

advance or may borrow money from a commercial lending institution for such purposes.

(f) *Termination.* Any money collected from assessments hereunder and remaining unexpended in the possession of the Board upon termination of this part shall be distributed in such manner as the Secretary may direct.

■ 19. Revise § 984.72 to read as follows:

§ 984.72 Reports of walnuts handled.

Each handler who handles walnuts, inshell or shelled, at any time during a marketing year shall submit to the Board in such form and at such intervals as the Board may prescribe, reports showing the quantity so handled and such other information pertinent thereto as the Board may specify.

■ 20. Revise § 984.77 to read as follows:

§ 984.77 Verification of reports.

For the purpose of verifying and checking reports filed by handlers or the operations of handlers, the Secretary and the Board through its duly authorized representatives shall have access to any premises where walnuts and walnut records are held. Such access shall be available at any time during reasonable business hours. Authorized representatives shall be permitted to inspect any walnuts held and any and all records of the handler with respect to matters within the purview of this part. Each handler shall maintain complete records on the receiving, holding, and disposition of both inshell and shelled walnuts. Each handler shall furnish all labor necessary to facilitate such inspections at no expense to the Board or the Secretary. Each handler shall store all walnuts held by him or her in such manner as to facilitate inspection and shall maintain adequate storage records, which will permit accurate identification of respective lots and of all such walnuts held or disposed of theretofore. The Board, with the approval of the Secretary, may establish any methods and procedures needed to verify reports.

§ 984.89 [Amended]

■ 21. Amend § 984.89 in paragraph (b)(4) by removing the term “fiscal period” and adding in its place the term “marketing year”.

■ 22. Revise § 984.347 to read as follows:

§ 984.347 Assessment rate.

On and after September 1, 2023, an assessment rate shall be fixed at \$0.0125 per inshell pound of California walnuts.

§ 984.450 [Removed and Reserved]

■ 23. Amend § 984.450 by lifting the stay of May 7, 2020, on paragraphs (a) and (b) and removing and reserving the section.

§ 984.451 [Removed and Reserved]

■ 24. Amend § 984.451 by lifting the stay of May 7, 2020, on paragraph (c) and removing and reserving the section.

§ 984.452 [Removed and Reserved]

■ 25. Remove and reserve § 984.452.

§ 984.456 [Removed and Reserved]

■ 26. Amend § 984.456 by lifting the stay of May 7, 2020, and removing and reserving the section.

§ 984.459 [Amended]

■ 27. Amend § 984.459 by removing and reserving paragraph (a)(3).

§ 984.464 [Removed and Reserved]

■ 28. Amend § 984.464 by lifting the stay of May 7, 2020, on paragraph (a) and removing and reserving the section.

■ 29. Revise § 984.472 to read as follows:

§ 984.472 Reports of walnuts, received, shipped, and committed.

(a) Reports of walnuts shipped during a month shall be submitted to the Board on California Walnut Board (CWB) Form No. 6 not later than the 5th day of the following month. Such reports shall include all shipments during the preceding month and shall show for inshell and shelled walnuts: the quantity shipped; whether they were shipped into domestic or export channels; and for exports, the quantity by country of destination. If a handler makes no shipments during any month, he/she shall submit a report marked “None.” If a handler has completed his/her shipments for the season, he/she shall mark the report “Completed,” and he/she shall not be required to submit any additional CWB Form No. 6 reports during the remainder of that marketing year.

(b) Reports of walnuts purchased directly from growers by handlers who are manufacturers or retailers shall be submitted to the Board on CWB Form No. 6, not later than the 5th day of the month following the month in which the walnuts were purchased. Such reports shall show the quantity of walnuts purchased.

(c) Reports of walnuts on which handlers have made purchase commitments with buyers during the month, but which have not yet been shipped, shall be submitted to the Board on CWB Form No. 6, not later than the

5th day of the month following the month in which the walnuts were committed. Such reports shall show the quantity of walnuts committed in either inshell or shelled pounds. If the handler made no commitments during any month, he/she shall mark “None” in the “Purchase Commitments” section of CWB Form No. 6.

■ 30. Revise § 984.476 to read as follows:

§ 984.476 Report of walnut receipts produced outside California or the United States.

Each handler who receives walnuts from outside California or the United States shall file with the Board, on CWB Form No. 7, a report of the receipt of such walnuts. The report shall be filed as follows: On or before December 5 for such walnuts received during the period September 1 to November 30; on or before March 5 for such walnuts received during the period December 1 to February 28 (February 29 in a leap year); on or before June 5 for such walnuts received during the period March 1 to May 31; and on or before September 5 for such walnuts received during the period June 1 to August 31. The report shall include the quantity of such walnuts received, the country of origin for such walnuts, and whether such walnuts are inshell or shelled.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2023–17753 Filed 8–18–23; 8:45 am]

BILLING CODE P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50, 52 and 100

[NRC–2021–0133]

Regulatory Guide: Use of ARCON Methodology for Calculation of Accident-Related Offsite Atmospheric Dispersion Factors

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a new Regulatory Guide (RG) 1.249 (Revision 0), “Use of ARCON Methodology for Calculation of Accident-Related Offsite Atmospheric Dispersion Factors.” This new RG describes an approach for reactor applicants and licensees for determining atmospheric relative concentration (χ/Q) values in support of modeling onsite releases to offsite

boundaries from a design-basis accident. Also, this RG implements the methodology in RG 1.194, “Atmospheric Relative Concentrations for Control Room Radiological Habitability Assessments at Nuclear Power Plants,” for offsite dose locations at boundaries.

DATES: Revision 0 to RG 1.249 is available on August 21, 2023.

ADDRESSES: Please refer to Docket ID NRC–2021–0133 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2021–0133. Address questions about Dockets IDs in *Regulations.gov* to Stacy Schumann; telephone: 301–415–0624; email: Stacy.Schumann@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, at 301–415–4737, or by email to PDR.Resource@nrc.gov.

- *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 (ET), Monday through Friday, except Federal holidays.

Revision 0 to RG 1.249 and the regulatory analysis may be found in ADAMS under Accession Nos. ML22024A241 and ML21165A007, respectively.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT:

Kevin Quinlan, Office of Nuclear Reactor Regulation, telephone: 301–415–6809, email: Kevin.Quinlan@nrc.gov, or Jason White, Office of Nuclear Reactor Regulation, telephone: 301–415–3212, email: Jason.White@nrc.gov, or Harriet Karagiannis, Office of Nuclear Regulatory Research, telephone: 301–415–2493, email:

Harriet.Karagiannis@nrc.gov. All are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a new guide in the NRC’s “Regulatory Guide” series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.

For clarification, Revision 0 of RG 1.249 was issued for public comment with a temporary identification of draft Regulatory Guide (DG), DG–4030, to RG 4.28, titled, “Use of ARCON Methodology for Calculation of Accident-Related Offsite Atmospheric Dispersion Factors.” After further consideration of the applicability of this RG, the staff decided that it is more suitable to be listed under the RGs of Division 1, titled, “Power Reactors.” As a result, the RG number was changed to RG 1.249 using the same RG title, instead of being listed under Division 4, titled, “Environmental and Siting,” as RG 4.28. The content of the RG did not change due to it being issued under Division 1 instead of Division 4.

II. Additional Information

The NRC published a notice of the availability of DG–4030 (ADAMS Accession No. ML21165A005), in the **Federal Register** on August 17, 2021 (86 FR 46024), for a 30-day public comment period. The public comment period closed on September 16, 2021. The staff received 5 comment submissions and a total of 30 public comments. Public comments on DG–4030 and the staff responses to the public comments are available in ADAMS under Accession No. ML22024A245.

This new RG provides guidance to industry for complying with and implementing the NRC requirements by endorsing the use of the ARCON computer code to calculate offsite dispersion values out to distances of 1,200 m (3937 ft) that could include the exclusion area boundary and/or low-population zone.

RG 1.194 (ADAMS Accession No. ML031530505) endorses the use of the ARCON96 computer code for calculating accident-related onsite (control room and technical support center) atmospheric dispersion values which are direct inputs to habitability

dose assessments. In addition, RG 1.145 (ADAMS Accession No. ML12216A014) provides the present methodology incorporated into the PAVAN computer code, as reviewed by the staff using NUREG–0800 at <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/index.html> (ADAMS Accession No. ML070810350), Standard Review Plan (SRP) Section 2.3.4 for calculating accident-related related, offsite atmospheric dispersion values.

RG 1.249 will provide new guidance for applicants and licensees subject to part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), “Domestic Licensing of Production and Utilization Facilities”; 10 CFR part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants”; and 10 CFR part 100, “Reactor site criteria.”

As noted in the **Federal Register** on December 9, 2022 (87 FR 75671), this document is being published in the “Rules” section of the **Federal Register** to comply with publication requirements under 1 CFR chapter I.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Backfitting, Forward Fitting, and Issue Finality

Issuance of RG 1.249, Revision 0, does not constitute backfitting as that term is defined in 10 CFR 50.109, “Backfitting” and as described in NRC Management Directive (MD) 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests” (ADAMS Accession No. ML18093B087); constitute forward fitting as that term is defined and described in MD 8.4; or affect issue finality of any approval issued under 10 CFR part 52. As explained in RG 1.249, applicants and licensees are not required to comply with the positions set forth in this regulatory guide.

V. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC’s public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements to the “Regulatory Guide” series.

Dated: August 16, 2023.

For the Nuclear Regulatory Commission.

Michael A. Eudy,

Acting Chief, Regulatory Guide and Programs Management Branch, Division of Engineering, Office of Nuclear Regulatory Research.

[FR Doc. 2023-17908 Filed 8-18-23; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 50, 52 and 100

[NRC-2020-0076]

Regulatory Guide: Volcanic Hazards Assessment for Proposed Nuclear Power Reactor Sites

AGENCY: Nuclear Regulatory Commission.

ACTION: Final guide; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 1 to Regulatory Guide (RG) 4.26 “Volcanic Hazards Assessment for Proposed Nuclear Power Reactor Sites,” to restore text and a Section heading inadvertently omitted from Section C, “Staff Regulatory Guidance,” of Revision 0. The restored text appeared in the draft guide released for public comment. In addition, there is a minor update of the Paperwork Reduction Act text in the RG. The changes do not represent substantive changes in the NRC staff’s regulatory positions.

DATES: Revision 1 to RG 4.26 is available on August 21, 2023.

ADDRESSES: Please refer to Docket ID NRC-2020-0076 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- **Federal Rulemaking website:** Go to <https://www.regulations.gov> and search for Docket ID NRC-2020-0076. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@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, at 301-415-4737, or by email to

PDR.Resource@nrc.gov. Revision 1 to RG 4.26 “Volcanic Hazards Assessment for Proposed Nuclear Power Reactor Sites,” is available in ADAMS under Accession No. ML23167A078.

- **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 (ET), Monday through Friday, except Federal holidays.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

FOR FURTHER INFORMATION CONTACT:

Jenise Thompson, Office of Nuclear Reactor Regulation, telephone: 301-415-0381, email: Jenise.Thompson@nrc.gov and Edward O’Donnell, Office of Nuclear Regulatory Research, telephone: 301-415-3317, email:

Edward.ODonnell@nrc.gov. Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Discussion

The NRC is issuing a revision to an existing guide in the NRC’s “Regulatory Guide” series. This series was developed to describe methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, to explain techniques that the staff uses in evaluating specific issues or postulated events, and to describe information that the staff needs in its review of applications for permits and licenses.

The NRC typically seeks public comment on a draft version of a RG by announcing its availability for comment in the **Federal Register**. However, as explained in NRC’s Management Directive 6.6 “Regulatory Guides,” (ADAMS Accession No. ML22010A233) the NRC may directly issue a final RG without a draft version or public comment period if the changes to the RG are non-substantive.

The NRC is issuing Revision 1 of RG 4.26 directly as a final RG because the changes between Revision 1 and Revision 0 are non-substantive. The NRC issued Revision 0 of RG 4.26 in June 2021 (86 FR 34057) to provide guidance for facilitating the NRC staff’s review of volcanic hazards assessments performed by applicants to support the siting of new nuclear power reactors. Recently it was noted that there was an administrative error in omission of text and a subheading of the guidance in

Section C “Staff Regulatory Guidance.” Also, in the discussion of Step 4: “Evaluate Eruption Potential and/or Hazard Potential,” two paragraphs and two bullet points discussing model support are missing as well as the subheading for the following section, Step 5: “Develop Risk Insights,” despite their inclusion in the draft guide released for public comment (ADAMS Accession No. ML20007D621) and a subsequent draft revised in light of public comments that was presented to NRC’s Advisory Committee on Reactor Safeguards for review in spring 2021 (ADAMS Accession No. ML20022A214). In addition, there is an update of the contact information in Paperwork Reduction Act text in the RG.

As noted in the **Federal Register** on December 9, 2022 (87 FR 75671), this document is being published in the “Rules” section of the **Federal Register** to comply with publication requirements under 1 CFR chapter I.

II. Backfitting, Forwarding, and Issue Finality

Issuance of RG 4.26, Revision 1, does not constitute backfitting as defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), (the Backfit Rule), and is not otherwise inconsistent with the issue finality provisions in 10 CFR part 52. The changes in Revision 1 of RG 4.26 are limited to editorial changes to improve clarity and the correction of a title. These changes do not fall within the kinds of agency actions that constitute backfitting or are subject to limitations in the issue finality provisions of part 52. Accordingly, the NRC did not address the Backfit Rule or issue finality provisions of part 52.

III. Congressional Review Act

This RG is a rule as defined in the Congressional Review Act (5 U.S.C. 801-808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

IV. Submitting Suggestions for Improvement of Regulatory Guides

A member of the public may, at any time, submit suggestions to the NRC for improvement of existing RGs or for the development of new RGs. Suggestions can be submitted on the NRC’s public website at <https://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements to the “Regulatory Guide” series.

Dated: August 15, 2023.