

The NRC is also adding a new section, Section 4.3.1, Civil Penalties to Individuals Who Release Safeguards Information, to provide an assessment tool for the NRC staff to determine civil penalties for violations of unauthorized release of safeguards information (SGI) by individuals. The NRC is also revising Section 8.0, Table of Base Civil Penalties, to include a base civil penalty of \$3,500 for individuals who release SGI.

4. Orders

The NRC is revising Section 2.3.5, Orders, to clarify that Orders may be immediately effective, without prior opportunity for a hearing, whenever the NRC determines that the public health, safety interest, or common defense and security so requires, or if the violation or conduct causing the violation is willful.

5. Inaccurate and Incomplete Information

The NRC is adding a new Section 2.3.11, Inaccurate and Incomplete Information, to provide guidance to the NRC staff for issues involving inaccurate and incomplete information. The wording for this new section is taken essentially verbatim from the November 28, 2008, version of the Policy, Section IX, Inaccurate and Incomplete Information. This section was not included in the September 30, 2010, revision to the Policy.

6. Reporting of Defects

The NRC is adding a new Section 2.3.12, Reporting of Defects and Noncompliance, to provide guidance to the NRC staff for issues involving contractors that supply products or services for use in nuclear activities. The wording for this new section is taken essentially verbatim from the November 28, 2008, version of the Policy, Section X, Enforcement Action Against Nonlicensees. This section was not included in the September 30, 2010, revision to the Policy.

7. Predecisional Enforcement Conference

The NRC is revising Section 2.4.1, Predecisional Enforcement Conference, in its entirety to provide clear and consistent guidance that allows licensees and individuals to respond to apparent violations before final escalated enforcement action is taken. The revised text states, in part, that to the extent practicable, the NRC will consider the licensee's response before taking enforcement action.

8. Alternative Dispute Resolution

The NRC is revising Section 2.4.3, Alternative Dispute Resolution, to update the alternative dispute resolution guidance.

9. Enforcement Actions Involving Individuals

The NRC is revising Section 4.0, Enforcement Actions Involving Individuals, to provide guidance for handling potentially damaging or disqualifying information involving an individual's trustworthiness and reliability, which may affect an individual's unescorted access authorization to licensee facilities.

10. Violation Examples

The NRC is revising Section 6.0, Violation Examples, by adding several new violation examples and revising several of the current examples. The sub-sections within Section 6.0 that are being revised include the violation examples related to licensed operators, facility construction (parts 50 and 52 of Title 10 of the *Code of Federal Regulations* (10 CFR), licensees and fuel cycle facilities), emergency preparedness, inaccurate and incomplete information, and failure to make a required report. The NRC is adding violation examples related to export and import activities.

11. Glossary

The NRC is revising the following definitions in Section 7.0, Glossary: actual consequences, apparent violation, lost source policy, substantial potential for exposures or releases in excess of the applicable limits in 10 CFR part 20, and traditional enforcement. The NRC is also adding definitions for certificate holders and nonlicensees for purposes of the Policy.

12. Table of Base Civil Penalties

In Section 8.0, Table A, Table of Base Civil Penalties, the NRC is revising the title of Category "c" by replacing the wording "Fuel fabricators authorized to possess Category III quantities of SNM [special nuclear material] * * *" with the wording "All other fuel fabricators, including facilities under construction * * *". This change will ensure that Table A addresses fuel facilities under construction.

IV. Procedural Requirements

Paperwork Reduction Act Statement

This Policy statement does not contain new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*). Existing

requirements were approved by the Office of Management and Budget (OMB), Approval Number 3150-0136.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

Congressional Review Act

In accordance with the Congressional Review Act of 1996, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of OMB.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 22nd day of January 2013.

Andrew L. Bates,

Acting Secretary of the Commission.

[FR Doc. 2013-01672 Filed 1-25-13; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-151; NRC-2013-0017]

Notice of License Termination for University of Illinois Advanced TRIGA Reactor, License No. R-115

The U.S. Nuclear Regulatory Commission (NRC) is noticing the termination of Facility Operating License No. R-115, for the University of Illinois Advanced TRIGA Reactor (ATR).

The NRC has terminated the license of the decommissioned ATR, at the Nuclear Research Laboratory (NRL) on the campus of the University of Illinois (U of IL) in Urbana, Illinois, and has released the site for unrestricted use. The licensee requested termination of the license in a letter to the NRC dated October 9, 2012 (ADAMS Accession Number ML12345A245). The ATR provided training for Nuclear Engineering students and various services for researchers in other departments at the U of IL. The University ceased operation of the facility in 1998, and the reactor fuel was removed in 2004. In 2007, the NRC approved the NRL Decommissioning Plan (DP) which required complete removal of the reactor, systems, and demolition of the facility.

The NRL underwent decommissioning activities from October 2011 through May 2012. In July

2012, the licensee conducted a Final Status Survey (FSS) in the soils of the building footprint per the NRC reviewed FSS Plan. The Class 1 survey unit consisted of the exposed soils in the building footprint and the Class 2 survey unit was the immediate area surrounding the excavation area.

The U of IL submitted the FSS report with the request for license termination for the ATR on October 9, 2012 (ADAMS Accession No. ML12345A245). The NRC reviewed the FSS report and determined that the survey data was in accordance with the Decommissioning Plan and the FSS Plan. The report documented that compliance with the criteria in the NRC-approved decommissioning plan for both reactors had been demonstrated.

Additionally, a confirmatory survey including soil samples and a gamma walkover survey was completed by the NRC Region III staff. Their conclusions, as noted in the NRC's Inspection Report 05000151/12005 (ADAMS Accession No. ML12307A330), were that "the results of the confirmatory surveys were consistent with the licensee's final status survey results and below the required cleanup levels, or DCGLs," and "the licensee adequately classified the survey units and applied the correct DCGLs in accordance with the FSSP."

Pursuant to 10 CFR 50.82(b)(6), the NRC staff has concluded that ATR at the NRL has been decommissioned in accordance with the approved decommissioning plans and that the terminal radiation surveys and associated documentation demonstrate that the facilities and site are suitable for release in accordance with the criteria for decommissioning in 10 CFR part 20, subpart E. Further, on the basis of the decommissioning activities carried out by the U of IL, the NRC's review of the licensee's final status survey report, the results of the NRC's inspections conducted at the NRL, and the results of confirmatory surveys, the NRC has concluded that the decommissioning process is complete and the facilities and sites may be released for unrestricted use. Therefore, Facility Operating License No. R-115 is terminated.

The above referenced documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR) at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Reading Room on the Internet at the NRC's Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who

do not have access to ADAMS or who have problems in accessing the documents in ADAMS should call the NRC PDR reference staff at 1-800-397-4209 or 301-415-4737 or email pdr@nrc.gov.

Dated at Rockville, Maryland, this 17th day of January 2013.

For the Nuclear Regulatory Commission.

Andrew Persinko,

Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.

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POSTAL SERVICE

Board of Governors; Sunshine Act Meeting

Board Votes To Close January 10, 2013, Meeting

By telephone vote on January 10, 2013, members of the Board of Governors of the United States Postal Service met and voted unanimously to close to public observation its meeting held in Washington, DC, via teleconference. The Board determined that no earlier public notice was possible.

MATTERS CONSIDERED: 1. Strategic Issues.

GENERAL COUNSEL CERTIFICATION: The General Counsel of the United States Postal Service has certified that the meeting was properly closed under the Government in the Sunshine Act.

CONTACT PERSON FOR MORE INFORMATION: Requests for information about the meeting should be addressed to the Secretary of the Board, Julie S. Moore, at (202) 268-4800.

Julie S. Moore,

Secretary.

[FR Doc. 2013-01756 Filed 1-24-13; 11:15 am]

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SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 30353; File No. 812-14082]

Symetra Life Insurance Company, et al.; Notice of Application

January 22, 2013.

AGENCY: Securities and Exchange Commission (the "Commission").

ACTION: Notice of application for an order under section 12(d)(1)(J) of the Investment Company Act of 1940, as

amended (the "Act"), for an exemption from sections 12(d)(1)(A) and (B) of the Act, under sections 6(c) and 17(b) of the Act for an exemption from section 17(a) of the Act, and under section 6(c) of the Act for an exemption from rule 12d1-2(a) under the Act.

SUMMARY OF THE APPLICATION:

Applicants request an order that would (a) permit certain series of registered open-end management investment companies to acquire shares of other registered open-end management investment companies and unit investment trusts ("UITs") that are within or outside the same "group of investment companies," as defined in section 12(d)(1)(G)(ii) of the Act, as the acquiring company and (b) permit certain series of registered open-end management investment companies relying on rule 12d1-2 under the Act to invest in certain financial instruments.

APPLICANTS: Symetra Life Insurance Company ("Symetra"), First Symetra National Life Insurance Company of New York ("First Symetra of NY" and collectively with Symetra and any insurance company controlling, controlled by, or under common control with Symetra and First Symetra of NY, the "Insurance Companies"), Symetra Investment Management, Inc. (the "Manager"), Symetra Mutual Funds Trust (the "Trust"), and Symetra Securities Inc. (the "Distributor").

DATES: *Filing Dates:* The application was filed on October 3, 2012 and amended on January 8, 2013.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on February 18, 2013, and should be accompanied by proof of service on applicants in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

ADDRESSES: The Commission: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090; Applicants: Symetra Life Insurance Company, Symetra Investment Management, Inc., Symetra Mutual Funds Trust, and Symetra Securities,