft or diversion. Part 37 contains a provision, 10 CFR 37.11, which provides for “Specific Exemptions.”

The provision in 10 CFR 37.11(b), states that “[a]ny licensee's NRC-licensed activities are exempt from the requirements of subpart B [‘Background Investigations and Access Authorization Program’] and subpart C [‘Physical Protection Requirements During Use’] of this part to the extent that its activities are included in a security plan required by part 73 of this chapter.” The provision in 10 CFR 37.11(c) allows for certain waste material to be subject to a different set of requirements as outlined in 10 CFR 37.11(c)(1)–(4).

The petitioner is requesting that the rule be amended to clarify and expand the exemptions in 10 CFR 37.11 in several ways. First, the petitioner is requesting that the exemptions provide for a more direct recognition of the extent to which facilities with robust 10 CFR part 73 security programs already meet the objectives set forth in part 37 and inherently protect byproduct material. Additionally, the petitioner requests NRC codify certain provisions contained in an Enforcement Guidance Memorandum (EGM) “Interim Guidance for Dispositioning 10 CFR Part 37 Violations with Respect to Large Components and Robust Structures Containing Category 1 or Category 2 Quantities of Material at Power Reactor Facilities Licensed Under 10 CFR Parts 50 and 52” issued by the NRC on March 13, 2014 (ML14056A151).

Specifically, the proposed amendments to part 37 would include adding definitions to 10 CFR 37.5 for *Large Component* and *Robust Structure*. The petitioner also proposes amendments to 10 CFR 37.11(b) that the petitioner claims will remove “undue regulatory burden on licensees by recognizing the extent to which facilities with robust 10 CFR Part 73 security programs already meet the objectives set forth in Part 37 and inherently protect byproduct material.” The petitioner further recommends revisions to 10 CFR 37.11(c) that the petitioner claims would help “to improve its clarity, provide greater regulatory certainty, and ensure licensees implement Part 37 consistent with NRC's intent and expressed regulatory guidance.” Moreover, the petitioner recommends adding a new paragraph, 10 CFR 37.11(d), to codify key elements of the EGM. Specifically, the proposed 10 CFR 37.11(d) would exempt large components and material stored in robust structures from part 37's requirements.

Dated at Rockville, Maryland, this 21st day of October 2014.

For the Nuclear Regulatory Commission.

**Richard J. Laufer,**

*Acting Secretary of the Commission.*

[FR Doc. 2014-25540 Filed 10-27-14; 8:45 am]

BILLING CODE 7590-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2014-0746; Airspace  
Docket No. 14-AGL-2]

#### Proposed Establishment of Class E Airspace; Cando, ND

**AGENCY:** Federal Aviation  
Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking  
(NPRM).

**SUMMARY:** This action proposes to establish Class E airspace at Cando, ND. Controlled airspace is necessary to accommodate new Standard Instrument Approach Procedures (SIAPs) at Cando Municipal Airport. The FAA is taking this action to enhance the safety and management of Instrument Flight Rules (IFR) operations for SIAPs at the airport.

**DATES:** Comments must be received on or before December 12, 2014.

**ADDRESSES:** Send comments on this proposal to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001. You must identify the docket number FAA-2014-0746/Airspace Docket No. 14-AGL-2, at the beginning of your comments. You may also submit comments through the Internet at <http://www.regulations.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5527), is on the ground floor of the building at the above address.

**FOR FURTHER INFORMATION CONTACT:** Rebecca Shelby, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76137; telephone: 817-321-7740.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire.

Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify both docket numbers and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2014-0746/Airspace Docket No. 14-AGL-2." The postcard will be date/time stamped and returned to the commenter.

##### Availability of NPRMs

An electronic copy of this document may be downloaded through the Internet at <http://www.regulations.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at [http://www.faa.gov/airports\\_airtraffic/air\\_traffic/publications/airspace\\_amendments/](http://www.faa.gov/airports_airtraffic/air_traffic/publications/airspace_amendments/).

You may review the public docket containing the proposal, any comments received and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Central Service Center, 2601 Meacham Blvd., Fort Worth, TX 76137.

Persons interested in being placed on a mailing list for future NPRMs should contact the FAA's Office of Rulemaking (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

##### The Proposal

This action proposes to amend Title 14, Code of Federal Regulations (14 CFR), Part 71 by establishing Class E airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Cando Municipal Airport, Cando, ND, to accommodate new standard instrument approach procedures. Controlled airspace is needed for the safety and management of IFR operations at the airport.

Class E airspace areas are published in Paragraph 6005 of FAA Order 7400.9Y, dated August 6, 2014 and

effective September 15, 2014, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the U.S. Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it would establish controlled airspace at Cando Municipal Airport, Cando, ND.

##### Environmental Review

This proposal will be subject to an environmental analysis in accordance with FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures" prior to any FAA final regulatory action.

##### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

##### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows: