

## II. Opportunity To Request a Hearing

The Commission may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or, if a determination is made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected, take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2), and provide notice of the action taken and an opportunity for interested persons to request a hearing on whether the action should be rescinded or modified.

Dated at Rockville, Maryland, this 14th day of February 2017.

For the Nuclear Regulatory Commission.

**Bernard H. White, IV,**

*Acting Chief, Spent Fuel Licensing Branch, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2017-03532 Filed 2-22-17; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Planning and Procedures

The ACRS Subcommittee on Planning and Procedures will hold a meeting on March 8, 2017, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland.

The meeting will be open to public attendance with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b (c)(2) and (6) to discuss organizational and personnel matters that relate solely to the internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, March 8, 2017—12:00 p.m. until 1:00 p.m.

The Subcommittee will discuss proposed ACRS activities and related matters. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Quynh Nguyen (Telephone 301-415-5844 or Email: [Quynh.Nguyen@nrc.gov](mailto:Quynh.Nguyen@nrc.gov)) five days prior to the meeting, if possible, so that arrangements can be made. Thirty-five

hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 21, 2015 (80 FR 63846).

Information regarding changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the DFO if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike, Rockville, MD. After registering with security, please contact Mr. Theron Brown (240-888-9835) to be escorted to the meeting room.

Dated: February 15, 2017.

**Mark L. Banks,**

*Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.*

[FR Doc. 2017-03534 Filed 2-22-17; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[IA-16-075; NRC-2017-0053]

### In the Matter of Casey Pooler

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Order; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an Order prohibiting Mr. Casey Pooler from involvement in NRC-licensed activities for a period of 3 years. The Order also requires Mr. Pooler to notify the NRC of any current involvement in NRC-licensed activities. Additionally, Casey Pooler is required to notify the NRC of his first employment in NRC-licensed activities for a period of one year following the 3-year prohibition period.

**DATES:** *Effective Date:* See attachment.

**ADDRESSES:** Please refer to Docket ID NRC-2017-0053 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web Site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0053. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *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:** David Furst, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-287-9087; Email: [David.Furst@nrc.gov](mailto:David.Furst@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The text of the Order is attached.

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

For the Nuclear Regulatory Commission.

**Patricia K. Holahan,**

*Director, Office of Enforcement.*

## NUCLEAR REGULATORY COMMISSION

[IA-16-075]

### In the Matter of Casey Pooler

#### Order Prohibiting Involvement in NRC Licensed Activities

#### I.

Casey Pooler was employed as a contract security officer at the NextEra Energy Seabrook, LLC (NextEra)

Seabrook Station (Seabrook). NextEra holds License No. NPF-86 issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR), on March 15, 1990. The license authorizes the operation of Seabrook (facility) in accordance with the conditions specified therein. The facility is located on the Licensee's site in Seabrook, New Hampshire.

## II.

On August 24, 2015, an investigation was initiated at the Licensee's facility to evaluate the circumstances surrounding a security response weapon that NextEra staff identified as having foreign material lodged inside the barrel. Based on the results of the investigation, the NRC determined that Mr. Pooler deliberately placed the material inside the weapon. Specifically, the weapon had been staged at a Seabrook security post on August 2, 2015. It was returned to the armory on August 21, 2015, for routine cleaning. While cleaning the weapon, the armorer found that a foam earplug insert and two pieces of rolled up paper had been stuffed in the barrel. NextEra notified the NRC Senior Resident Inspector at Seabrook, who in turn, informed regional staff and management. The region immediately dispatched security inspectors and investigators and, on August 24, 2015, formally launched a high-priority investigation by the NRC's Office of Investigations (OI).

During initial interviews, Mr. Pooler acknowledged to OI that he had stood watch in the position with the affected rifle on two occasions during the subject period. However, he testified that he had not placed the materials in the weapon and that he had no information about how the materials got inside of it. Afterward, Mr. Pooler made several comments to other security officers indicating that he may have been involved in tampering with the rifle. He asked a coworker to contact the OI agents and ask them to meet him at an off-site location. Although OI agents contacted Mr. Pooler, he declined to meet with them at that time.

On multiple occasions between August 27 and September 24, 2015, OI attempted to re-interview Mr. Pooler, but he declined each request. On October 19, 2015, Mr. Pooler spoke with OI and stated that he believed he placed the materials in the weapon. He told OI that he did not know why he did it, and adamantly stated that he was not trying to hurt anyone or to assist anyone with gaining access to the site. He acknowledged that it was reasonable to

assume that he didn't come forward about what he had done because he was afraid of being fired. Mr. Pooler also affirmed that he was not aware of adverse issues with any other weapons or equipment at the site.

Based on the OI investigation, the NRC determined that Mr. Pooler committed an apparent violation (AV) of 10 CFR 50.5(a)(1), in that his deliberate actions caused NextEra to be in violation of 10 CFR 73.55(k)(2), which requires licensees to ensure that all firearms necessary to implement the site security plans and protective strategy are in working condition. Specifically, Mr. Pooler placed foreign material into the barrel of a rifle staged at a Seabrook security post that was established to implement the site protective strategy. Because of the foreign material, the licensee could not ensure that the rifle would fire properly.

In a letter dated December 1, 2016, the NRC described the AV and informed Mr. Pooler that the NRC was considering escalated enforcement action against him. In the letter, the NRC also offered Mr. Pooler the opportunity to discuss the AV during a pre-decisional enforcement conference (PEC) or to engage the NRC in an alternative dispute resolution (ADR) mediation session or to provide a written response before the NRC made an enforcement decision. In a December 13, 2016, telephone call with NRC Region I Enforcement staff, Mr. Pooler's attorney informed the NRC that he neither required a PEC or an ADR mediation session, nor intended to submit a written response, but that Mr. Pooler was willing to cooperate with the NRC's intended enforcement action.

## III.

Based on the above, it appears that Casey Pooler, a contract employee of the Licensee, engaged in deliberate misconduct that caused the Licensee to be in violation of 10 CFR 73.55(k)(2). Casey Pooler's action has raised serious doubt as to whether he can be relied upon to comply with the NRC's requirements. Consequently, the NRC lacks the requisite reasonable assurance that licensed activities can be conducted in compliance with the Commission's requirements and that the health and safety of the public will be protected if Casey Pooler were permitted at this time to be involved in NRC-licensed activities. Therefore, Casey Pooler is prohibited from any involvement in NRC-licensed activities for a period of three years from the date of this Order. Additionally, Casey Pooler is required to notify the NRC of his first employment in NRC-licensed activities

for a period of one year following the prohibition period.

## IV.

Accordingly, pursuant to sections 103, 161b, 161i, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202, and 10 CFR 50.5. *It is hereby ordered, effective upon the date of issuance, that:*

1. Casey Pooler is prohibited for three years from the date of this Order from engaging in, supervising, directing, or in any other way conducting NRC-licensed activities. NRC-licensed activities are those activities that are conducted pursuant to a specific or general license issued by the NRC, including, but not limited to, those activities of Agreement State licensees conducted in the NRC's jurisdiction pursuant to the authority granted by 10 CFR 150.20.

2. If Mr. Pooler is currently involved with another licensee in NRC-licensed activities, he must immediately cease those activities; inform the NRC of the name, address and telephone number of the employer; and provide a copy of this order to the employer.

3. For a period of one year after the three-year period of prohibition has expired, Mr. Pooler shall, within 20 days of acceptance of his first employment offer involving NRC-licensed activities or his becoming involved in NRC-licensed activities, as defined in Paragraph IV.1 above, provide notice to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, of the name, address, and telephone number of the employer or the entity where he is, or will be, involved in the NRC-licensed activities. In the notification, Mr. Pooler shall include a statement of his commitment to compliance with regulatory requirements and the basis why the Commission should have confidence that he will now comply with applicable NRC requirements. The Director, Office of Enforcement, or designee, may, in writing, relax or rescind any of the above conditions upon demonstration by Mr. Pooler of good cause.

## V.

The NRC has determined that Mr. Pooler's communications with the NRC, both during the investigation and subsequently through his attorney, are sufficient to constitute an answer to the Order. Therefore, to satisfy the requirements of 10 CFR 2.202, Mr. Pooler need only acknowledge to the NRC that he has received the Order. This may be done by Mr. Pooler or

through his attorney, and may be accomplished by telephone call or electronic mail message to the NRC Region I Senior Enforcement Specialist Marjorie McLaughlin ((610) 337-5240 or [Marjorie.mclaughlin@nrc.gov](mailto:Marjorie.mclaughlin@nrc.gov)). Any person adversely affected by this Order may submit a written answer to this Order within 30 days of its publication in the **Federal Register**. In addition, Mr. Pooler and any other person adversely affected by this Order may request a hearing on this Order within 30 days of its publication in the **Federal Register**. Where good cause is shown, consideration will be given to extending the time to answer or request a hearing. A request for extension of time must be made in writing to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and include a statement of good cause for the extension.

## VI.

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC's E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562, August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov) or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (even in

instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/getting-started.html>. Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit adjudicatory documents. Submissions must be in Portable Document Format (PDF). Additional guidance on PDF submissions is available on the NRC's public Web site at <http://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by email to [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting

authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing adjudicatory documents in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket which is available to the public at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the Commission or the presiding officer. If you do not have an NRC-issued digital ID certificate as described above, click cancel when the link requests certificates and you will be automatically directed to the NRC's electronic hearing dockets where you will be able to access any publicly available documents in a particular hearing docket. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or personal phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. For example, in some instances, individuals provide home addresses in order to demonstrate proximity to a facility or site. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

If a person other than Mr. Pooler requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f). If a hearing is requested by Mr. Pooler or a person whose interest is

adversely affected, the Commission will issue an Order designating the time and place of any hearings. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained. In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 30 days from the date this Order is published in the **Federal Register** without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final when the extension expires if a hearing request has not been received.

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

For the Nuclear Regulatory Commission.  
Patricia K. Holahan,  
Director, Office of Enforcement.

[FR Doc. 2017-03525 Filed 2-22-17; 8:45 am]

BILLING CODE 7590-01-P

## POSTAL SERVICE

### Privacy Act of 1974; System of Records

**AGENCY:** Postal Service™.

**ACTION:** Notice of modification to existing systems of records.

**SUMMARY:** The United States Postal Service® (Postal Service) is proposing to modify a General Privacy Act Systems of Records to support administrative retention and data element collection, as well as a new benefit offered to employees for third-party tax preparation services.

**DATES:** These revisions will become effective without further notice on March 27, 2017 unless comments received on or before that date result in a contrary determination.

**ADDRESSES:** Comments may be mailed or delivered to the Privacy and Records Office, United States Postal Service, 475 L'Enfant Plaza SW., Room 1P830, Washington, DC 20260-1101. Copies of all written comments will be available at this address for public inspection and photocopying between 8 a.m. and 4 p.m., Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Janine Castorina, Chief Privacy and Records Management Officer, Privacy and Records Office, 202-268-3069 or [privacy@usps.gov](mailto:privacy@usps.gov).

**SUPPLEMENTARY INFORMATION:** This notice is in accordance with the Privacy Act requirement that agencies publish their systems of records in the **Federal**

**Register** when there is a revision, change, or addition, or when the agency establishes a new system of records. The Postal Service™ has determined that one General Privacy Act System of Records (SOR) should be revised to modify Categories of Records in the System, Purpose(s), Routine Uses of Records Maintained in the System, Including Categories of Users and the Purposes of Such Uses, along with Retention and Disposal.

The Postal Service is proposing modifications to SOR 100.400 to reflect a new benefit to allow employees, who voluntarily elect to be able to automatically upload information from their individual W-2 and 1095-C forms directly to a third-party tax preparation service. Employee tax information, such as their Form W-2, Wage and Tax Statement and Form 1095-C, Employer-Provided Health Insurance Offer and Coverage information, will remain securely safeguarded within USPS computer information systems and only uploaded to third-party tax preparation services upon voluntary request and consent of the individual employee. Uploading this information in a tax preparation service is considered an Internal Revenue Service (IRS) best practice. This will save employees from having to enter the information manually, providing convenience and reducing the risk of potential keying errors. Therefore, the SOR is being revised to include an appropriate purpose, routine use for the transfer of tax information, and retention of the employee tax information. In addition, other updates are included to account for separate administrative changes, which include the collection of employee's ACE ID for computer access in the Time and Attendance System for employees entering payroll information. Similarly, Retention and Disposal times are being updated to more accurately reflect record retention for monetary awards, ideas submitted by employees under the formal ideas program, and for overtime administrative records.

Pursuant to 5 U.S.C. 552a(e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the proposed modifications has been sent to Congress and to the Office of Management and Budget for their evaluations. The Postal Service does not expect this amended system of records to have any adverse effect on individual privacy rights.

Accordingly, for the reasons stated, the Postal Service proposes changes in the existing system of records as follows:

## USPS 100.400

### SYSTEM NAME:

Personnel Compensation and Payroll Records

\* \* \* \* \*

### CATEGORIES OF RECORDS IN THE SYSTEM:

[Change item 1 to read as follows:]

1. *Employee and family member information:* Name(s), Social Security Number(s), Employee Identification Number, ACE ID, date(s) of birth, postal assignment information, work contact information, home address(es) and phone number(s), finance number(s), occupation code; occupation title; duty location, and pay location.

\* \* \* \* \*

### PURPOSE:

\* \* \* \* \*

[Add 9 to read as follows:]

9. To generate W-2 and 1095-C information for use with external third-party tax preparation services at the request of the individual employee.

\* \* \* \* \*

### ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

\* \* \* \* \*

[Add L to read as follows:]

1. Disclosure of W-2 and 1095-C tax information records to external third-party tax preparation services.

\* \* \* \* \*

Retention and Disposal

\* \* \* \* \*

[Change 3 and 4 to read as follows:]

3. Records of monetary awards with a status that they have been processed, processing failed, cancelled, and reported (Service Award Pins, Retirement Service Awards, Posthumous Service Awards) are retained 7 years, as payroll records would have been affected/processed. Records of award submissions with the status approved, deleted, and/or draft are retained 31 days, as payroll records would not have been affected/processed.

4. Records of employee submitted ideas are maintained for 2 years after being closed.

\* \* \* \* \*

[Add 8 and 9 to read as follows:]

8. Overtime administrative records are retained for 7 years.

9. Tax preparation records are limited to an employee's previous year's wages, tax documentation and health insurance