

committee that is made up of growers and/or handlers that work collectively to solve industry problems. After considering the alternative, the Committee concluded that regulating the handling of cranberries under the Order is no longer necessary to ensure orderly marketing of cranberries. The costs associated with the administration of the Order outweigh the benefits, and that termination of the Order would not have a negative impact on industry.

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. 0581-0189 Fruit Crops. After finalizing termination, AMS will extract the remaining cranberry marketing order-related forms from the forms package during the next three-year renewal process. OMB's three-year expiration date for the package containing cranberry marketing order forms is January 31, 2027.

This rule effectuates the removal of reporting and recordkeeping requirements on cranberry handlers, both small and large. 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. In addition, AMS has not identified any relevant Federal rules that duplicate, overlap or conflict with this rulemaking.

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.

The producer referendum was well publicized in the production area, and referendum ballots were provided to all known producers. As such, producers of U.S. cranberries had an opportunity to indicate their continued support for the Order.

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.

A proposed rule inviting comments on the termination of the Order was published in the **Federal Register** on December 7, 2023 (88 FR 85130). A 60-day comment period was provided to allow interested persons an opportunity to respond to the proposed termination

of the Order. In addition, AMS published on its website and distributed to industry stakeholders a notice to trade announcing the proposed termination of the Order. Five total comments were received. One comment supported the termination, and one comment was not relevant to the proposal. Three non-substantive comments opposed the termination of the Order, expressing the program is a value to small businesses. Producers of both large and small businesses were provided the opportunity to show support for the Order during the continuance referendum. Further, producers who voted in the referendum elected to terminate the Order indicating the costs associated with the administration of the Order outweigh the benefits and, therefore, the Order is no longer meeting the needs of the industry. Those producers also believe that terminating the Order will not have a negative impact on the industry. Accordingly, after reviewing and considering all comments received during the comment period, the Secretary determined that termination of the Order was appropriate. All the comments may be viewed at <https://www.regulations.gov>.

Based on the foregoing, and pursuant to section 608c(16)(A) of the Act and § 929.69 of the Order, it is hereby found that Federal Marketing Order No. 929 regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York does not tend to effectuate the declared policy of the Act and is therefore terminated.

Following termination, trustees will be appointed to conclude and liquidate the Committee affairs and will continue in that capacity until discharged by the Secretary. In addition, pursuant to 608c(16)(A) of the Act, USDA is required to notify Congress 60 days in advance of termination. Congress was so notified on April 11, 2024.

List of Subjects

7 CFR Part 926

Cranberries, Reporting and recordkeeping requirements.

7 CFR Part 929

Acreage allotments, Cranberries, Marketing agreements, Reporting and recordkeeping requirements.

PARTS 926 AND 929—[REMOVED]

■ For the reasons set forth in the preamble, and under the authority of 7 U.S.C. 601-674, the Agricultural

Marketing Service amends title 7, chapter IX of the Code of Federal Regulations by removing parts 926 and 929.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2024-15246 Filed 7-11-24; 8:45 am]

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 932

[Doc. No. AMS-SC-23-0087]

Olives Grown in California; Decreased Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This action decreases the assessment rate established for the 2024 fiscal year and subsequent fiscal years for California olives as recommended by the California Olive Committee. The assessment rate will remain in effect indefinitely unless modified, suspended, or terminated.

DATES: Effective August 12, 2024.

FOR FURTHER INFORMATION CONTACT:

Jeremy Sasselli, Marketing Specialist, or Barry Broadbent, Chief, West Region Branch, Market Development Division, Specialty Crops Program, AMS, USDA; Telephone: (559) 487-5901, or Email: Jeremy.Sasselli@usda.gov or Barry.Broadbent@usda.gov.

Small businesses may request information on complying with this regulation by contacting Richard Lower, Market Development Division, Specialty Crops Program, AMS, USDA, 1400 Independence Avenue SW, STOP 0237, Washington, DC 20250-0237; Telephone: (202) 720-8085, or Email: Richard.Lower@usda.gov.

SUPPLEMENTARY INFORMATION: This action, pursuant to 5 U.S.C. 553, amends regulations issued to carry out a marketing order as defined in 7 CFR 900.2(j). This rule is issued under Marketing Agreement No. 148 and Order No. 932, both as amended (7 CFR part 932), regulating the handling of olives grown in California. Part 932 (referred to as the "Order") is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "Act." The Committee locally administers the Order and is comprised of producers and handlers of olives operating within the area of production.

The Agricultural Marketing Service (AMS) is issuing this rule in conformance with Executive Orders 12866, 13563, and 14094. Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. Executive Order 14094 directs agencies to conduct proactive outreach to engage interested and affected parties through a variety of means, such as through field offices, and alternative platforms and media. This action falls within a category of regulatory actions that the Office of Management and Budget (OMB) exempted from Executive Order 12866 review.

This rule has been reviewed under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, which requires agencies to consider whether their rulemaking actions will have Tribal implications. AMS has determined that this rule is unlikely to have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.

This rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have retroactive effect. Under the Order now in effect, California olive handlers are subject to assessments. Funds to administer the Order are derived from such assessments. It is intended that the assessment rate this rule establishes will be applicable to all assessable olives beginning on January 1, 2024, and continue until amended, suspended, or terminated.

The Act provides that administrative proceedings must be exhausted before parties may file suit in court. Under section 608c(15)(A) of the Act, any handler subject to an order may file with the U.S. Department of Agriculture (USDA) a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with law and requesting a modification of the order or to be exempted therefrom. Such handler is afforded the opportunity for a hearing on the petition. After the hearing, USDA would rule on the

petition. The Act provides that the district court of the United States in any district in which the handler is an inhabitant, or has his or her principal place of business, has jurisdiction to review USDA's ruling on the petition, provided an action is filed not later than 20 days after the date of the entry of the ruling.

Section 932.38 of the Order authorizes the Committee, with the approval of AMS, to formulate an annual budget of expenses and collect assessments from handlers to administer the program. The members are familiar with the Committee's needs and with the costs of goods and services in their local area and are thus able to formulate an appropriate budget and assessment rate. The assessment rate is formulated and discussed in a public meeting. Thus, all directly affected persons have an opportunity to participate and provide input.

This rule decreases the assessment rate from \$35 per ton of assessed olives, the rate that was established for the 2023 fiscal year and subsequent fiscal years, to \$28 per ton of assessed olives for the 2024 fiscal year and subsequent fiscal years. The lower rate is the result of the significantly higher crop size in 2023 (fruit that is marketed over the course of the 2024 fiscal year), and the need to maintain the Committee's financial reserve at a responsible level.

The Committee met on December 12, 2023, and unanimously recommended 2024 expenditures of \$1,100,151 and an assessment rate of \$28 per ton of assessed olives. In comparison, last year's budgeted expenditures were \$1,154,412. The assessment rate of \$28 set for the remainder of the 2024 fiscal year and subsequent fiscal years is \$7 lower than the rate established for the 2023 fiscal year. Producer receipts show total production of approximately 34,000 tons of olives from the 2023 crop year that will be assessable during the 2024 fiscal year. This amount is substantially higher than the quantity of olives that was harvested in 2022.

Olives harvested in 2023 will be marketed over the course of the 2024 fiscal year, which begins on January 1, 2024, as the harvested olives are stored in brining tanks and processed over the subsequent year. At the \$28 per ton assessment rate, the estimated 34,000 tons of assessable olives from the 2023 crop are expected to generate \$952,000 in assessment revenue over the 2024 fiscal year. The balance of funds needed to cover budgeted expenditures will come from interest income and the Committee's financial reserve. The 2024 fiscal year assessment rate decrease is appropriate to ensure the Committee has

sufficient revenue to fund the recommended 2024 fiscal year budgeted expenditures while also ensuring that funds in the reserve do not exceed approximately one fiscal year's expenses, the maximum reserve amount permitted by § 932.40.

The Order has a fiscal year and a crop year that are independent of each other. The crop year is a 12-month period that begins on August 1 of each year and ends on July 31 of the following year. The fiscal year is the 12-month period that begins on January 1 and ends on December 31 of each year. Olives are an alternate-bearing crop, with a small crop (2022) followed by a large crop (2023). For this assessment rate rule, the Committee utilized the estimated 2023 crop year receipts to determine the recommended assessment rate for the 2024 fiscal year.

The major expenditures recommended by the Committee for the 2024 fiscal year include \$350,250 for program administration, \$164,650 for export programs, \$197,500 for marketing activities, \$302,751 for research, and \$85,000 for inspection. Budgeted expenses for these items during the 2023 fiscal year were \$399,700, \$148,000, \$193,000, \$325,712, and \$88,000, respectively.

The assessment rate recommended by the Committee resulted from consideration of anticipated fiscal year expenses, estimated olive tonnage received by handlers during the 2023 crop year, and the amount in the Committee's financial reserve. Income derived from handler assessments and other revenue sources is expected to be adequate to cover budgeted expenses. The assessment rate established in this rule will continue in effect indefinitely unless modified, suspended, or terminated by AMS upon recommendation and information submitted by the Committee or other available information.

Although this assessment rate will be in effect for an indefinite period, the Committee will continue to meet prior to or during each fiscal year to recommend a budget of expenses and consider recommendations for modification of the assessment rate. The dates and times of Committee meetings are available from the Committee or AMS. Committee meetings are open to the public and interested persons may express their views at these meetings. AMS will evaluate Committee recommendations and other available information to determine whether modification of the assessment rate is needed. Further rulemaking would be undertaken as necessary. The Committee's budget for subsequent

fiscal years will be reviewed and, as appropriate, approved by AMS.

Final Regulatory Flexibility Analysis

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA) (5 U.S.C. 601–612), AMS has considered the economic impact of this rule on small entities. Accordingly, AMS has prepared this final regulatory flexibility analysis.

The purpose of the RFA is to fit regulatory actions to the scale of businesses subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and the rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf.

There are approximately 800 producers of olives in the production area and 2 handlers subject to regulation under the Order. Small agricultural producers are defined by the Small Business Administration (SBA) as those having annual receipts equal to or less than \$3.5 million (NAICS code 111339, Other Noncitrus Fruit Farming) and small agricultural service firms are defined as those whose annual receipts are equal to or less than \$34.0 million (NAICS code 115114, Postharvest Crop Activities) (13 CFR 121.201).

Because of the large year-to-year variation in California olive production, it is helpful to use a two-year average of the seasonal average producer price when undertaking calculations relating to average producer revenue. The National Agricultural Statistics Service (NASS) reported season average producer prices of olives utilized for canning for 2021 and 2022 of \$851 and \$913 per ton, respectively, with a two-year average price of \$882. NASS had not reported the 2023 season average producer price at the time this rule was published.

The appropriate quantities to consider are the annual assessable olive quantities, which were 43,336 tons in 2021 and 19,912 tons in 2022, with the two-year average production being 31,624 tons. Multiplying 31,624 tons by the two-year average producer price of \$882 yields a two-year average crop value of \$27,892,368. Dividing the crop value by the number of olive producers (800) yields calculated annual average producer revenue of \$34,865, much less than SBA's size standard of \$3.5 million. Thus, the majority of olive producers may be classified as small entities.

Dividing the \$27,892,368 average crop value by 2 (the number of handlers)

equals \$13,946,184, which is the annual average producer crop value processed by each of the 2 handlers over the two-year period. Dividing the \$34.0 million annual sales SBA size threshold for a large handler by the \$13,946,184 crop value per handler yields an estimate of a 125 percent manufacturing margin for the 2 handlers, on average, to be considered large handlers. A key question is whether 125 percent is a reasonable estimate of a manufacturing margin for the olive canning process.

A review of economic literature on canned food manufacturing margins found no recent published estimates. A series of Economic Research Service reports on cost components of farm to retail price spreads, published in the late 1970s and early 1980s, found that margins above crop value for a canned vegetable product were in the range of 76 to 85 percent. Although the studies are not recent, canning technology has not changed significantly since that time. Therefore, with the 125 percent margin estimate for the 2 olive handlers, the data indicates that they could be on the threshold of being large handlers (\$34.0 million in annual sales), using two-year average data, and assuming that the 2 handlers are about the same size. In a large crop year, one or both handlers could be considered large handlers, depending on the proportion of the crop that each of the handlers processed.

This action decreases the assessment rate collected from handlers for the 2024 fiscal year and subsequent fiscal years from \$35 to \$28 per ton of assessable olives. The Committee unanimously recommended 2024 expenditures of \$1,100,151 and an assessment rate of \$28 per ton. The recommended assessment rate of \$28 is \$7 lower than the 2023 assessment rate. The quantity of assessable olives harvested in the 2023 crop year is estimated to be 34,000 tons, compared to 19,912 tons in 2022. Olives are an alternate-bearing crop, with a small crop (2022) followed by a large crop (2023). Income derived from the \$28 per ton assessment rate, along with interest income and funds from the authorized reserve, should be adequate to meet the 2024 fiscal year's budgeted expenditures.

The major expenditures recommended by the Committee for the 2024 fiscal year include \$350,250 for program administration, \$164,650 for export programs, \$197,500 for marketing activities, \$302,751 for research, and \$85,000 for inspection. Budgeted expenses for these items during the 2023 fiscal year were \$399,700, \$148,000, \$193,000, \$325,712, and \$88,000, respectively.

The Committee deliberated on many of the expenses, weighed the relative value of various programs or projects, and decreased their expenses for inspection and research activities while increasing marketing activities. Overall, the 2024 budget of \$1,100,151 is \$54,261 less than the \$1,154,412 budgeted for the 2023 fiscal year.

Prior to arriving at this budget and assessment rate, the Committee considered information from various sources including the Committee's Executive, Marketing, Inspection, and Research Subcommittees. Alternate expenditure levels were discussed by these groups, based upon the relative value of various projects to the olive industry and the increased olive production. The assessment rate of \$28 per ton of assessable olives was derived by considering anticipated expenses, the high volume of assessable olives, the current balance in the monetary reserve, and additional pertinent factors.

A review of information from NASS indicates that the average producer price for the 2022 crop year (the most recent year for which information is available) was \$913 per ton. Therefore, utilizing the assessment rate established herein of \$28 per ton, assessment revenue for the 2024 fiscal year as a percentage of total producer revenue would be approximately 3.1 percent (\$28 divided by \$913 times 100).

This action decreases the assessment obligation imposed on handlers. Assessments are applied uniformly on all handlers. Some of the assessment costs to handlers may be passed on to producers. Decreasing the assessment rate is expected to reduce the burden on handlers and may also, therefore, reduce the burden on producers.

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. 0581–0178 Vegetable and Specialty Crops. No changes in those requirements as a result of this action are necessary. Should any changes become necessary, they would be submitted to OMB for approval.

This rule will not impose any additional reporting or recordkeeping requirements on either small or large California olive 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 action.

A proposed rulemaking concerning this action was published in the **Federal Register** on March 28, 2024 (89 FR 21441). Copies of the proposed rulemaking were provided to all olive handlers. In addition, the proposal was made available through the internet by AMS and the Office of the **Federal Register**. A 30-day comment period ending April 29, 2024, was provided for interested persons to respond to the proposal. There were no comments received during the comment period. Accordingly, no changes will be made to the rulemaking as proposed.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://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 Committee and other available information, AMS has determined that this rule is consistent with, and will effectuate the declared policy of, the Act.

List of Subjects in 7 CFR Part 932

Marketing agreements, Olives, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Agricultural Marketing Service amends 7 CFR part 932 as follows:

PART 932—OLIVES GROWN IN CALIFORNIA

■ 1. The authority citation for part 932 continues to read as follows:

Authority: 7 U.S.C. 601–674.

■ 2. Section 932.230 is revised to read as follows:

§ 932.230 Assessment rate.

On and after January 1, 2024, an assessment rate of \$28 per ton is established for California olives.

Erin Morris,

Associate Administrator, Agricultural Marketing Service.

[FR Doc. 2024–15247 Filed 7–11–24; 8:45 am]

BILLING CODE 3410–02–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

[NRC–2024–0096]

RIN 3150–AL17

List of Approved Spent Fuel Storage Casks: Holtec International HI–STORM FW System, Certificate of Compliance No. 1032, Amendment No. 7

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is amending its spent fuel storage regulations by revising the Holtec International HI–STORM Flood/Wind Multi-purpose Canister Storage System listing within the “List of approved spent fuel storage casks” to include Amendment No. 7 to Certificate of Compliance No. 1032. Amendment No. 7 revises the certificate of compliance to add a new overpack, add new multi-purpose canisters MPC–44 and MPC–37P, and add new fuel type 10x10J to approved content. Amendment No. 7 also incorporates other technical changes and several editorial changes.

DATES: This direct final rule is effective September 25, 2024, unless significant adverse comments are received by August 12, 2024. If this direct final rule is withdrawn as a result of such comments, timely notice of the withdrawal will be published in the **Federal Register**. 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. Comments received on this direct final rule will also be considered to be comments on a companion proposed rule published in the Proposed Rules section of this issue of the **Federal Register**.

ADDRESSES: Submit your comments, identified by Docket ID NRC–2024–0096 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.

You can read a plain language description of this direct final rule at <https://www.regulations.gov/docket/NRC-2024-0096>. 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:

Caylee Kenny, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–7150, email: Caylee.Kenny@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.

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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2024–0096 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–2024–0096. Address questions about NRC dockets to Dawn Forder, telephone: 301–415–3407, email: Dawn.Forder@nrc.gov. For technical questions contact the individual 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