

Document	ADAMS Accession No.
Final Safety Evaluation Report for Combined License for North Anna Unit 3	ML16259A210
Final Supplemental Environmental Impact Statement for Combined License (COL) for North Anna Unit 3	ML100680117
Commission's Memorandum and Order on the uncontested hearing (Record of Decision)	ML17151A406
Summary Record of Decision	ML17121A548
Letter transmitting Combined License No. NPF-103 and accompanying documentation	ML17128A500
Combined License No. NPF-103	ML17095A813

Dated at Rockville, Maryland, this 2nd day of June 2017.

For the Nuclear Regulatory Commission.

Francis M. Akstulewicz,

*Director, Division of New Reactor Licensing,
Office of New Reactors.*

[FR Doc. 2017-12271 Filed 6-13-17; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Atomic Safety and Licensing Board

[Docket Nos. 52-040-COL and 52-041-COL; ASLBP No. 10-903-02-COL-BD01]

In the Matter of Florida Power & Light Company (Turkey Point Units 6 and 7)

June 8, 2017.

Before Administrative Judges: E. Roy Hawkens, Chairman, Dr. Michael F. Kennedy, Dr. William C. Burnett

Notice and Order

(Scheduling and Providing Instructions for Oral Argument)

Pending before this Licensing Board is a request for a hearing and petition to intervene submitted on April 18, 2017 by the City of Miami, the Village of Pinecrest, and the City of South Miami (Petitioners),¹ Petitioners' proffered contention alleges that:

The [Final Safety Evaluation Report (FSER)] is deficient in concluding that [Florida Power & Light Company (FPL)] has demonstrated that it possesses or has reasonable assurance of obtaining the funds necessary to cover estimated construction costs and related fuel cycle costs and FPL has failed to indicate source(s) of funds to cover these costs.²

After reviewing the petition and the subsequently filed related pleadings,³

¹ See Petition for Leave to Intervene in a Hearing on [FPL's] Combined Construction and Operating License Application for Turkey Point Units 6 & 7 and File a New Contention (Apr. 18, 2017) [hereinafter Petition].

² Petition at 7.

³ See NRC Staff's Response to New Arguments Raised in Petitioners' Reply (June 1, 2017); Petitioners' Reply to NRC Staff and FPL's Answers to Petition for Leave to Intervene in a Hearing on [FPL's] Combined Construction and Operating License Application for Turkey Point Units 6 & 7

the Board has determined that oral argument will assist it in resolving the issues presented. The Board will hold a telephonic oral argument concerning contention admissibility on Tuesday, June 20, 2017, at 2:00 p.m. EDT.

The Board will hear argument from counsel for the parties in the following order: (1) Petitioners; (2) FPL; and (3) the NRC Staff. Petitioners will have 60 minutes of argument time, and they may reserve up to 20 minutes of that time for rebuttal. FPL and the NRC Staff will each have 30 minutes of argument time.

The following list includes topics the parties should address during oral argument. This list is not intended to be exclusive.

- Whether Westinghouse's bankruptcy filing, the resulting alleged termination of its Reservation Agreement with FPL, or the lack of a construction agreement between Westinghouse and FPL raise a genuine dispute on a material issue of law or fact with FPL's application for a combined license
- Whether FPL's ability to recover costs is material to the NRC Staff's determination of FPL's financial qualifications
- Whether Westinghouse's bankruptcy raises a genuine dispute on a material issue if FPL's ability to recover costs is not material to the NRC Staff's determination of FPL's financial qualifications
- The extent of the NRC Staff's review of an applicant's financial qualifications and the degree to which an applicant must be financially qualified to engage in construction of new nuclear units
- The feasibility of the Turkey Point project following Westinghouse's bankruptcy
- The effect on the petition of FPL's May 1 filing to the Florida Public Service Commission to request a deferral of nuclear cost recovery
- The effect on the petition of FPL's May 1 representation to the Florida Public Service Commission that the Turkey Point project is on a "pause"

On or before Friday, June 16, parties shall provide by email to the Board and the service list the name of the attorney

and File a New Contention (May 22, 2017); NRC Staff Answer to Petition for Leave to Intervene and [File] New Contention (May 15, 2017); [FPL's] Answer Opposing [Petitioners'] Petition to Intervene and Request for Hearing Regarding the Combined Construction and Operating License Application for Turkey Point Units 6 & 7 (May 15, 2017).

who will present oral argument. The Board's law clerk, Kimberly Hsu, will provide the dial-in number and passcode to be used by counsel for the oral argument. No witnesses, other representatives of the parties, or members of the public will be heard during the argument. However, individuals who wish to hear the oral argument live on the listen-only telephone line may do so, and should contact Ms. Hsu at Kimberly.Hsu@nrc.gov or (301) 415-5939 for the dial-in number and passcode.

It is so ordered.

Rockville, Maryland.

Dated: June 8, 2017.

For the Atomic Safety and Licensing Board.

E. Roy Hawkens,

Chairman, Administrative Judge.

[FR Doc. 2017-12358 Filed 6-13-17; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 72-1014, 72-59, and 50-271; NRC-2017-0134]

Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station; Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a request submitted by Entergy Nuclear Operations, Inc. (Entergy) on November 9, 2016, and supplemented on January 9, 2017, for its general license to operate an independent spent fuel storage installation (ISFSI) at the Vermont Yankee Nuclear Power Station (VYNPS). This exemption would permit the VYNPS to load and store certain low-enriched channeled undamaged fuel assemblies with higher enriched fuel assemblies in the same HI-STORM 100 multi-purpose canister (MPC)-68M using Certificate of Compliance (CoC) No. 1014, Amendment No. 10.

DATES: June 14, 2017.

ADDRESSES: Please refer to Docket ID NRC-2017-0134 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-2017-0134. 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-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 (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *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: Yen-Ju Chen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-1018; email: Yen-Ju.Chen@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

The VYNPS began operation in 1972. The reactor was permanently shut down on December 29, 2014. The VYNPS currently stores spent boiling-water reactor (BWR) fuel assemblies at its ISFSI in thirteen (13) HI-STORM 100 casks under CoC No. 1014, Amendment No. 2. The remaining spent fuel assemblies were removed from the reactor and transferred to the spent fuel pool. Entergy, which owns the facility, submitted the VYNPS Post-Shutdown Decommissioning Activities Report (PSDAR) to the NRC on December 19, 2014. In the PSDAR, Entergy stated its intention to move all of the spent nuclear fuel assemblies into dry cask storage by 2020 and put the plant into

SAFSTOR¹ until it is ready to fully decommission the facility.

Consistent with subpart K of part 72 of title 10 of the *Code of Federal Regulations* (10 CFR), a general license is 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. Entergy is currently authorized to store spent fuel at the VYNPS ISFSI under the 10 CFR part 72 general license provisions. Entergy plans to use Holtec HI-STORM 100 storage casks, as approved by the NRC under CoC No. 1014, Amendment No. 10, at the VYNPS for dry storage of spent nuclear fuel in MPC-68M canisters.

II. Request/Action

By letter dated November 9, 2016, as supplemented on January 9, 2017, Entergy submitted a request for an exemption from those provisions of 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.212(b)(11), and 72.214 that require compliance with the terms, conditions, and specifications of CoC No. 1014, Amendment No. 10, for the VYNPS to load and store certain low-enriched channeled undamaged fuel assemblies with higher enriched fuel assemblies in the same Holtec HI-STORM 100 MPC-68M canister.

III. Discussion

Pursuant to 10 CFR 72.7, the Commission may, upon application by any interested person or upon its own initiative, grant such exemptions from the requirements of the regulations of 10 CFR part 72 as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

The NRC staff prepared a safety evaluation report (SER) (ADAMS Accession No. ML17054C788) to document the evaluation of the proposed mixed-enrichment fuel loading arrangement to assure continued protection of public health and safety, common defense and security, and the environment. As summarized below, the NRC's safety review concludes that the requested exemption does not affect the ability of the cask system to meet the requirements of 10 CFR part 72.

¹ A method of decommissioning in which a nuclear facility is placed and maintained in a condition that allows the facility to be safely stored and subsequently decontaminated (deferred decontamination) to levels that permit release for unrestricted use.

A. The Exemption Is Authorized by Law

This exemption would permit the VYNPS to load and store certain low-enriched (up to 3.3 wt.% U-235) channeled BWR fuel assemblies classified as undamaged per CoC No. 1014, Amendment No. 10, in the same MPC with higher enriched (planar-average initial enrichment up to 4.8 wt.% U-235) BWR fuel assemblies. The provisions from which the NRC is granting the exemption require the VYNPS to follow the conditions of CoC No. 1014, Amendment No. 10, that when loading certain low-enriched channeled undamaged BWR fuel assemblies in an MPC-68M, all fuel assemblies in the same MPC are limited to 3.3 wt.% U-235 maximum planar-average initial enrichment.

Section 72.7 allows the Commission to grant exemptions from the requirements of 10 CFR part 72 if the exemption is authorized by law and will not endanger life or property nor the common defense and security. Issuance of this exemption is consistent with the Atomic Energy Act of 1954, as amended, and not otherwise inconsistent with NRC's regulations or other applicable laws. Therefore, issuance of the exemption is authorized by law.

B. The Exemption Presents No Undue Risk to Public Health and Safety

Approval of this exemption request will allow VYNPS to load and store certain low-enriched channeled undamaged BWR fuel assemblies in the same HI-STORM 100 MCP-68M canister, with higher enriched BWR fuel assemblies. As discussed in the SER and summarized in the following sections, the NRC staff finds that Entergy's proposed action is acceptable and will not endanger life or property.

Review of the Requested Exemption

The classification of certain low-enriched channeled BWR fuel as undamaged for the Holtec HI-STORM 100 system was reviewed previously and approved by the NRC in Amendment No. 9, Revision 1, on March 21, 2016. The CoC has a restriction that when loading certain low-enriched channeled undamaged BWR fuel (limited to 3.3 wt.% U-235), all fuels in the same MPC are limited to 3.3 wt.% U-235 maximum planar-average initial enrichment.

Entergy stated that the VYNPS has a large number of assemblies that fall into the category of low-enriched channeled undamaged BWR fuel. These assemblies can be mixed with higher enriched fuel in the same cask to reduce dose rates because placing the low-enriched

assemblies on the periphery of the cask acts as shielding and blocks the radiation from the higher-enriched fuels stored in the center of the cask. In order to reduce maximum dose rates from the casks for the decommissioning loading plan, Entergy is seeking an exemption from the loading restriction.

The NRC staff reviewed the requested exemption and determined that it does not change the fundamental design, components, or safety features of the storage system. The NRC staff evaluated the applicable potential safety impacts of granting the exemption to assess the potential for any danger to life or property or the common defense and security. Specifically, the NRC staff reviewed the applicant's criticality and shielding evaluations for the proposed exemption.

Criticality Review for the Requested Exemption: The NRC staff evaluated the adequacy of the description, methods, and analyses related to the criticality evaluation for the requested action to ensure that the storage of higher enrichments with low enriched channeled undamaged fuel in the same MPC-68M meets the criticality safety requirements of 10 CFR part 72. The NRC staff concludes that the HI-STORM 100 Cask System continues to meet the regulatory requirements that the dry cask storage system as modified will continue to remain subcritical under all credible normal, off-normal, and accident conditions and provide reasonable assurance for safe storage of spent fuel.

Shielding Review for the Requested Exemption: The objective of the review is to ensure that, with the exemption request, the VYNPS continues to provide adequate protection against direct radiation to the onsite operating workers and members of the public, and that the ISFSI continues to satisfy the regulatory requirements during normal operating, off-normal, and design-basis accident conditions. The NRC staff found that the mixing of lower enriched fuel (at 3.3 wt.% U-235) and higher enriched fuel (up to 4.8 wt.% U-235) reduced the overall dose rates. Therefore, the staff concludes that granting this exemption assures that the

VYNPS ISFSI continues to satisfy the dose limits as specified in 10 CFR 72.104. It also provides benefit to the onsite workers and the public.

C. The Exemption Is Consistent With the Common Defense and Security

Review of Common Defense and Security: The NRC staff also considered potential impacts of granting the exemption on the common defense and security. The requested exemption is not related to any security or common defense aspect of the VYNPS ISFSI, therefore granting the exemption would not result in any potential impacts to common defense and security.

Based on its review, the NRC staff has determined that under the requested exemption, the storage system will continue to meet the safety requirements of 10 CFR part 72 and the offsite dose limits of 10 CFR part 20 and, therefore, will not endanger life or property. The NRC staff also finds that the exemption would not endanger common defense and security.

D. Otherwise in the Public Interest

In considering whether granting the exemption is in the public interest, the NRC staff considered the alternative of not granting the exemption. If the exemption was not granted, in order to comply with the CoC, when the VYNPS loaded certain low-enriched channeled undamaged BWR fuel, all fuels in the same MPC would be limited to 3.3 wt.% U-235 maximum planar-average initial enrichment.

Entergy stated that granting the exemption is in the public interest since it will reduce operational dose rate by loading certain low-enriched channeled undamaged BWR fuel with higher enriched BWR fuel in the same MPC, and NRC staff confirms this statement in Section B.6 of the SER. Additionally, granting the exemption would support VYNPS's cask loading schedule as part of its decommissioning effort.

The NRC staff concludes that allowing the VYNPS to load certain low-enriched channeled undamaged BWR fuel with higher enriched BWR fuel in the same MPC would continue to provide adequate protection of public health and

safety. Therefore, granting the exemption is otherwise in the public interest.

E. Environmental Considerations

The NRC staff also considered whether there would be any significant environmental impacts associated with the exemption. For this proposed action, the NRC staff performed an environmental assessment pursuant to 10 CFR 51.30. The environmental assessment concluded that the proposed action would not significantly impact the quality of the human environment. The NRC staff concluded that the proposed action would not result in any changes in the types or amounts of any radiological or non-radiological effluents that may be released offsite, and there is no significant increase in occupational or public radiation exposure because of the proposed action. The Environmental Assessment and the Finding of No Significant Impact was published on June 6, 2017 (82 FR 26144).

IV. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 72.7, this 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 Commission hereby grants Entergy an exemption from those provisions of 10 CFR 72.212(a)(2), 10 CFR 72.212(b)(3), 10 CFR 72.212(b)(5)(i), 10 CFR 72.214, and the portion of 10 CFR 72.212(b)(11) that require compliance with terms, conditions, and specifications of the CoC No. 1014, Amendment No. 10, for the VYNPS to load and store certain low-enriched channeled undamaged fuel assemblies with higher enriched fuel assemblies in the same Holtec HI-STORM 100 MPC-68M canister.

V. Availability of Documents

The documents identified in the following table are available to interested persons through one or more of the methods indicated in the ADDRESSES section.

Document	ADAMS Accession No.
Entergy's exemption request, November 9, 2016	ML16319A102
Entergy's supplemental information, January 9, 2017	ML17010A300
Certificate of Compliance No. 1014, Amendment No. 10 for the HI-STORM 100 Cask System, dated May 25, 2016	ML16144A177
Vermont Yankee Nuclear Power Station Post-Shutdown Decommissioning Activities Report, December 29, 2014	ML14357A110
NRC's SER for the exemption request, dated May 26, 2017	ML17054C788
CoC and SER for Amendment No. 9, Revision 1, to CoC 1014 issued on March 21, 2016	ML16056A529
Environmental Assessment (82 FR 26144, June 6, 2017)	ML16343A859

The exemption is effective upon issuance.

Dated at Rockville, Maryland, this 6 day of June, 2017.

For the Nuclear Regulatory Commission.

John McKirgan,

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

[FR Doc. 2017-12270 Filed 6-13-17; 8:45 am]

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POSTAL REGULATORY COMMISSION

[Docket Nos. MC2017-144 and CP2017-203; MC2017-145 and CP2017-204; MC2017-146 and CP2017-205; MC2017-147 and CP2017-206]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning negotiated service agreements. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* June 16, 2017.

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:

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- I. Introduction
- II. Docketed Proceeding(s)

I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the market dominant or the competitive product list, or the modification of an existing product currently appearing on the market dominant or the competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal

Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's Web site (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3007.40.

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern market dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3010, and 39 CFR part 3020, subpart B. For request(s) that the Postal Service states concern competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s):* MC2017-144 and CP2017-203; *Filing Title:* Request of the United States Postal Service to Add Priority Mail & First-Class Package Service Contract 43 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* June 8, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative:* Katalin K. Clendenin; *Comments Due:* June 16, 2017.

2. *Docket No(s):* MC2017-145 and CP2017-204; *Filing Title:* Request of the United States Postal Service to Add Priority Mail & First-Class Package Service Contract 44 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* June 8, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative:* Katalin K. Clendenin; *Comments Due:* June 16, 2017.

3. *Docket No(s):* MC2017-146 and CP2017-205; *Filing Title:* Request of the United States Postal Service to Add Priority Mail Contract 328 to Competitive Product List and Notice of

Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* June 8, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative:* Lawrence Fenster; *Comments Due:* June 16, 2017.

4. *Docket No(s):* MC2017-147 and CP2017-206; *Filing Title:* Request of the United States Postal Service to Add Priority Mail Express & Priority Mail Contract 49 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data; *Filing Acceptance Date:* June 8, 2017; *Filing Authority:* 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*; *Public Representative:* Lawrence Fenster; *Comments Due:* June 16, 2017.

This notice will be published in the **Federal Register**.

Ruth Ann Abrams,

Acting Secretary.

[FR Doc. 2017-12300 Filed 6-13-17; 8:45 am]

BILLING CODE 7710-FW-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80882; File No. SR-C2-2017-020]

Self-Regulatory Organizations; C2 Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to the Penny Pilot Program

June 8, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on May 31, 2017, C2 Options Exchange, Incorporated (the "Exchange" or "C2") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II which Items have been prepared by the Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(6).