

included: "Market conditions are always subject to fluctuation and change, and it is incumbent upon all license holders to adjust to these changing conditions. Nonetheless, to allow additional time to adjust to changes in EU's supply and demand, due to its long-term dairy policy changes, the Department will temporarily suspend the historical license reduction provisions for a period of 2 years, commencing in 2009. Historical license reductions will again be implemented beginning 2011, rather than in 2012 or 2014, as in the proposed rule."

As the circumstances that prompted the previous suspension continue, an additional temporary suspension is proposed to improve program administration and reflect ongoing changes in the markets for cheese and other dairy products subject to import licensing requirements. The historical licenses provide for orderly importation of a wide variety of cheeses and permit companies to invest in market development with some assurance of future ability to provide specific types of cheese.

#### List of Subjects in 7 CFR Part 6

Agricultural commodities, cheese, dairy products, imports, Reporting and recordkeeping requirements.

For the reasons described in the preamble, 7 CFR part 6 is proposed to be amended as follows:

### PART 6—IMPORT QUOTAS AND FEES

#### Subpart—Dairy Tariff—Rate Import Quota Licensing

1. The authority citation of part 6 subpart—Dairy Tariff—Rate Import Quota Licensing, continues to read as follows:

**Authority:** Additional U.S. Notes 6, 7, 8, 12, 14, 16–23 and 25 to Chapter 4 and General Note 15 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 1202), Pub. L. 97–258, 96 Stat. 1051, as amended (31 U.S.C. 9701), and secs. 103 and 404, Pub. L. 103–465, 108 Stat. 4819 (19 U.S.C. 3513 and 3601).

2. Section 6.25 (b)(1) is revised to read as follows:

#### § 6.25 Allocation of licenses.

\* \* \* \* \*

(b) *Historical licenses for the 2011 and subsequent quota years (Appendix 1).* (1) A person issued a historical license for the 2010 quota year will be issued a historical license in the same amount for the same article from the same country for the 2011 quota year and for each subsequent quota year except that:

(i) Beginning with the quota year 2016, a person who has surrendered more than 50 percent of such historical license in at least three of the prior five quota years will thereafter be issued a license in an amount equal to the average annual quantity entered during those five quota years.

(ii) [Reserved]

\* \* \* \* \*

Dated: October 5, 2010.

**Suzanne Hale,**

*Administrator, Foreign Agricultural Service.*

[FR Doc. 2010–25651 Filed 10–12–10; 8:45 am]

**BILLING CODE 3410–10–P**

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### 7 CFR Part 205

[Doc. #AMS–NOP–10–0048; NOP–10–05]

#### National Organic Program: Notice of Draft Guidance for Accredited Certifying Agents and Certified Operations

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of availability with request for comments.

**SUMMARY:** The National Organic Program (NOP) is announcing the availability of five draft guidance documents intended for use by accredited certifying agents and certified operations. The five draft guidance documents are entitled as follows: Compost and Vermicompost in Organic Crop Production (NOP 5021); Wild Crop Harvesting (NOP 5022); Outdoor Access for Organic Poultry (NOP 5024); Commingling and Contamination Prevention in Organic Production and Handling (NOP 5025); and The Use of Chlorine Materials in Organic Production and Handling (NOP 5026). These draft guidance documents are intended to inform the public of NOP's current thinking on these topics. The NOP is seeking comments on the five draft guidance documents. A notice of availability of final guidance on these topics will be issued upon their final approval. Once finalized, these guidance documents will be available from the NOP through "The Program Handbook: Guidance and Instructions for Accredited Certifying Agents (ACAs) and Certified Operations". This Handbook provides those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the National Organic Program (NOP)

regulations. The current edition of the Program Handbook is available online at <http://www.ams.usda.gov/nop> or in print upon request.

**DATES:** To ensure that NOP considers your comment on this draft guidance before it begins work on the final version of the guidance, submit written comments on the draft guidance by December 13, 2010.

**ADDRESSES:** Submit written requests for hard copies of these draft guidance documents to Toni Strother, Agricultural Marketing Specialist, National Organic Program, USDA–AMS–NOP, 1400 Independence Ave., SW., Room 2646 So., Ag Stop 0268, Washington, DC 20250–0268. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the draft guidance documents.

Interested persons may comment on these five draft guidance documents using the following procedures:

*Internet:* <http://www.regulations.gov>.

*Mail:* Comments may be submitted by mail to: Toni Strother, Agricultural Marketing Specialist, National Organic Program, USDA–AMS–NOP, 1400 Independence Ave., SW., Room 2646 So., Ag Stop 0268, Washington, DC 20250–0268.

Written comments responding to this request should be identified with the document number AMS–NOP–10–0048; NOP–10–05. You should clearly indicate your position and the reasons for your position. You should clearly indicate which guidance document you are commenting on, especially if you choose to comment on more than one draft guidance document. If you are suggesting changes to a draft guidance document, you should include recommended language changes, as appropriate, along with any relevant supporting documentation.

USDA intends to make available all comments, including names and addresses when provided, regardless of submission procedure used, on <http://www.regulations.gov> and at USDA—AMS, NOP, Room 2646—South building, 1400 Independence Ave., SW., Washington, DC, from 9 a.m. to noon and from 1 to 4 p.m., Monday through Friday (except official Federal holidays). Persons wanting to visit the USDA South building to view comments from the public to this notice are requested to make an appointment by calling (202) 720–3252.

**FOR FURTHER INFORMATION CONTACT:** Toni Strother, Agricultural Marketing Specialist, National Organic Program (NOP), (202) 720–3252, [NOP.guidance@ams.usda.gov](mailto:NOP.guidance@ams.usda.gov), or visit

the NOP Web site at: <http://www.ams.usda.gov/nop>.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The five draft guidance documents announced through this notice were selected in response to the USDA Office of Inspector General's (OIG) March 2010 Audit Report 01601-03-Hy: Oversight of the National Organic Program. The OIG findings identified specific areas of the NOP regulations where OIG recommended guidance be issued to strengthen oversight by ACAs and improve consistency and overall administration of the NOP. The NOP specifically developed Commingling and Contamination Prevention in Organic Production and Handling (NOP 5025) and Outdoor Access for Organic Poultry (NOP 5024) draft guidance in response to the OIG report. The OIG also identified the need for the NOP to act upon recommendations issued by the National Organic Standards Board (NOSB) from 2001 to 2010. The NOP developed The Use of Chlorine Materials in Organic Production and Handling (NOP 5026) and Compost and Vermicompost in Organic Crop Production (NOP 5021) in response to outstanding NOSB recommendations. The NOP also identified a need to develop guidance to address requests by ACAs and certified operations for clarifications on particular issues. Wild Crop Harvesting (NOP 5022) is an example of guidance being issued in response to these requests.

##### II. Significance of Guidance

These draft guidance documents are being issued in accordance with the Office of Management and Budget (OMB) Bulletin on Agency Good Guidance Practices (GGPs) (January 25, 2007, 72 FR 3432-3440).

The purpose of GGPs is to ensure that program guidance documents are developed with adequate public participation, are readily available to the public, and are not applied as binding requirements. The draft guidance, when finalized, will represent the NOP's current thinking on these topics. It does not create or confer any rights for, or on, any person and does not operate to bind the NOP or the public. Guidance documents are intended to provide a uniform method for operations to comply that can reduce the burden of developing their own methods and simplify audits and inspections. Alternative approaches that can demonstrate compliance with the Organic Foods Production Act (OFPA), as amended (7 U.S.C. 6501-6522), and its implementing regulations are also

acceptable. The NOP strongly encourages industry to discuss alternative approaches with the NOP before implementing them to avoid unnecessary or wasteful expenditures of resources and to ensure the proposed alternative approach complies with the Act and its implementing regulations.

##### III. Electronic Access

Persons with access to Internet may obtain the draft guidance at either NOP's Web site at <http://www.ams.usda.gov/nop> or <http://www.regulations.gov>.

Dated: October 5, 2010.

**Rayne Pegg,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. 2010-25730 Filed 10-12-10; 8:45 am]

**BILLING CODE 3410-02-P**

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## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 37

[NRC-2010-0194; RIN 3150-A112]

#### Implementation Guidance for Physical Protection of Byproduct Material Category 1 and Category 2 Quantities of Radioactive Material; Draft Guidance Document for Comment; Extension of Comment Period

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Extension of comment period.

**SUMMARY:** On July 14, 2010, the U.S. Nuclear Regulatory Commission (NRC) noticed for public comment implementation guidance for a proposed rule to establish security requirements for the use and transport of Category 1 and Category 2 quantities of radioactive material. The public comment period for this guidance was to have expired on November 12, 2010. The NRC received several requests to extend the comment period to January 15, 2011. Due to the size and complexity of the draft implementation guidance and the associated proposed rule, the NRC has decided to extend the comment period until January 18, 2011.

**DATES:** The comment period has been extended and now expires on January 18, 2011. 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.

**ADDRESSES:** Please include Docket ID NRC-2010-0194 in the subject line of your comments. For instructions on accessing documents related to this

action, see "Submitting Comments and Accessing Information" in the **SUPPLEMENTARY INFORMATION** section of this document. You may submit comments by any one of the following methods.

*Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0194. Address questions about NRC dockets to Carol Gallagher, telephone 301-492-3668; e-mail [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

*Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax comments to:* RADB at (301) 492-3446.

#### FOR FURTHER INFORMATION CONTACT:

Merri Horn, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, *telephone:* (301) 415-8126, *e-mail:* [Merri.Horn@nrc.gov](mailto:Merri.Horn@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### Submitting Comments and Accessing Information

Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site <http://www.regulations.gov>. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed. The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

You can access publicly available documents related to this document using the following methods:

*NRC's Public Document Room (PDR):* The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

*NRC's Agencywide Documents Access and Management System (ADAMS):* Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic