

documents, including the final supporting statement, at the NRC's PDR, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/>. The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by January 11, 2013. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Chad Whiteman, Desk Officer, Office of Information and Regulatory Affairs (3150-0066), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be emailed to Chad_S_Whiteman@omb.eop.gov or submitted by telephone at 202-395-4718.

The NRC Clearance Officer is Tremaine Donnell, 301-415-6258.

Dated at Rockville, Maryland, this 6th day of December 2012.

For the Nuclear Regulatory Commission.

Tremaine Donnell,

NRC Clearance Officer, Office of Information Services.

[FR Doc. 2012-29944 Filed 12-11-12; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2012-0182]

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal**

Register Notice with a 60-day comment period on this information collection on August 17, 2012 (77 FR 49834).

1. *Type of submission, new, revision, or extension:* Extension.

2. *The title of the information collection:* Nuclear Material Events Database (NMED) for the Collection of Event Report, Response, Analyses, and Follow-up Data on Events Involving the Use of Atomic Energy Act (AEA) Radioactive Byproduct Material.

3. *Current OMB approval number:* 3150-0178.

4. *The form number if applicable:* N/A.

5. *How often the collection is required:* On occasion. Agreement States are requested to provide copies of licensee nuclear material event reports electronically or by hard copy to the NRC within 30 days of receipt from their licensee. In addition, Agreement States are requested to report events that may pose a significant health and safety hazard to the NRC Headquarters Operations Officer within 24 hours of notification by an Agreement State licensee.

6. *Who will be required or asked to report:* Current Agreement States and any State receiving Agreement State status in the future.

7. *An estimate of the number of annual responses:* 471.

8. *The estimated number of annual respondents:* 37.

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* 745.5 hours.

10. *Abstract:* NRC regulations require NRC licensees to report incidents and events involving the use, transportation and security of radioactive byproduct material, and source material, such as those involving radiation overexposures, leaking or contaminated sealed source(s), release of excessive contamination of radioactive material, lost or stolen radioactive material, equipment failures, abandoned well logging sources and medical events. Agreement State licenses are also required to report these events to their individual Agreement State regulatory authorities under compatible Agreement State regulations. The NRC is requesting that the Agreement States provide information to NRC on the initial notification, response actions, and follow-up investigations on events involving the use (including suspected theft or terrorist activities) of nuclear materials regulated pursuant to the Atomic Energy Act. The event information should be provided in a uniform electronic format, for assessment and identification of any facilities/site specific or generic safety

concerns that could have the potential to impact public health and safety. The identification and review of safety concerns may result in lessons learned, and may also identify generic issues for further study which could result in proposals for changes or revisions to technical or regulatory designs, processes, standards, guidance or requirements.

The public may examine and have copied for a fee, publicly available documents, including the final supporting statement, at the NRC's Public Document Room, Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The OMB clearance requests are available at the NRC's Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/>. The document will be available on the NRC's home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by January 11, 2013. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date.

Chad Whiteman, Desk Officer, Office of Information and Regulatory Affairs (3150-0178), NEOB-10202, Office of Management and Budget, Washington, DC 20503.

Comments can also be emailed to Chad_S_Whiteman@omb.eop.gov, or submitted by telephone at 202-395-4718.

The NRC Clearance Officer is Tremaine Donnell, 301-415-6258.

Dated at Rockville, Maryland, this 5th day of December 2012.

For the Nuclear Regulatory Commission.

Tremaine Donnell,

NRC Clearance Officer, Office of Information Services.

[FR Doc. 2012-29943 Filed 12-11-12; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-133; NRC-2012-0288]

Pacific Gas and Electric Company, Humboldt Bay Power Plant, Unit 3; Scheduler Exemption From Final Rule for Enhancements to Emergency Preparedness Regulations

1.0 Background

On July 2, 1976, Humboldt Bay Power Plant (HBPP) Unit 3 was shut down for annual refueling and to conduct seismic modifications. The unit was never

restarted. In 1983, updated economic analyses indicated that restarting Unit 3 would probably not be cost-effective, and in June 1983, Pacific Gas and Electric Company (PG&E) announced its intention to decommission the unit. On July 16, 1985, the U.S. Nuclear Regulatory Commission (NRC) issued Amendment No. 19 to the HBPP Unit 3 Operating License to change the status to possess-but-not-operate. (Agencywide Documents Access and Management System Accession No. 8507260045). In December of 2008, the transfer of spent fuel from the fuel storage pool to the dry-cask Independent Spent Fuel Storage Installation (ISFSI) was completed, and the decontamination and dismantlement phase of HBPP Unit 3 decommissioning commenced. Active decommissioning is currently underway.

2.0 Request/Action

The NRC issued the Final Rule for Enhancements to Emergency Preparedness Regulations (Final Rule) in the **Federal Register** on November 23, 2011 (76 FR 72560). Certain portions of the Final Rule are required to be implemented by June 20, 2012, while other portions of the Final Rule have later implementation dates.

By letter dated June 19, 2012 (ADAMS Accession No. ML12187A235), Pacific Gas and Electric Company (PG&E, the licensee) requested a schedular exemption which would extend the date for implementing certain sections of the Final Rule from June 20, 2012, to September 20, 2012. The specific sections are:

For Security-Related Emergency Plan Issues:

- Emergency Action Levels for Hostile Action (10 CFR Part 50, Appendix E, IV.B)

- Emergency Response Organization Augmentation at Alternate Facility—capability for staging emergency organization personnel at an alternate facility and the capability for communications with the control room and plant security (10 CFR Part 50, Appendix E, IV.E.8.d)

- Protection for Onsite Personnel (10 CFR Part 50, Appendix E, IV.I)

For Non-Security Related Issues:

- Emergency Declaration Timeliness (10 CFR Part 50, Appendix E, IV.C.2.)

- Emergency Operations Facility—Performance Based Approach (10 CFR Part 50, Appendix E, IV.E.8.a.–c.)

PG&E asserts that the Final Rule does not specifically address defueled, non-operating facilities such as HBPP, the

Final Rule is not applicable to 10 CFR Part 72 ISFSI emergency plans, and therefore PG&E needs more time to evaluate the impact of the Final Rule on HBPP.

3.0 Discussion

Through the Final Rule which became effective December 23, 2011, the NRC amended certain emergency preparedness (EP) requirements that apply to certain 10 CFR Parts 50 and Part 52 licensees and applicants. The Final Rule codified certain voluntary protective measures contained in NRC Bulletin 2005–02, “Emergency Preparedness and Response Actions for Security-Based Events” (BL–05–02) dated February 25, 2002, and generically applicable requirements similar to those previously imposed by Commission orders, in particular EA–02–026, “Order for Interim Safeguards and Security Compensatory Measures,” dated February 25, 2002. In addition, the Final Rule amended other licensee emergency plan requirements based on a comprehensive review of the NRC’s EP regulations and guidance. The requirements enhance the ability of licensees in preparing to take and taking certain EP and protective measures in the event of a radiological emergency; address, in part, security issues identified after the terrorist events of September 11, 2001; clarify regulations to effect consistent emergency plan implementation among licensees; and modify certain EP requirements to be more effective and efficient.

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present.

This exemption would, as noted above, allow the licensee to defer compliance with portions of the new EP rule contained in 10 CFR part 50, from June 20, 2012, until September 20, 2012. The Atomic Energy Act of 1954, as amended and the Commission’s regulations permit the Commission to grant exemptions from the regulations in 10 CFR part 50. Granting exemptions is consistent with the authority provided to the Commission in the Atomic Energy Act of 1954, as amended. Therefore, the exemption is authorized by law.

The Final Rule incorporated several security-related emergency planning improvements that had previously been

issued by Order EA–02–026 or BL–05–02. EA–02–026 was sent only to operating power reactor licensees, and B–05–02 was sent only to holders of operating licenses for nuclear power reactors, except for those licensees who have permanently ceased operation and have certified that fuel has been removed from the reactor vessel. Although both the Order and Bulletin were not applicable to nuclear power reactor facilities that have permanently shutdown, such as Humboldt Bay, all aspects of the Final Rule are applicable to these licensees.

The staff determined that Humboldt Bay’s EP program met the baseline requirements of the previous version of the EP requirements in 10 CFR 50.47, and 10 CFR part 50, Appendix E as previously approved by the NRC in the Decommissioning Safety Evaluation Report dated April 27, 1987. The EP Final Rule was not necessary for adequate protection. The **Federal Register** notice for the Final Rule stated, “the Commission has determined that the existing regulatory structure ensures adequate protection of public health and safety and common defense and security.” Thus, compliance with the EP requirements in effect before the effective date of the EP Final Rule demonstrated reasonable assurance of adequate protection, and granting an extension of time to comply with portions of the EP Final Rule will not present an undue risk to public health or safety and is consistent with the common defense and security.

The Humboldt Bay Site Emergency Plan is a joint emergency plan addressing both the 10 CFR part 50 licensed facility and the 10 CFR part 72 licensed ISFSI. The Emergency Plan does not include PG&E-staffed offsite facilities or an onsite Technical Support Center. As stated in Section 2.0 above, the licensee has stated that the Final Rule does not specifically address defueled, non-operating facilities such as HBPP, it is not applicable to 10 CFR part 72 ISFSI emergency plans, and therefore PG&E is still evaluating the applicability of the Final Rule to HBPP. Because PG&E is still evaluating the applicability of the Final Rule to HBPP, special circumstances are present in that the licensee reasonably needs more time to assess the impact of the rule.

4.0 Conclusion

The NRC staff reviewed the licensee’s submittals and concludes that the licensee has justified its request for an extension of the compliance date with regard to five specific requirements of 10 CFR 50.47, and Part 50, Appendix E until September 20, 2012.

Accordingly, the Commission has determined that pursuant to 10 CFR 50.12, "Specific exemptions," an exemption from the June 20, 2012, compliance date is authorized by law and will not endanger life or property or the common defense and security, is otherwise in the public interest, and special circumstances are present. Therefore, the Commission hereby grants the requested exemption.

As per the licensee's request and the NRC's regulatory authority to grant an exemption to the June 20, 2012, deadline for the five sections specified in the licensee's letter dated June 19, 2012, the licensee is required to be in compliance with 10 CFR part 50, Appendix E, IV.B, 10 CFR part 50, Appendix E, IV.E, 10 CFR part 50, Appendix E, IV.I, 10 CFR part 50, Appendix E, IV.C, and 10 CFR part 50, Appendix E, IV.E.8, or request appropriate exemption by September 20, 2012.

Pursuant to 10 CFR 51.32, "Finding of no significant impact," the Commission has previously determined that the granting of this exemption will not have a significant effect on the quality of the human environment (77 FR 71198; November 29, 2012).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 3rd day of December 2012.

For the Nuclear Regulatory Commission.

Larry W. Camper,

Director, Division of Waste Management, and Environmental Protection, Office of Federal and State Materials, and Environmental Management Programs.

[FR Doc. 2012-29950 Filed 12-11-12; 8:45 am]

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POSTAL REGULATORY COMMISSION

[Docket No. R2013-5; Order No.1569]

International Mail Contract

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing concerning modification of a mail contract with Singapore Post Limited. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* December 17, 2012.

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: Stephen L. Sharfman, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

Table of Contents

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

I. Introduction

Background. On December 4, 2012, the Postal Service filed notice, pursuant to 39 CFR 3010.40 *et seq.*, announcing that it has entered into a modification of an existing bilateral agreement (Modified Agreement) for inbound market dominant services with Singapore Post Limited (Singapore Post).¹ It asks that the Commission include the Modified Agreement within the Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators 1 product.

Contract history and scope. The Modified Agreement revises the existing Singapore Post Agreement (Original Agreement), filed in Docket No. R2012-1, which was included within Inbound Market Dominant Multi-Service Agreements with Foreign Postal Operators 1 by operation of Order No. 995. *Id.* at 1. The modification extends the Original Agreement until June 30, 2013. *Id.*

Applicable rules. Subpart D of 39 CFR 3010 addresses rate adjustments for negotiated service agreements (Type 2 adjustments). The rules in this subpart specify, among other things, the scope and nature of the data, information, and explanations the Postal Service is to provide in a notice of Type 2 rate adjustment; the action the Commission is to take upon receipt of such Notice; and the nature of Commission review. *See* 39 CFR 3010.42 through 3010.44.

II. Notice of Filing

Compliance with filing requirements. The Postal Service's filing consists of the Notice, three attachments, and a public Excel file. Attachment 1 to the Notice is an application for non-public treatment of material filed under seal with the Commission (Application).² This material consists of the unredacted text of the Agreement and unredacted supporting financial documentation. *Id.*

¹ Notice of the United States Postal Service of Filing Additional Functionally Equivalent Agreement, December 4, 2012 (Notice).

² The Application was filed pursuant to 39 CFR 3007.21. *See Id.* at 7.

at 3. Attachment 2 is a copy of the Modified Agreement. *Id.* at 2. Attachment 3 is a redacted copy of the Original Agreement from Docket No. R2012-1. *Id.* at 2-3. The public Excel file is a redacted version of the supporting financial documentation. *Id.* at 3.

The Postal Service identifies January 18, 2013 as the effective date of the Modified Agreement; asserts that the requisite 45 days' advance notice is being provided; and identifies a Postal Service official as a contact for further information. *Id.* at 3-4.³ It identifies the parties to the Agreement as the United States Postal Service and Singapore Post Limited, the postal operator for Singapore. *Id.* at 4. It states that the Modified Agreement includes delivery confirmation scanning for Letter Post small packets, a service established by the China Post 2010 Agreement, the Hongkong Post Agreement, and China Post 2011 Agreements. *Id.*

The Postal Service states that information about expected financial improvements, costs, volumes, and revenues in financial workpapers has been filed with the Commission under seal. *Id.* at 5. Because the Modified Agreement involves only term extension, and therefore no relevant material change, the Postal Service incorporates by reference portions of its original notice⁴ (in Docket No. R2012-1), addressing, as required by 39 CFR 2010.41(d), components expected to enhance performance and, as required by 39 CFR 2010.41(e), reasons why the Modified Agreement will not result in unreasonable harm to the marketplace. Notice at 5.

Rule 3010.43—data collection plan. Rule 3010.43 requires the Postal Service to submit a detailed data collection plan. The Postal Service asks that the Commission except the Modified Agreement from the separate performance reporting requirement under 39 CFR 3055.3(a)(3), based on reasons described in the Docket No. R2012-1 Notice. *Id.* at 6; *see also* Docket No. R2012-1 Notice at 5-6.

Consistency with applicable statutory criteria. The Postal Service notes that in the Original Agreement, the Commission held that the criteria set forth in 39 U.S.C. 3622(c)(10) had been

³ In a related filing in Docket No. R2012-1, the Postal Service seeks a brief extension of the Original Agreement. *See* Docket No. R2012-1, Motion of the United States Postal Service for Temporary Relief, December 4, 2012.

⁴ Docket No. R2012-1, Notice of United States Postal Service of Type 2 Rate Adjustment and Notice of Filing Functionally Equivalent Agreement, October 14, 2011, at 4-7 (Docket No. R2012-1 Notice).