

NUCLEAR REGULATORY COMMISSION

[NRC-2010-0294]

Criteria for Identifying Material Licensees for the U. S. Nuclear Regulatory Commission's Agency Action Review Meeting**AGENCY:** Nuclear Regulatory Commission.**ACTION:** Notice of Availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is announcing the completion and availability of the new criteria for identifying nuclear material licensees for discussion at the Agency Action Review Meeting (AARM). The criteria may be found in SECY-11-0132 (NRC's Agencywide Documents Access and Management System (ADAMS) Accession Number: ML112280111) or in the supplementary information below.

The AARM is an agency meeting that allows senior NRC managers (1) to review the appropriateness of agency actions that have been taken for those nuclear power plants with significant performance problems as determined by the reactor oversight process (ROP) action matrix, (2) to review the appropriateness of agency actions for those nuclear material licensees, including fuel cycle facilities, with significant safety or security issues, (3) to ensure that coordinated courses of action have been developed and implemented for licensees of concern, (4) to review results of the staff's assessment of ROP effectiveness, including a review of approved deviations from the action matrix, and (5) to ensure that trends in industry and licensee performance are recognized and appropriately addressed.

ADDRESSES: A copy of SECY-11-0132 is available for inspection and/or copying for a fee in the NRC's Public Document Room (PDR), 11555 Rockville Pike, Rockville, Maryland 20874. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-(800) 397-4209, (301) 415-4737, or by email to pdr.resource@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Duane White, Division of Materials Safety and State Agreements, Office of

Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone (301) 415-6272, email: Duane.White@nrc.gov.

SUPPLEMENTARY INFORMATION**Background**

In 2002, the NRC developed a process for providing information to the Commission on significant nuclear materials issues and adverse licensee performance. This process was discussed in SECY-02-0216, "Proposed Process for Providing Information on Significant Nuclear Materials Issues and Adverse Licensee Performance," dated December 11, 2002. As part of this process, the NRC developed criteria to determine nuclear material licensees with significant performance problems that would be discussed at the AARM. In 2008, the NRC revised the criteria to provide additional clarification regarding the criteria and to incorporate NRC's most recent policies and procedures.

The agency currently identifies nuclear material licensees, including fuel cycle and Agreement State licensees, for AARM discussion based on operating performance, inspection results, and the severity of problems related to safety performance. The agency will continue to identify material licensees based on these same principles; however, one additional element (i.e., criterion), has been added that focuses on those material licensees previously discussed at the AARM who did not address or were ineffective in correcting their underlying issues.

Discussion*Criteria for Identifying Nuclear Material Licensees for Discussion at the AARM*

The new criteria for identifying nuclear material licensees for discussion at the AARM may be found in SECY-11-0132 (ADAMS Accession Number: ML112280111) and is provided below.

(1) *Strategic Plan*—Licensee has an event that results in the failure to meet a strategic outcome for safety and security in the NRC Strategic Plan (NUREG-1614);

(2) *Significant Issue or Event*—Licensee has an issue or event that results in an abnormal occurrence report to Congress (per NRC Management Directive 8.1), or a severity level I or II violation, as described in the NRC Enforcement Policy (including equivalent violations dispositioned by Alternative Dispute Resolution), or a level 3 or higher International Nuclear Event Scale Report to the International

Atomic Energy Agency (per NRC Management Directive 5.12), and there are unique or unusual aspects of the licensee's performance that warrant additional NRC oversight (e.g., a significant event, which requires an incident investigation team (IIT) or augmented inspection team (AIT)); or

(3) *Performance Trend*—Licensee has multiple and/or repetitive significant program issues identified over more than one inspection, or inspection period, and the issues are supported by severity level I, II, or III violation, as described in the NRC Enforcement Policy (including equivalent violations dispositioned by Alternative Dispute Resolution). Also, there are unique or unusual aspects of the licensee's performance that warrant additional NRC oversight (e.g., oversight panel formed for order implementation); or

(4) *Identified for Discussion at Previous AARM*—Licensee corrective actions did not address or were ineffective in correcting the underlying issues that were previously discussed at the AARM.

The NRC's strategic plan (NUREG-1614) and the referenced management directives and enforcement policy are available on NRC's public document collections Web page at <http://www.nrc.gov/reading-rm/doc-collections/>.

Public Comments on the Proposed Criteria

The proposed criteria for identifying nuclear material licensees with significant performance issues were published for comment on September 9, 2010 (75 FR 54917). The comment period ended on October 25, 2010. The NRC received no public comments on the proposed criteria.

Dated at Rockville, Maryland, this 5th day of December 2011.

Mark A. Satorius,*Director, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011-32065 Filed 12-13-11; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 52-033; NRC-2008-0566]

Detroit Edison Company; Notice of Availability of Errata Sheet for the Draft Environmental Impact Statement for a Combined License for Unit 3 at the Enrico Fermi Atomic Power Plant Site

Notice is hereby given that the U.S. Nuclear Regulatory Commission (NRC) and the U.S. Army Corps of Engineers,

Detroit District, is providing an errata sheet for NUREG-2105, "Draft Environmental Impact Statement (DEIS) for the Combined License (COL) for Enrico Fermi Unit 3." The site is located in Monroe County, Michigan. An NRC notice of availability (NOA) of the DEIS

was published in the **Federal Register** on October 28, 2011 (76 FR 66998). The U.S. Environmental Protection Agency's NOA was also published on October 28, 2011 (76 FR 66925).

The purpose of this notice is to inform the public of the contents of the errata

sheet for NUREG-2105, Volume 1. The content of the errata sheet is provided below:

In DEIS Chapter 8, Page 8-23, after the first full paragraph (*i.e.*, after line 15), insert the following table:

TABLE 8-8—SUMMARY OF MPSC PLAN 2025 NEED FOR POWER IN THE SOUTHEAST MICHIGAN AREA

	Component	2025 (MW)
A	Total Peak Summer Demand	16,253
B	Baseline Supply of Electricity (2005 data)	12,922
C	Loss in Generating Capacity Due to Projected Retirements	(2039)
D	Net Supply of Electricity in 2025 (B + C)	10,883
E	Surplus (Deficit) in 2025 Generating Capacity Needs (D - A)	(5370)
F	Fermi 3 Net Generating Capacity	1535
G	Surplus (Deficit) in 2025 Generating Capacity with Fermi 3 (E + F)	(3835)

Source: MPSC Plan Appendix—Volume II (MPSC 2007).

For Further Information Contact: Mr. Bruce Olson, Project manager, Environmental Projects Branch 2, Division of New Reactor Licensing, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: (301) 415-3731; email: Bruce.Olson@nrc.gov.

Dated at Rockville, Maryland, this 7th day of December, 2011.

For the Nuclear Regulatory Commission.

David Matthews,

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

[FR Doc. 2011-32070 Filed 12-13-11; 8:45 am]

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POSTAL REGULATORY COMMISSION

[Docket No. CP2012-3; Order No. 1033]

International Mail Price Change for Inbound Air Parcel Post

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to change rates for Inbound Air Parcel Post at Universal Postal Union (UPU) rates. This notice addresses procedural steps associated with this filing.

DATES: *Comments are due:* December 16, 2011, 4:30 p.m. Eastern Time.

ADDRESSES: Submit comments electronically by accessing the "Filing Online" link in the banner at the top of the Commission's Web site (<http://www.prc.gov>) or by directly accessing the Commission's Filing Online system at <http://www.prc.gov/prc-pages/filing-online/login.aspx>. Persons who cannot submit their views electronically should contact the person identified in the **FOR**

FURTHER INFORMATION CONTACT section as the source for case-related information for advice on alternatives to electronic filing.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, at (202) 789-6820 (case-related information) or DocketAdmins@prc.gov (electronic filing assistance).

SUPPLEMENTARY INFORMATION:

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I. Introduction

On December 6, 2011, the Postal Service filed a notice announcing changes in rates not of general applicability for Inbound Air Parcel Post at Universal Postal Union (UPU) rates with an intended effective date of January 1, 2012.¹ The Notice incorporates by reference the explanation of Inbound Air Parcel Post at UPU Rates and the mechanism for setting rates contained in its request and supporting documentation filed in Docket Nos. MC2010-11 and CP2010-11.² Notice at 2.

¹ Notice of the United States Postal Service of Filing Changes in Rates Not of General Applicability and Application for Non-Public Treatment of Materials Filed Under Seal, December 6, 2011 (Notice).

² See Docket Nos. MC2010-11 and CP2010-11, Request of the United States Postal Service to Add Inbound Air Parcel Post at Universal Postal Union (UPU) Rates to the Competitive Products List, Notice of Establishment of Prices and Classifications Not of General Applicability for Inbound Air Parcel Post at UPU Rates Established in Governors' Decision No. 09-15, and Application for Non-Public Treatment of Materials Filed Under Seal, November 17, 2009 (Request).

In support of its Notice, the Postal Service filed four attachments as follows:

- Attachment 1—an application for non-public treatment of materials to maintain redacted rates and supporting documents under seal;
 - Attachment 2—a redacted copy of Governors' Decision No. 09-15 which establishes prices and classifications for Inbound Air Parcel Post at UPU Rates, proposed Mail Classification Schedule language which includes a description of Inbound Air Parcel Post at UPU Rates, certification of prices in conformity with 39 U.S.C. 3633, an analysis of the procedures for setting rates, and certification of the Governors' vote;
 - Attachment 3—a redacted version of the new rates; and
 - Attachment 4—a certified statement required by 39 CFR 3015.5(c)(2) for Inbound Air Parcel Post at UPU rates.
- The Postal Service also provided a redacted version of the supporting financial documentation as a separate Excel file.

II. Background

The Notice states that Governors' Decision No. 09-15 established prices and classifications not of general applicability for Inbound Air Parcel Post at UPU Rates on November 16, 2009. *Id.* at 1. Air parcels comprise inbound parcels eligible to receive transportation by air rather than surface. *Id.*, Attachment 2 at 1. The rates authorized by Governors' Decision No. 09-15 when there is no contractual relationship with the tendering postal operator are the highest possible inland land rates that the United States is eligible for under the parcel post regulations. *Id.* at 2. In Order No. 362, the Commission approved the addition of Inbound Air