

The DG-1325 reflects changes based on lessons learned regarding the review of nuclear power plant design certification (DC), early site permit (ESP), and combined license (COL) applications under 10 CFR part 52, since the initial issuance of RG 1.206 in 2007. The scope of the proposed revision has been expanded beyond combined license (COL) applications to more explicitly address the current application process related to applications for DC, ESP, and limited work authorizations and the title has been changed accordingly. It provides more integrated guidance regarding the overall format and content for COL, DC, and ESP applications and additionally reflects the NRC staff's position that, although the guidance therein is intended for applicability to power reactors with light-water reactor (LWR) technology, the revised RG will be generally applicable to other types of power reactors (*i.e.*, non-LWRs).

The DG-1325 also satisfies the two remaining action items from the NRC's April 2013, Lessons Learned Report (ADAMS Accession No. ML13059A240) by (1) revising RG 1.206 to reflect lessons learned and (2) incorporating DC/COL ISG11, "Finalizing Licensing Basis Information," (ADAMS Accession No. ML092890623) in the revised RG 1.206." This proposed revision also reflects the removal of technical information relative to the 2007 version of RG 1.206. The NRC staff intends that NUREG-0800, "Standard Review Plan for the Review of Safety Analysis reports for Nuclear Power Plants: LWR Edition," be used by applicants relative to the technical information and level of detail to be included in safety analysis reports for applications for COLs, DCs, and ESPs.

The guidance in DG-1325 is divided into two parts: Section C.1 provides guidance for the organization, content, and format of an application under 10 CFR part 52; and Section C.2 contains information and guidance on a number of application regulatory topics related to the preparation, submittal, acceptance, and review of applications. The application regulatory topics include updated guidance that will allow the withdrawal of interim staff guidance. The NRC staff intends to withdraw the following four documents upon issuance of the revised RG 1.206:

- DC/COL-ISC-011, "Interim Staff Guidance Finalizing Licensing Basis Information" (ADAMS Accession No. ML092890623),
- ESP/DC/COL-ISC-015, "Interim Staff Guidance on Post Combined License Commitments" (ADAMS Accession No. ML091671355),

- COL/ESP-ISC-04, "Interim Staff Guidance on the Definition of Construction and on Limited Work Authorizations" (ADAMS Accession No. ML082970729), and
- DC/COL ISC-08, "Final Interim Staff Guidance Necessary Content of Plant-Specific Technical Specifications When a Combined License is Issued" (ADAMS Accession No. ML083310259).

The NRC staff's periodic review of related guidance in RG 1.70, Revision 3 (ADAMS Accession No. ML14272A331), "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants (LWR)," in September 2014, recommended the withdrawal of RG 1.70 once information relevant to the licensing of nuclear power plants under 10 CFR part 50 is included in an update to RG 1.206. The additional scope related to construction permits and operating licenses was envisioned for a later update to RG 1.206 and is not included in the current proposed revision.

III. Backfitting and Issue Finality

Draft regulatory guide DG-1325, if finalized as a new regulatory guide, would provide guidance for applicants regarding the format and content of applications for new ESPs, DCs, and COLs under 10 CFR part 52. Issuance of this DG in final form would not constitute backfitting under 10 CFR part 50 and would not otherwise be inconsistent with the issue finality provisions in 10 CFR part 52. As discussed in the "Implementation" section of this DG, the NRC has no current intention to impose the DG, if finalized, on current holders of ESPs or COLs or a DC applicant under 10 CFR part 52.

The DG, if finalized, could be applied to applications for 10 CFR part 52 ESPs, COLs, and DCs. Such action would not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) or be otherwise inconsistent with the applicable issue finality provision in 10 CFR part 52, inasmuch as such applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. This is because neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions discussed below—were intended to apply to every NRC action that substantially changes the expectations of current and future applicants. The exceptions to the general principle are applicable whenever an applicant references a 10 CFR part 52 license (*e.g.*, an early site permit), the NRC regulatory approval (*e.g.*, a design certification rule), or both, with specified issue

finality provisions. The staff does not, at this time, intend to impose the positions represented in DG-1325 (if finalized) in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in DG-1325 (if finalized) in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

Dated at Rockville, Maryland, this 15th day of June, 2017.

For the Nuclear Regulatory Commission.

Joseph Colaccino,

Chief, New Reactor Rulemaking and Guidance Branch, Division of Engineering and Infrastructure, Office of New Reactors.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80923; File No. SR-ISE-2017-32]

Self-Regulatory Organizations; Nasdaq ISE, LLC; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To Harmonize the Corporate Governance Framework With That of the NASDAQ Stock Market LLC, NASDAQ PHLX LLC, and NASDAQ BX, Inc.

June 14, 2017

On April 11, 2017, Nasdaq ISE, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to harmonize its board and committee structure, and all related corporate governance processes, with that of the three other registered national securities exchanges and self-regulatory organizations owned by the Exchange's indirect parent company, Nasdaq, Inc., namely: The NASDAQ Stock Market LLC, NASDAQ PHLX LLC, and NASDAQ BX, Inc. The proposed rule change was published for comment in the **Federal Register** on May 2, 2017.³ The Commission has received no comment letters on the proposal.

Section 19(b)(2) of the Act⁴ provides that within 45 days of the publication of notice of the filing of a proposed rule

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 80530 (April 26, 2017), 82 FR 20508.

⁴ 15 U.S.C. 78s(b)(2).

change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is June 16, 2017.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider and take action on the Exchange's proposed rule change.

Accordingly, pursuant to Section 19(b)(2) of the Act⁵ and for the reasons stated above, the Commission designates July 31, 2017, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-ISE-2017-32).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-12764 Filed 6-19-17; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80926; File No. SR-CBOE-2017-019]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Withdrawal of Proposed Rule Change Related to Complex Orders

June 14, 2017.

On March 7, 2017, the Chicago Board Options Exchange, Incorporated (the "Exchange" or "CBOE") filed with the Securities and Exchange Commission (the "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² a proposed rule change to amend its rules with respect to orders in open outcry to set forth applicable ratios for an order to be eligible for complex order priority

within applicable priority rules, make explicit the priority applicable when there are other complex orders or quotes represented at the same net price, and clarify the applicable minimum increment. The Exchange also proposed to simplify the definitions of the complex order types that may be made available on a class-by-class basis. The proposed rule change was published for comment in the **Federal Register** on March 24, 2017.³ On May 5, 2017, the Commission issued a notice designating a longer period of time to act on the proposed rule change.⁴ The Commission has not received any comments on the proposed rule change. On June 6, 2017, CBOE withdrew the proposed rule change (SR-CBOE-2017-019).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁵

Eduardo A. Aleman,
Assistant Secretary.

[FR Doc. 2017-12767 Filed 6-19-17; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-80924; File No. SR-BX-2017-028]

Self-Regulatory Organizations; NASDAQ BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Exchange's Transaction Fees at Rule 7018

June 14, 2017.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on June 1, 2017, NASDAQ BX, Inc. ("BX" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Exchange's transaction fees at Rule 7018

to reduce the amount of one of the credits for entering an order that accesses liquidity in the Exchange's Equities System, as described further below.

The text of the proposed rule change is available on the Exchange's Web site at <http://nasdaqbx.cchwallstreet.com/>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's transaction fees at Rule 7018 to reduce a credit for entering an order that accesses liquidity in the Exchange's Equities System for "all other orders," *i.e.*, orders that do not qualify for other available credits for removing liquidity.

The Exchange operates on the "taker-maker" model, whereby it pays credits to members that take liquidity and charges fees to members that provide liquidity. Currently, the Exchange offers five different credits for orders that access liquidity on the Exchange. First, the Exchange pays a credit of \$0.0016 per share executed for an order that accesses liquidity (excluding orders with Midpoint pegging and excluding orders that receive price improvement and execute against an order with a Non-displayed price) entered by a member that accesses liquidity equal to or exceeding 0.10% of total Consolidated Volume during a month. Second, the Exchange pays a credit of \$0.0015 per share executed to an order that accesses liquidity (excluding orders with Midpoint pegging and excluding orders that receive price improvement and execute against an order with a Non-displayed price) entered by a member that accesses liquidity equal to or exceeding 0.05% of total

⁵ 15 U.S.C. 78s(b)(2).

⁶ 17 CFR 200.30-3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 80279 (March 20, 2017), 82 FR 15085 ("Notice").

⁴ See Securities Exchange Act Release No. 80609, 82 FR 22035.

⁵ 17 CFR 200.30-3(a)(31).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.