

Atomic Energy Act of 1954, as amended; the Energy Reorganization Act of 1974, as amended; the Nuclear Waste Policy Act of 1982, as amended; and 5 U.S.C. 552 and 553; the NRC is adopting the following amendments to 10 CFR part 72:

**PART 72—LICENSING
REQUIREMENTS FOR THE
INDEPENDENT STORAGE OF SPENT
NUCLEAR FUEL, HIGH-LEVEL
RADIOACTIVE WASTE, AND
REACTOR-RELATED GREATER THAN
CLASS C WASTE**

■ 1. The authority citation for part 72 continues to read as follows:

Authority: Atomic Energy Act of 1954, secs. 51, 53, 57, 62, 63, 65, 69, 81, 161, 182, 183, 184, 186, 187, 189, 223, 234, 274 (42 U.S.C. 2071, 2073, 2077, 2092, 2093, 2095, 2099, 2111, 2201, 2210e, 2232, 2233, 2234, 2236, 2237, 2238, 2273, 2282, 2021); Energy Reorganization Act of 1974, secs. 201, 202, 206, 211 (42 U.S.C. 5841, 5842, 5846, 5851); National Environmental Policy Act of 1969 (42 U.S.C. 4332); Nuclear Waste Policy Act of 1982, secs. 117(a), 132, 133, 134, 135, 137, 141, 145(g), 148, 218(a) (42 U.S.C. 10137(a), 10152, 10153, 10154, 10155, 10157, 10161, 10165(g), 10168, 10198(a)); 44 U.S.C. 3504 note.

■ 2. In § 72.214, revise Certificate of Compliance No. 1015 to read as follows:

§ 72.214 List of approved spent fuel storage casks.

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Certificate Number: 1015.

Initial Certificate Effective Date:

November 20, 2000.

Amendment Number 1 Effective Date: February 20, 2001.

Amendment Number 2 Effective Date: December 31, 2001.

Amendment Number 3 Effective Date: March 31, 2004.

Amendment Number 4 Effective Date: October 11, 2005.

Amendment Number 5 Effective Date: January 12, 2009.

Amendment Number 6 Effective Date: January 7, 2019.

Amendment Number 7 Effective Date: July 29, 2019.

Amendment Number 8 Effective Date: October 19, 2021.

SAR Submitted by: NAC International, Inc.

SAR Title: Final Safety Analysis Report for the NAC-UMS Universal Storage System.

Docket Number: 72-1015.

Certificate Expiration Date: November 20, 2020.

Model Number: NAC-UMS.

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Dated: July 26, 2021.

For the Nuclear Regulatory Commission.

Margaret M. Doane,

Executive Director for Operations.

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DEPARTMENT OF THE TREASURY

**Office of the Comptroller of the
Currency**

12 CFR Part 7

[Docket ID OCC-2020-0026]

RIN 1557-AF11

**National Banks and Federal Savings
Associations as Lenders**

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Final rule; Congressional Review Act revocation.

SUMMARY: Under the Congressional Review Act (CRA), Congress has passed and the President has signed a joint resolution disapproving the Office of the Comptroller of the Currency's (OCC) final rule titled "National Banks and Federal Savings Associations as Lenders." This final rule established a test to determine when a national bank or Federal savings association (bank) makes a loan and is the "true lender," including in the context of a relationship between a bank and a third party, such as a marketplace lender. Under the joint resolution and by operation of the CRA, this rule has no legal force or effect. The OCC is hereby removing it from the Code of Federal Regulations.

DATES: This action is effective August 5, 2021.

FOR FURTHER INFORMATION CONTACT:

Andra Shuster, Senior Counsel, Karen McSweeney, Special Counsel, Alison MacDonald, Special Counsel, or Priscilla Benner, Senior Attorney, Chief Counsel's Office, (202) 649-5490, Office of the Comptroller of the Currency, 400 7th Street SW, Washington, DC 20219. For persons who are deaf or hearing impaired, TTY users may contact (202) 649-5597.

SUPPLEMENTARY INFORMATION: On July 22, 2020, the Office of the Comptroller of the Currency (OCC) published in the **Federal Register** a notice of proposed rulemaking proposing a test to determine when a national bank or Federal savings association (bank) makes a loan and is the "true lender" (85 FR 44223). The OCC published the final rule, titled "National Banks and Federal Savings Associations as

Lenders" and codified at 12 CFR 7.1031, in the **Federal Register** on October 30, 2020 (85 FR 68742). The final rule provided that a bank makes a loan if, as of the date of origination, it (1) is named as the lender in the loan agreement or (2) funds the loan. The final rule became effective on December 29, 2020.

The United States Senate passed a joint resolution (S.J. Res. 15) on May 11, 2021 disapproving of the rule under the Congressional Review Act (CRA) (5 U.S.C. 801 *et seq.*). The United States House of Representative passed S.J. Res. 15 on June 24, 2021. President Joseph R. Biden signed the joint resolution into law as Public Law 117-24 on June 30, 2021. Under the joint resolution and by operation of the CRA, the rule has no legal force or effect. Accordingly, the OCC is hereby removing 12 CFR 7.1031 from the Code of Federal Regulations (CFR).

This action is not an exercise of the OCC's rulemaking authority under the Administrative Procedure Act (APA) because the OCC is not "formulating, amending, or repealing a rule" under 5 U.S.C. 551(5). Rather, the OCC is effectuating changes to the CFR to reflect what congressional action has already accomplished. Accordingly, the OCC is not soliciting comments on this action, nor is it delaying the effective date.

List of Subjects in 12 CFR Part 7

Computer technology, Credit, Derivatives, Federal savings associations, Insurance, Investments, Metals, National banks, Reporting and recordkeeping requirements, Securities, Security bonds.

**Office of the Comptroller of the
Currency**

For the reasons set forth above, and pursuant to the CRA (5 U.S.C. 801 *et seq.*) and Public Law 117-24, 135 Stat. 296, the OCC amends 12 CFR part 7 as follows:

**PART 7—ACTIVITIES AND
OPERATIONS**

■ 1. The authority citation for part 7 continues to read as follows:

Authority: 12 U.S.C. 1 *et seq.*, 25b, 29, 71, 71a, 92, 92a, 93, 93a, 95(b)(1), 371, 371d, 481, 484, 1462a, 1463, 1464, 1465, 1818, 1828, 3102(b), and 5412(b)(2)(B).

§ 7.1031 [Removed]

■ 2. Remove § 7.1031.

Michael J. Hsu,

Acting Comptroller of the Currency.

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