

Department. For all appeals, the appeal must be granted and the case heard and decided by the HIO or the violator must begin serving the penalty within 60 days of the date of the violation. The HIO must submit to the Department all decisions on penalty appeals within 30 days of the completion of the appeal. When a penalty is overturned on appeal, the HIO must also submit evidence composing the record of the HIO's decision on the appeal.

(f) *Departmental prosecution.* The Department retains the authority to initiate enforcement proceedings with respect to any violation of the Act, including violations for which penalties are assessed in accordance with this section, and to impose the penalties authorized by the Act if the Department determines that such actions are necessary to fulfill the purpose of the Act and this part. In addition, the Department reserves the right to inform the Attorney General of any violation of the Act or of this part, including violations for which penalties are assessed in accordance with this section.

Done in Washington, DC, this 31st day of May 2012.

**Kevin Shea,**

*Acting Administrator, Animal and Plant Health Inspection Service.*

[FR Doc. 2012-13759 Filed 6-6-12; 8:45 am]

BILLING CODE 3410-34-P

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 26

[Docket No. PRM-26-7; NRC-2011-0220]

#### Certification of Substance Abuse Experts

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; consideration in the rulemaking process.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) will consider in the rulemaking process the issues raised in the petition for rulemaking (PRM), PRM-26-7, submitted by the American Academy of Health Care Providers in the Addictive Disorders (the Academy or the petitioner). The petitioner requested that the NRC amend its regulations to include the Academy as one of the organizations authorized to certify a substance abuse expert. The NRC determined that the issues raised in the PRM are appropriate for consideration

and will consider them in the ongoing Title 10 of the *Code of Federal Regulations* (10 CFR) Part 26 Technical Issues rulemaking.

**DATES:** The docket for the petition for rulemaking, PRM-26-7, is closed on June 7, 2012.

**ADDRESSES:** Further NRC action on the issues raised by this petition will be accessible on the Federal rulemaking Web site, <http://www.regulations.gov>, by searching on Docket ID NRC-2012-0079, which is the rulemaking docket for the 10 CFR part 26 Technical Issues rulemaking.

You can access publicly available documents related to the petition, which the NRC possesses and are publicly available, using the following methods:

- *Federal Rulemaking Web Site:* Supporting materials related to this petition can be found at <http://www.regulations.gov> by searching on the Docket IDs for PRM-26-7 or the 10 CFR part 26 Technical Issues rulemaking, NRC-2011-0220 and NRC-2012-0079, respectively. Address questions about NRC dockets to Carol Gallagher, telephone: 301-492-3668, email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).
- *NRC's Public Document Room (PDR):* You may examine and purchase copies of public documents at the NRC's PDR, O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.
- *NRC's Agencywide Documents Access and Management System (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, contact the NRC's 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 notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

**FOR FURTHER INFORMATION CONTACT:** Paul Harris, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-1169; email: [Paul.Harris@nrc.gov](mailto:Paul.Harris@nrc.gov); or Scott C. Sloan, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-1619; email: [Scott.Sloan@nrc.gov](mailto:Scott.Sloan@nrc.gov).

**SUPPLEMENTARY INFORMATION:** On October 5, 2011 (76 FR 61625), the NRC published a notice of receipt (76 FR

61625) for PRM-26-7. The petitioner requested the NRC to amend its regulations under 10 CFR 26.187(b)(5) to include the Academy as one of the organizations authorized to certify a substance abuse expert.

The NRC received one comment during the public comment period (ADAMS Accession No. ML11341A064), which closed on December 19, 2011. The commenter, a student pursuing a master's degree in social work, provided a statement in support of the Academy's request to amend the NRC's regulations. The commenter stated that by "amending the NRC's regulations to include the Academy as an authorized organization to certify substance abuse experts, more individuals can become qualified to provide addiction counseling. This would hopefully reduce the number of under qualified care providers and ensure that the clients are receiving the highest level of care."

The NRC determined that the issues raised in PRM-26-7 are appropriate for consideration and will address them in the ongoing 10 CFR part 26 Technical Issues rulemaking. Docket No. PRM-26-7 is closed.

Dated at Rockville, Maryland, this 17th day of May 2012.

For the Nuclear Regulatory Commission.

**R.W. Borchardt,**

*Executive Director for Operations.*

[FR Doc. 2012-13807 Filed 6-6-12; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2011-0719; Directorate Identifier 2010-NM-087-AD; Amendment 39-17074; AD 2012-11-11]

RIN 2120-AA64

#### Airworthiness Directives; The Boeing Company Airplanes

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

**ACTION:** Final rule.

**SUMMARY:** We are superseding an existing airworthiness directive (AD) for certain The Boeing Company Model 767-200, -300, and -400ER series airplanes. That AD currently requires replacing the separation link assembly on the applicable entry and service doors with an improved separation link assembly, and doing related investigative and corrective actions if necessary. This new AD adds an