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- *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:**

Richard Plasse, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-1427; email: [Richard.Plasse@nrc.gov](mailto:Richard.Plasse@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the NRC has issued renewed facility operating license No. NPF-3 to FirstEnergy Nuclear Operating Company, the operator of Davis-Besse. Renewed facility operating license No. NPF-3 authorizes operation of Davis-Besse by the licensee at reactor core power levels not in excess of 2817 megawatts thermal, in accordance with the provisions of the Davis-Besse renewed license and technical specifications. The NRC's ROD that supports the NRC's decision to renew facility operating license No. NPF-3 is available in ADAMS under Accession No. ML15295A319. As discussed in the ROD and the final supplemental environmental impact statement (FSEIS) for Davis-Besse, Supplement 52 to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Davis-Besse Nuclear Power Station" dated April 2015 (ADAMS Accession No. ML15112A098 for Volume 1 and ML15113A187 for Volume 2), the NRC has considered a range of reasonable alternatives that included natural gas combined-cycle (NGCC), supercritical pulverized coal, combination of wind, solar, and NGCC, and the no action alternative. The ROD and FSEIS document the NRC decision for the

environmental review that the adverse environmental impacts of license renewal for Davis-Besse are not so great that preserving the option of license renewal for energy planning decisionmakers would be unreasonable.

Davis-Besse, is a pressurized water reactor located in Carroll Township, Ottawa County, Ohio. The application for the renewed license, "License Renewal Application, Davis-Besse Nuclear Power Station," dated August 30, 2010, as supplemented by letters dated through June 29, 2015 (ADAMS Accession No. ML15180A252), complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations. As required by the Act and the NRC's regulations in Chapter 1 of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC has made appropriate findings, which are set forth in the license. A public notice of the proposed issuance of the renewed license and an opportunity for a hearing was published in the **Federal Register** on October 25, 2010 (75 FR 65528).

For further details with respect to this action, see: (1) FirstEnergy Nuclear Operating Company license renewal application for Davis-Besse Nuclear Power Station, Unit 1 dated August 20, 2010, as supplemented by letters dated through June 29, 2015; (2) the NRC's safety evaluation report published on September 3, 2013 (ADAMS Accession No. ML13248A267); (3) the NRC's supplemental safety evaluation report published on August 10, 2015 (ADAMS Accession No. ML15196A429); (4) the NRC's final environmental impact statement (NUREG-1437, Supplement 52), for Davis-Besse published in April 2014; and (5) the NRC's ROD.

Dated at Rockville, Maryland, this 8th day of December 2015.

For the Nuclear Regulatory Commission,  
**Christopher G. Miller**,  
*Director, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. 2015-31418 Filed 12-11-15; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

**[NRC-2015-0001]**

**Sunshine Act Meeting Notice**

**DATE:** December 14, 21, 28, 2015, January 4, 11, 18, 2016.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**Week of December 14, 2015**

*Tuesday, December 15, 2015*

9:00 a.m. Hearing on Construction Permit for SHINE Medical Isotope Production Facility: Section 189a. of the Atomic Energy Act Proceeding (Public Meeting); (Contact: Steven Lynch: 301-415-1524).

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.

*Thursday, December 17, 2015*

9:30 a.m. Briefing on Project AIM 2020 (Public Meeting); (Contact: John Jolicoeur: 301-415-1642).

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.

*Thursday, December 17, 2015*

1:00 p.m. Briefing on Digital Instrumentation and Control (Public Meeting); (Contact: Daniel Doyle: 301-415-3748).

This meeting will be webcast live at the Web address—<http://www.nrc.gov/>.

**Week of December 21, 2015—Tentative**

There are no meetings scheduled for the week of December 21, 2015.

**Week of December 28, 2015—Tentative**

There are no meetings scheduled for the week of December 28, 2015.

**Week of January 4, 2016—Tentative**

There are no meetings scheduled for the week of January 4, 2016.

**Week of January 11, 2016—Tentative**

There are no meetings scheduled for the week of January 11, 2016.

**Week of January 18, 2016—Tentative**

There are no meetings scheduled for the week of January 18, 2016.

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The schedule for Commission meetings is subject to change on short notice. For more information or to verify the status of meetings, contact Denise McGovern at 301-415-0681 or via email at [Denise.McGovern@nrc.gov](mailto:Denise.McGovern@nrc.gov).

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/public-involve/public-meetings/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g.

braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301-287-0739, by videophone at 240-428-3217, or by email at [Kimberly.Meyer-Chambers@nrc.gov](mailto:Kimberly.Meyer-Chambers@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301-415-1969), or email [Brenda.Akstulewicz@nrc.gov](mailto:Brenda.Akstulewicz@nrc.gov) or [Patricia.Jimenez@nrc.gov](mailto:Patricia.Jimenez@nrc.gov).

Dated: December 10, 2015.

**Denise L. McGovern,**

*Policy Coordinator, Office of the Secretary.*

[FR Doc. 2015-31567 Filed 12-10-15; 4:15 pm]

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## PENSION BENEFIT GUARANTY CORPORATION

### Approval of Exemption From the Bond/Escrow Requirement Relating to the Sale of Assets by an Employer Who Contributes to a Multiemployer Plan; Harrington Air Systems, LLC and J.C. Cannistraro, LLC

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation has approved a request from Harrington Air Systems, LLC, and its sister company J.C. Cannistraro, LLC, for an exemption from the bond/escrow requirement of section 4204(a)(1) of the Employee Retirement Income Security Act of 1974, as amended, with respect to the Sheet Metal Workers National Pension Fund. A notice of the request for exemption was published on June 24, 2015 (80 FR 36366). The effect of this notice is to advise the public of the decision on the exemption request.

**ADDRESSES:** The non-confidential portions of the request for a variance and any PBGC response to the request may be obtained by writing to the Disclosure Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005-4026 or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4040.)

**FOR FURTHER INFORMATION CONTACT:** Bruce Perlin ([Perlin.Bruce@PBGC.gov](mailto:Perlin.Bruce@PBGC.gov)),

202-326-4020, ext. 6818 or Jon Chatalian ([Chatalian.Jon@PBGC.gov](mailto:Chatalian.Jon@PBGC.gov)), ext. 6757, Office of the Chief Counsel, Suite 340, 1200 K Street NW., Washington, DC 20005-4026; (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020.)

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4204 of the Employee Retirement Income Security Act of 1974, as amended by the Multiemployer Pension Plan Amendments Act of 1980 (“ERISA” or “the Act”), provides that a complete or partial withdrawal of an employer from a multiemployer plan does not occur solely because, as a result of a bona fide arm’s-length sale of assets to an unrelated party, the seller ceases covered operations or ceases to have an obligation to contribute for such operations, if the following conditions under section 4204(a)(1)(A)–(C), are met:

(A) The purchaser has an obligation to contribute to the plan with respect to the operations for substantially the same number of contributions base units for which the seller was obligated to contribute;

(B) the purchaser obtains a bond or places an amount in escrow, for a period of five plan years after the sale, equal to the greater of the seller’s average required annual contribution to the plan for the three plan years preceding the year in which the sale occurred or the seller’s required annual contribution for the plan year preceding the year in which the sale occurred; and

(C) the contract of sale provides that if the purchaser withdraws from the plan within the first five plan years beginning after the sale and fails to pay any of its liability to the plan, the seller shall be secondarily liable for the liability it would have had but for section 4204.

The bond or escrow described above would be paid to the plan if the purchaser withdraws from the plan or fails to make any required contributions to the plan within the first five plan years beginning after the sale. Additionally, section 4204(b)(1) provides that if a sale of assets is covered by section 4204, the purchaser assumes by operation of law the contribution record of the seller for the plan year in which the sale occurred and the preceding four plan years.

Section 4204(c) of ERISA authorizes the Pension Benefit Guaranty Corporation (“PBGC”) to grant individual or class variances or exemptions from the purchaser’s bond/escrow requirement of section

4204(a)(1)(B) when warranted. The legislative history of section 4204 indicates a Congressional intent that the asset sale rules be administered in a manner that assures protection of the plan with the least practicable intrusion into normal business transactions. Senate Committee on Labor and Human Resources, 96th Cong., 2nd Sess., S.1076, The Multiemployer Pension Plan Amendments Act of 1980: Summary and Analysis of Considerations 16 (Comm. Print, April 1980); 128 Cong. Rec. S10117 (July 29, 1980). The granting of an exemption or variance from the bond/escrow requirement does not constitute a finding by PBGC that a particular transaction satisfies the other requirements of section 4204(a)(1).

Under PBGC’s regulation on variances or exemptions from the requirements of section 4204(a)(1)(B) with respect to sales of assets (29 CFR part 4204), a request for a variance or waiver of the bond/escrow requirement under any of the tests established in the regulation (sections 4204.12 or 4204.13) must first be made to the plan in question. PBGC will consider a waiver request only if the plan denies the request because it does not satisfy the conditions of the regulatory tests or the parties assert that the financial information necessary to show satisfaction of one of the regulatory tests is privileged or confidential financial information within the meaning of “Exemption Four” of the Freedom of Information Act, 5 U.S.C. § 552(b)(4).

Under section 4204.22 of the regulation, the PBGC shall approve a request for a variance or exemption if it determines that approval of the request is warranted, based on the following reasons:

(1) The approval of a variance/exemption would more effectively or equitably carry out the purposes of Title IV of the Act; and

(2) the approval of a variance/exemption would not significantly increase the risk of financial loss to the plan.

Section 4204(c) of ERISA and section 4204.22(b) of the regulation require PBGC to publish a notice of the pendency of a request for a variance or exemption in the **Federal Register**, and to provide interested parties with an opportunity to comment on the proposed variance or exemption. PBGC received no comments in response to notice of Harrington Air Systems, LLC and J.C. Cannistraro, LLC’s request for an exemption of the bond/escrow requirement.