

72 be revised to require: a 1,000 year design life goal for spent nuclear storage systems; estimates for the operating costs over the design life; determination of the safety margins over the design life; and time limited aging analyses demonstrating that structures, systems, and components important to safety will continue to perform for the design life. The petition may be found in ADAMS at Accession No. ML18022B207.

#### IV. Discussion of the Petition

The petitioners request that the NRC amend its regulations in 10 CFR part 72 “regarding spent nuclear fuel.” The petitioners believe that “the actual situation has now changed, while the NRC regulations have not changed sufficiently to respect the current reality” of ongoing storage at nuclear plants and that the NRC should use a “Hardened, Extended-life, Local, Monitored Surface Storage” (HELMS) type of approach as further described in a white paper submitted with the petition (ADAMS Accession No. ML18022B213).

The petitioners contend that there is a timeframe difference between that of the useful life of an operating commercial nuclear plant and the storage of SNF at those nuclear plants indefinitely. The petitioners further contend that the “license term and renewal periods for the facility operating license and CoC are defined to be (up to) 40 years, and the design life is only implied as perhaps several multiples of the licensing period.” The petitioners’ position is “that the design life should be explicitly defined as the initial 1,000 years.”

The HELMS approach would require that SNF containers be designed for a 1,000-year life goal “while still allowing a 40-year license term.” The petitioners provided a specific proposal for the HELMS approach to assist their description; however, the petitioners emphasized “that the HELMS proposal does not rely on the adoption of this specific proposal as long as the extended-life criterion is satisfied.” The petitioners stated that the 1,000-year design life goal “is likely NOT feasible without some monitoring and replacing part of the system on regular intervals.”

#### V. Request Under § 2.206 Seeking Enforcement Action

The petitioners also request enforcement action under § 2.206 of the NRC’s regulations. The petitioners assert a violation of § 72.106, regarding the controlled area of an ISFSI or monitored retrievable storage installation, and ask for enforcement-related action, as appropriate; however, the petitioners

have not provided information to support this charge. The NRC considered the request for review to determine whether the claim qualifies for enforcement-related action. The petitioners’ claim does not constitute a valid request for action under § 2.206. The petitioners do not specify the action requested but leave it up to the NRC to determine (based on the limited information provided on page 10 of the petition) whether enforcement is warranted of a licensee’s ISFSI or monitored retrievable storage installation. Although the petitioners allege that a licensee has violated the requirement, the petition does not provide the facts that constitute the basis for taking enforcement action. Therefore, the petitioners’ claim does not meet the requirements for § 2.206 enforcement action.

Dated at Rockville, Maryland, this 16th day of March, 2018.

For the Nuclear Regulatory Commission.

**Annette L. Vietti-Cook,**  
*Secretary of the Commission.*

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## BUREAU OF CONSUMER FINANCIAL PROTECTION

### 12 CFR Part 1081

[Docket No. CFPB–2018–0002]

#### Request for Information Regarding Bureau Rules of Practice for Adjudication Proceedings

**AGENCY:** Bureau of Consumer Financial Protection.

**ACTION:** Request for information; extension of comment period.

**SUMMARY:** On February 5, 2018, the Bureau of Consumer Financial Protection (Bureau) published a Request for Information Regarding Bureau Rules of Practice for Adjudication Proceedings (RFI), which provided that comments must be received on or before April 6, 2018. On February 22, 2018, the Bureau received a letter from two industry trade associations requesting a 30-day comment period extension for this RFI and for two other Bureau Requests for Information. The additional time is requested in order to allow commenters to develop meaningful responses to the RFI and the other identified Requests for Information. The Bureau believes the extension will allow all stakeholders the opportunity to provide more robust responses. In response to this request, the Bureau has determined that a 30 day

extension of the comment period is appropriate.

**DATES:** The comment period for the Request for Information Regarding Bureau Rules of Practice for Adjudication Proceedings, published February 5, 2018, at 83 FR 5055 has been extended. Comments must now be received on or before May 7, 2018.

**ADDRESSES:** You may submit responsive information and other comments, identified by Docket No. CFPB–2018–0002, by any of the following methods:

- *Electronic:* Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* [FederalRegisterComments@cfpb.gov](mailto:FederalRegisterComments@cfpb.gov). Include Docket No. CFPB–2018–0002 in the subject line of the message.

- *Mail:* Comment Intake, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.
- *Hand Delivery/Courier:* Comment Intake, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

*Instructions:* The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Please note the number of the topic on which you are commenting at the top of each response (you do not need to address all topics). Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <http://www.regulations.gov>. In addition, comments will be available for public inspection and copying at 1700 G Street NW, Washington, DC 20552, on official business days between the hours of 10 a.m. and 5 p.m. eastern time. You can make an appointment to inspect the documents by telephoning 202–435–7275.

All submissions in response to this request for information, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

**FOR FURTHER INFORMATION CONTACT:** Mark Samburg, Counsel, at 202–435–9710. If you require this document in an alternative electronic format, please contact [CFPB\\_Accessibility@cfpb.gov](mailto:CFPB_Accessibility@cfpb.gov).

**SUPPLEMENTARY INFORMATION:** The Consumer Financial Protection Act of

2010 (Act) required the Bureau to prescribe rules establishing such procedures as may be necessary to carry out hearings and adjudications conducted pursuant to 12 U.S.C. 5563. 12 U.S.C. 5563(e). On July 28, 2011, the Bureau published an interim final rule seeking comment and prescribing rules establishing such hearings and procedures, with the exception of rules relating to the issuance of a temporary cease-and-desist order (TCDO) pursuant to section 1053(c) of the Act. 76 FR 45338 (July 28, 2011). The Bureau responded to comments received and published a final rule on June 29, 2012. 77 FR 39058 (June 29, 2012). This rule was codified at 12 CFR part 1081, subparts A–D. The Bureau published an interim final rule seeking comment and prescribing rules on TCDOs on September 26, 2013. 78 FR 59163 (Sept. 26, 2013). The Bureau received a single comment on this rule. Following consideration of the comment, the Bureau adopted the interim final rule without change on June 18, 2014. 79 FR 34622 (June 18, 2014). This rule was codified at 12 CFR part 1081, subpart E. Collectively, the rules codified at 12 CFR part 1081 are titled “Rules of Practice for Adjudication Proceedings” (Rules). The Bureau issued a Request for Information (RFI) related to the Rules on February 5, 2018, 83 FR 5055, and now extends the period for comments responding to that RFI.

**Authority:** 12 U.S.C. 5511(c).

Dated: March 16, 2018.

**Mick Mulvaney,**

*Acting Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2018–05780 Filed 3–21–18; 8:45 am]

**BILLING CODE 4810-AM-P**

## SMALL BUSINESS ADMINISTRATION

### 13 CFR Part 121

**RIN 3245-AG16**

#### **Small Business Size Standards; Alternative Size Standard for 7(a), 504, and Disaster Loan Programs**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Advance notice of proposed rulemaking.

**SUMMARY:** SBA is seeking public input to assist in establishing a permanent alternative size standard for its 7(a) and 504 Loan Programs. SBA also invites suggestions on sources of relevant data and information that SBA should evaluate in developing a permanent alternative size standard and assessing

its impact. Finally, SBA also seeks input from interested parties on a potential proposal to apply the permanent alternative size standard as an alternative to using industry based size standards for small business applicants under its Economic Injury Disaster Loan (“EIDL”) Program.

**DATES:** SBA must receive comments to this ANPRM on or before May 21, 2018.

**ADDRESSES:** You may submit comments, identified by RIN 3245-AG16 by one of the following methods: (1) Federal eRulemaking Portal:

*www.regulations.gov*, following the instructions for submitting comments; or (2) Mail/Hand Delivery/Courier: Khem R. Sharma, Ph.D., Chief, Office of Size Standards, 409 Third Street SW, Mail Code 6530, Washington, DC 20416.

SBA will post all comments to this ANPRM on *www.regulations.gov*. If you wish to submit confidential business information (CBI) as defined in the User Notice at *www.regulations.gov*, you must submit such information either by mail to the U.S. Small Business Administration, Khem R. Sharma, Ph.D., Chief, Office of Size Standards, 409 Third Street SW, Mail Code 6530, Washington, DC 20416, or by email to *sizestandards@sba.gov*. Highlight the information that you consider to be CBI and explain why you believe SBA should hold this information as confidential. SBA will review your information and determine whether it will make the information public. Requests to redact or remove posted comments cannot be honored and the request to redact/remove posted comments will be posted as a new comment.

**FOR FURTHER INFORMATION CONTACT:**

Khem R. Sharma, Office of Size Standards, by phone at (202) 205-7189 or by email at *sizestandards@sba.gov*.

**SUPPLEMENTARY INFORMATION:** SBA establishes small business size definitions, commonly known as “size standards,” for private sector industries in the United States to determine eligibility for Federal small business assistance programs, including the SBA’s 7(a) and 504 Loan Programs (“Business Loan Programs”). These size standards are established by 6-digit North American Industry Classification System (NAICS) industry, typically based either on average annual receipts or on average number of employees. SBA uses financial assets and refining capacity to measure the size of a few specialized industries. See, 13 CFR part 121, Small Business Size Regulations.

On September 27, 2010, the Small Business Jobs Act of 2010 (“Jobs Act”) was enacted (Pub. L. 111-240). Section

1116 of the Jobs Act added a new Section 3(a)(5) to the Small Business Act that directed SBA to establish an alternative size standard using maximum tangible net worth and average net income for applicants of the SBA’s Business Loan Programs. The Jobs Act also established for applicants for the SBA’s Business Loan Programs a temporary alternative size standard of not more than \$15 million in tangible net worth and of not more than \$5 million in the average net income after Federal income taxes (excluding any carry-over losses) of the applicant for the 2 full fiscal years before the date of the application (referred to as “Interim Rule”), and it provided that this temporary statutory alternative size standard would remain in effect until such time as SBA established a new alternative size standard for the Business Loan Programs through rulemaking. 15 U.S.C. 632(a)(5). Prior to that, SBA had a lower permanent regulatory alternative size standard that applied to the 504 Loan Program, and temporarily applied, for the period beginning on May 5, 2009 and ending on September 30, 2010, to the 7(a) Loan Program. 13 CFR 120.301(b)(2).

On September 29, 2010, SBA issued Information Notice 5000-1175 (available at [https://www.sba.gov/sites/default/files/files/bank\\_5000-1175\\_0.pdf](https://www.sba.gov/sites/default/files/files/bank_5000-1175_0.pdf)) providing that, effective September 27, 2010, the new statutory temporary alternative size standard applied to its Business Loan Programs, thereby replacing and superseding the lower existing alternative size standard of \$8.5 million in tangible net worth and \$3 million in average net income, set forth in 13 CFR 121.301(b)(2). The Information Notice further stated that the new statutory alternative size standard would remain in effect until such time as SBA established a permanent alternative size standard for the Business Loan Programs through rulemaking. The Information Notice also stated that SBA’s disaster loan program, surety bond guarantee program, small business investment company program, and small business development and contracting programs, as well as other federal programs utilizing SBA’s industry based size standards were not affected by the temporary statutory alternative size standard, and the current standards for those programs in 13 CFR part 121 remained in effect.

Because of the difficulty of obtaining relevant data, SBA has not yet established a new permanent tangible net worth and net income based alternative size standard for its Business Loan Programs, so the Agency continues to use the temporary statutory