

For the Nuclear Regulatory Commission.

Michael A. Norato,

*Chief, Materials Decommissioning Branch
Division of Decommissioning, Uranium
Recovery, and Waste Programs, Office of
Nuclear Material Safety and Safeguards.*

[FR Doc. 2016-03419 Filed 2-17-16; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52-025 and 52-026; ASLBP No. 16-944-01-LA-BD01]

**Atomic Safety and Licensing Board;
Before Administrative Judges: Ronald M. Spritzer, Chairman; Nicholas G. Trikouros; Dr. James F. Jackson; in the Matter of Southern Nuclear Operating Company, Inc.; (Vogtle Electric Generating Plant, Units 3 and 4)**

February 10, 2016.

Order

(Scheduling Oral Argument)

Before the Board is a petition to intervene and request for a hearing, filed by Blue Ridge Environmental Defense League and its chapter Concerned Citizens of Shell Bluff (collectively Petitioner).¹ Oral argument on contention admissibility will be held on Tuesday, March 15, 2016, beginning at 10:00 a.m. EDT. This argument will take place at the U.S. Bankruptcy Court, Federal Justice Center, Plaza Building, 600 James Brown Boulevard (formerly 9th Street), Augusta, GA 30901.

Instructions

On or before Friday, March 11, 2016, the Petitioner, the Licensee, and the NRC Staff must each provide the names of their representatives by email to the Board and the service list. Only designated representatives will be permitted to present oral argument. Each counsel or other representative for each participant in this proceeding who has not already done so must file and serve a notice of appearance on or before March 11, 2016, containing all of the information required by 10 CFR § 2.314(b).

The primary purpose of this oral argument is for the Board to ask questions and receive answers concerning contention admissibility issues presented by the pleadings. As to each contention, the Petitioner shall have 15 minutes to present an

introductory argument, and the NRC Staff and the Licensee shall each have 10 minutes as well. The Petitioner may reserve up to 5 minutes of its allotted time for rebuttal. No other rebuttal will be permitted.

In general, the participants should not repeat arguments already presented in their written filings, but should focus on responding to the Board's questions. The argument is not an evidentiary hearing, and the participants therefore should not attempt to introduce evidence during the argument. The participants should advise the Board and the other participants no later than March 8, 2016 if they plan to refer to any type of visual aid during the argument. No material that is not already cited in the record before the Board should be used as a visual aid.

Public Attendance

The public is welcome to attend the argument, but space is limited within the courtroom. Additionally, only the parties' designated representatives will be permitted to participate in the argument. Neither signs nor any manner of demonstration will be permitted in the courtroom. Those people wishing to attend the oral argument in person should contact the Board's law clerk, Cooper Strickland, at 301-415-5880 or Cooper.Strickland@nrc.gov, no later than Wednesday, March 9, 2016 to provide their names for security purposes. All persons participating in person must present a valid photo ID and should arrive at least fifteen minutes early so as to allow sufficient time to pass through security screening. Furthermore, cell phones are not permitted in the Federal Justice Center.

Transcript Availability

Sometime after March 15, 2016, a transcript of the oral argument will be available for public inspection electronically on the NRC's Electronic Hearing Docket (EHD). EHD is accessible from the NRC Web site at <https://adams.nrc.gov/ehd>. For additional information regarding the EHD please see <http://www.nrc.gov/about-nrc/regulatory/adjudicatory.html#ehd>. Persons who do not have access to the internet or who encounter problems in accessing the documents located on the NRC's Web site may contact the NRC Public Document Room reference staff by email to pdr@nrc.gov or by telephone at (800) 397-4209 or (301) 415-4737. Reference staff are available Monday through Friday between 8:00 a.m. and 4:00 p.m. ET, except federal holidays. For additional information regarding the NRC Public

Document Room please see <http://www.nrc.gov/reading-rm/pdr.html>.

It is so ordered.

Rockville, Maryland February 10, 2016.

For The Atomic Safety and Licensing Board.

Ronald M. Spritzer,

Chairman, Administrative Judge.

[FR Doc. 2016-03372 Filed 2-17-16; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-309, and 72-1015; NRC-2016-0028]

Independent Spent Fuel Storage Installation, Maine Yankee Atomic Power Company

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a September 1, 2015, request from Maine Yankee Atomic Power Company, (MYAPC or licensee) from the requirement to comply with the terms, conditions, and specifications regarding the method of compliance defined in Amendment 5 of the NAC International (NAC)-UMS System Certificate of Compliance (CoC) No. 1015, Appendix A "Technical Specifications for NAC-UMS System", Technical Specifications (TS) A.5.4 "Surveillance After an Off-Normal, Accident, or Natural Phenomena Event" at the Maine Yankee (MY) Independent Spent Fuel Storage Installation (ISFSI). The exemption request seeks a modification of TS A.5.4 inspection requirements for the inlet and outlet vents following off-normal, accident, and natural phenomena events.

ADDRESSES: Please refer to Docket ID NRC-2016-0028 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0028. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: Carol.Gallagher@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

¹ Amended Petition for Leave to Intervene and Request for Hearing by the Blue Ridge Environmental Defense League and its Chapter Concerned Citizens of Shell Bluff (Dec. 23, 2015).

available documents online in the ADAMS Public Documents collection 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, 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. The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- NRC's PDR: You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

FOR FURTHER INFORMATION CONTACT: John Goshen, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-6933, email: John.Goshen@nrc.gov; U.S. Nuclear Regulatory Commission, Washington, DC 20555.

SUPPLEMENTARY INFORMATION:

I. Background

The licensee is the holder of Facility Operating License No. DPR 36 which authorizes operation of MY located near Wiscasset, Maine, pursuant to part 50 of title 10 of the *Code of Federal Regulations* (10 CFR). The facility is in decommissioned status. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the NRC now or hereafter in effect.

Under Subpart K of 10 CFR part 72, a general license has been issued for the storage of spent fuel in an ISFSI at power reactor sites to persons authorized to possess or operate nuclear power reactors under 10 CFR part 50. Maine Yankee Atomic Power Company is licensed to operate a nuclear power reactor under 10 CFR part 50, and authorized under the 10 CFR part 72 general license to store spent fuel at the MY ISFSI. Under the terms of the general license, MY stores spent fuel using Amendment No. 5 of the NAC-UMS CoC No. 1015.

II. Request/Action

The licensee requests an exemption from 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), and 10 CFR 72.214 for the MY ISFSI.

- Section 72.212(b)(3) requires that a general licensee use casks that conform to the terms, conditions, and specifications of a CoC or amended CoC listed in § 72.214. The NAC-UMS CoC No. 1015 is listed in 10 CFR 72.214.

- Section 72.212(b)(5)(i) requires, in relevant part, that a general licensee demonstrate a loaded cask will conform to the terms, conditions, and specifications of a CoC for a cask listed in § 72.214.

- Section 72.214 lists casks which are approved for storage of spent fuel under conditions specified in their CoCs, including CoC 1015 and Amendment No. 5.

The licensee, as a 10 CFR 72 general licensee, is required to use the NAC-UMS System according to the TS of the NAC-UMS System CoC No. 1015. Amendment No. 5 of the NAC-UMS CoC No. 1015, Appendix A, "Technical Specifications for the NAC-UMS System." Technical specification A 5.4, "Surveillance After an Off-Normal, Accident, or Natural Phenomena Event" requires that a general licensee undertake a visual surveillance of the NAC-UMS casks within 4 hours after the occurrence of an off-normal, accident or natural phenomena event in the area of the ISFSI. This NAC-UMS cask inspection is part of the general licensee's surveillance response to verify that all the CONCRETE CASK inlets and outlets are not blocked or obstructed. The NAC-UMS TS A 5.4 also requires that at least one-half of the inlets and outlets on each CONCRETE CASK be cleared of blockage or debris within 24 hours to restore air circulation.

The licensee seeks the NRC's authorization to use NAC-UMS TS A 3.1.6 as an alternative to the visual surveillance method specified in NAC-UMS TS A 5.4. Technical Specification A 3.1.6 permits *either* visual surveillance of the inlets and outlets screens or temperature monitoring of each cask to establish the operability of the Concrete Cask Heat Removal System for each NAC-UMS cask and to show that the limiting conditions for operation under 3.1.6 are met. Technical Specification A 3.1.6 establishes ongoing requirements that MY must comply with during all phases of the cask storage operations, not only after an unusual event in the area of the ISFSI. In effect, TS A 3.1.6 provides continuous temperature monitoring or visual verification of all NAC-UMS No. 1015 casks.

The proposed alternative for implementing TS A 5.4 provides that Surveillance Requirement (SR) 3.1.6.1 is required to be performed following off-normal, accident or natural phenomena events. The NAC-UMS SYSTEMS in use at an ISFSI shall be inspected in accordance with SR 3.1.6.1 within 4 hours after the occurrence of an off-normal, accident or natural phenomena

event in the area of the ISFSI to confirm operability of the CONCRETE CASK Heat Removal System for each NAC-UMS System. If a CONCRETE CASK Heat Removal System(s) for one or more NAC-UMS Systems is determined to be inoperable, Condition A of TS A 3.1.6 shall be entered and the Required Actions and associated Completion Times met, including the immediate assurance of adequate heat removal to prevent exceeding short-term temperature limits for each affected cask.

The NAC-UMS Final Safety Analysis Report (FSAR) supports the use of either method defined in SR 3.1.6.1 to establish operability to comply with NAC-UMS TS A 3.1.6 or NAC-UMS TS A 5.4. Section 11.1.2.2 of the FSAR states, "Blockage of Half of the Air Inlets would be detected by the daily concrete cask operability inspection, which is performed either by the outlet air temperature measurements or by visual inspection of the inlet and outlet screens for blockage and integrity."

III. Discussion

Under 10 CFR 72.7, the Commission may, upon application by any interested person or upon its own initiative, grant an exemption from the requirements of 10 CFR part 72, the exemption is authorized by law, will not endanger life or property or the common defense and security and is otherwise in the public interest. As explained below, the proposed exemption is lawful, will not endanger life or property, or the common defense and security, and is otherwise in the public interest.

The Exemption Is Authorized by Law

The exemption would permit the licensee to use either of the inspection methods permitted by NAC-UMS TS A 3.1.6 as an alternative to the single surveillance method in NAC-UMS TS A 5.4. The licensee would conduct a surveillance response within 4 hours after the occurrence of an off-normal, accident, or natural phenomena event, as required by NAC-UMS TS A 5.4, but would be permitted to use either temperature monitoring or visual inspection to ensure the Concrete Cask Heat Removal Systems are within the limiting conditions for operation. The exemption is limited to off-normal, accident, or natural phenomena events, specifically major snow or icing events (snow/ice events that have the potential to or that exceed blockage of greater than one-half of the inlet or outlet vents).

The licensee requested an exemption from the provisions in 10 CFR part 72 that requires the licensee to comply

with the terms, conditions, and specifications of the CoC for the approved cask model that it uses. Section 72.7 allows the NRC to grant exemptions from the requirements of 10 CFR part 72. Issuance of this exemption is consistent with the Atomic Energy Act of 1954, as amended, and is not inconsistent with NRC regulations or other applicable laws.

The Exemption Is Consistent With the Common Defense and Security

The requested exemption would allow the licensee to use the SR, conditions, required actions, and completion times defined in NAC-UMS TS A 3.1.6 as an alternative to the single-method surveillance response in NAC-UMS TS A 5.4. TS A 3.1.6 permits either visual inspection of the inlet and outlet screens or temperature monitoring to establish the operability of the Concrete Cask Heat Removal System for each NAC-UMS System and to comply with the limiting conditions for operation for TS A 3.1.6. Surveillance requirement 3.1.6.1 permits temperature monitoring or visual inspection of the inlet and outlet screens to be utilized to establish the operability of the Concrete Cask Heat Removal System for each NAC-UMS System to meet Limiting Condition for Operation 3.1.6. In the event the applicable acceptance criterion of SR 3.1.6.1 is not met, Required Action A.1 requires the licensee to immediately ensure adequate heat removal to prevent exceeding short-term temperature limits for each affected cask.

The NRC staff reviewed the licensee's request and finds allowing the use of either visual surveillance of the inlet and outlet screens or temperature monitoring of the inlets and outlets within 4 hours of the occurrence of off-normal, accident, or natural phenomena events, when limited to major snow and icing events, does not compromise safety. The exemption still requires the licensee to perform SR 3.1.6.1 to establish the operability of the Concrete Cask Heat Removal Systems every 24 hours via temperature monitoring or visual inspection of the inlet and outlet screens. In addition, the exemption provides no additional time to complete the required surveillance of the inlets and outlets screens in accordance with TS A 5.4. The use of either method will ensure that adequate air flows past the storage canisters and that heat transfer occurs. For these reasons, the NRC staff found the same level of safety is obtained by using either of the TS A 3.1.6 methods to comply with NAC-UMS TS A 5.4 during limited types off-

normal, accident, or natural phenomena.

The NRC staff has determined that the thermal, structural, criticality, retrievability, and radiation protection requirements of 10 CFR part 72 and the offsite dose limits of 10 CFR part 20 will be maintained. For these reasons, the NRC staff finds the same level of safety is obtained by using either of the TS A 3.1.6 methods to comply with NAC-UMS TS A 5.4. Therefore, the NRC concludes that the exemption will not endanger life or property or the common defense and security.

The Exemption Presents No Undue Risk to Public Health and Safety

As described in the application, exempting the licensee from visual surveillance of cask inlet and outlet vents within 4 hours of a major snowstorm would allow the licensee to prioritize more effectively important storm-related activities at the MY site. Snow and ice blockage of the inlet and outlet vents is unusual. Moreover, snow and ice blockages are identified reliably by temperature monitoring of individual casks. The NRC staff recognizes there is a risk to the safety of workers responsible for clearing snow and ice from cask pads during extreme winter conditions when visual surveillance of casks must be undertaken within 4 hours. The NRC staff finds this risk to workers can be reduced by using SR 3.1.6.1 to establish the operability of the Concrete Cask Heat Removal Systems via temperature monitoring or visual inspection of the inlet and outlet screens. In addition, the limiting conditions for operation of the NAC-UMS System require the Concrete Cask Heat Removal System for each cask to be operable during storage operation thus ensuring public health and safety are not reduced.

Therefore, the NRC staff finds that allowing the licensee to use the SR, conditions, required actions, and completion times defined in NAC-UMS TS A 3.1.6 as an alternative method to the single-method surveillance response in NAC-UMS TS A 5.4 would reduce worker safety risks to plant workers involved in snow removal. Therefore, granting the exemption is otherwise in the public interest.

Environmental Considerations

The NRC staff evaluated whether there would be significant environmental impacts associated with the issuance of the requested exemption. The NRC staff determined the proposed action fits a category of actions that do not require an environmental assessment or

environmental impact statement. The exemption meets the categorical exclusion requirements of 10 CFR 51.22(c)(25)(i)–(vi).

Granting an exemption from the requirements of 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), and 10 CFR 72.214 for the MY ISFSI involves the inspection and surveillance requirements associated with TS A 5.4. A categorical exclusion for inspection and SRs is provided under 10 CFR 51.22(c)(25)(vi)(C), if the criteria in 10 CFR 51.22(c)(25)(i)–(v) are also satisfied.

The granting of the exemption: (i) Would not involve a significant hazards consideration because it does not reduce a margin of safety, create a new or different kind of accident not previously evaluated, or significantly increase the probability or consequences of an unevaluated accident; (ii) would not create a significant change in the types or significant increase in the amounts of any effluents that may be released offsite because the exemption does not change or produce additional avenues of effluent release; (iii) would not significantly increase individual or cumulative public or occupational radiation exposure because the exemption does not introduce new or increased radiological hazards; (iv) would not result in significant construction impacts because the exemption would not involve construction or other ground disturbing activities, nor change the footprint of the existing ISFSI; (v) would not significantly increase the potential for or consequences from radiological accidents because the exemption requires a surveillance method that ensures the heat removal system of casks is maintained within the limiting conditions for operation; and (vi) the request seeks exemption from inspection or surveillance requirements, specifically, the single-method SR in NAC-UMS TS A 5.4 may be substituted with the SR, conditions, required actions, and completion times defined in NAC-UMS TS A 3.1.6.

In its review of the exemption request, the NRC staff determined the proposed exemption meets the eligibility criterion for categorical exclusion in 10 CFR 51.22(c)(25). Therefore, there are no significant radiological environmental impacts associated with the proposed action.

IV. Conclusion

The NRC has determined that, under 10 CFR 72.7, the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the NRC

grants MYAPC an exemption from the requirements in 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.214, and to TS A.5.4 for the NAC-UMS System CoC No. 1015 storage casks at the MY ISFSI. The exemption authorizes the licensee to use the surveillance requirement, conditions, required actions, and completion times defined in NAC-UMS TS A 3.1.6 to comply with NAC-UMS TS A 5.4 after off-normal, accident, or natural phenomena events, but is specifically limited to major snow or icing events.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 4th day of February, 2016.

For the Nuclear Regulatory Commission.

Steve Ruffin,

*Acting Chief, Spent Fuel Licensing Branch,
Division of Spent Fuel Management, Office
of Nuclear Material Safety and Safeguards.*

[FR Doc. 2016-03413 Filed 2-17-16; 8:45 am]

BILLING CODE 7590-01-P

OVERSEAS PRIVATE INVESTMENT CORPORATION

[OPIC-258, OMB 3420-xxxx]

Submission for OMB Review; Comments Request

AGENCY: Overseas Private Investment Corporation (OPIC).

ACTION: Notice and request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to publish a Notice in the **Federal Register** notifying the public that the agency is creating a new information collection for OMB review and approval and requests public review and comment on the submission. Comments are being solicited on the need for the information; the accuracy of OPIC's burden estimate; the quality, practical utility, and clarity of the information to be collected; and ways to minimize reporting the burden, including automated collected techniques and uses of other forms of technology.

DATES: Comments must be received within sixty (60) calendar days of publication of this Notice.

ADDRESSES: Mail all comments and requests for copies of the subject form to OPIC's Agency Submitting Officer: James Bobbitt, Overseas Private Investment Corporation, 1100 New York Avenue NW., Washington, DC 20527. See **SUPPLEMENTARY INFORMATION** for other information about filing.

FOR FURTHER INFORMATION CONTACT: OPIC Agency Submitting Officer: James Bobbitt, (202)336-8558.

SUPPLEMENTARY INFORMATION: All mailed comments and requests for copies of the subject form should include form number [OPIC-258] on both the envelope and in the subject line of the letter. Electronic comments and requests for copies of the subject form may be sent to James.Bobbitt@opic.gov, subject line [OPIC-258].

SUMMARY FORM UNDER REVIEW

Type of Request: New information collection.

Title: Customer Satisfaction Survey.

Form Number: OPIC-258.

Frequency of Use: One per investor per project per year.

Type of Respondents: Business, other institutions, individuals.

Standard Industrial Classification Codes: All.

Description of Affected Public: U.S. companies or citizens with significant involvement in OPIC projects.

Reporting Hours: 558*0.333 = 186 hours.

Number of Responses: 558 per year, based on OPIC's portfolio as of 9/30/2015.

Federal Cost: \$9,694.

Authority for Information Collection: Sections 231 and 239(d) of the Foreign Assistance Act of 1961, as amended.

Abstract (Needs and Uses): The Customer Satisfaction Survey is the survey tool used by OPIC to assess the overall working experience of clients and partners doing business with OPIC. It is used to collect data and suggestions to improve customer services to provide debt financing, insurance and investment funds for overseas businesses. OPIC's mandate is to catalyze private capital for sustainable economic development, to advance U.S. foreign policy and development goals abroad.

Dated: February 11, 2016.

Nichole Skoyles,

Administrative Counsel, Department of Legal Affairs.

[FR Doc. 2016-03420 Filed 2-17-16; 8:45 am]

BILLING CODE 3210-01-P

POSTAL REGULATORY COMMISSION

[Docket No. CP2015-43; Order No. 3068]

New Postal Product

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning an amendment to Priority Mail Contract

113 negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* February 19, 2016.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

- I. Introduction
- II. Notice of Filings
- III. Ordering Paragraphs

I. Introduction

On February 10, 2016, the Postal Service filed notice that it has agreed to an amendment to the existing Priority Mail Contract 113 negotiated service agreement approved in this docket.¹ In support of its Notice, the Postal Service includes a redacted copy of the amendment as Attachment A (Amendment). The Postal Service asserts that the supporting financial documentation and financial certification it initially provided remain applicable. Notice at 1.

The Postal Service also filed the unredacted Amendment under seal. The Postal Service seeks to incorporate by reference the Application for Non-Public Treatment originally filed in this docket for the protection of information that it has filed under seal. *Id.*

The Amendment adds an alternative provision for the adjustment of prices in subsequent contract years. Amendment at 1. The Postal Service intends for the Amendment to become effective 1 business day after the date that the Commission completes its review of the Notice. Notice at 1. The Postal Service asserts that the Amendment will not materially affect the cost coverage of Priority Mail Contract 113. *Id.*

II. Notice of Filings

The Commission invites comments on whether the changes presented in the Postal Service's Notice are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR 3015.5, and 39

¹ Notice of United States Postal Service of Amendment to Priority Mail Contract 113, with Portions Filed Under Seal, February 10, 2016 (Notice).