

04, "Risk-Informed Performance-Based Guidance for Non-Light Water Reactor Licensing Basis Development," as one acceptable method for determining the appropriate scope and level of detail for parts of applications for licenses, certifications, and approvals for non-LWRs. NEI 18-04 outlines an approach for use by reactor developers to select licensing basis events; classify structures, systems, and components; determine special treatments and programmatic controls; and assess the adequacy of a design in terms of providing layers of defense in depth. The methodology described in NEI 18-04 and the draft RG also provide a general methodology for identifying an appropriate scope and depth of information to be provided in applications to the NRC for licenses, certifications, and approvals for non-LWRs.

III. Backfitting and Issue Finality

Draft regulatory guide, DG-1353, if finalized as a new regulatory guide, would provide guidance for informing the licensing basis and content of applications for non-LWRs. The selection of licensing-basis events; classification and special treatments of structures, systems, and components; and assessment of defense in depth are fundamental to the safe design of non-LWRs. These activities also support identifying the appropriate scope and depth of information provided in applications for licenses, certifications, and approvals required under part 50 of title 10 of the *Code of Federal Regulations* (10 CFR), "Domestic Licensing of Production and Utilization Facilities," and 10 CFR part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." The methodology outlined in DG-1353 and NEI 18-04 provide guidance intended to support the design and licensing of non-LWRs.

The DG, if finalized, would not constitute regulatory requirements. For this reason, issuance of DG-1353, if finalized, would not constitute backfitting under 10 CFR 50.109 (the "Backfit Rule"). Future applicants may choose to follow the guidance or utilize another approach in developing applications for licenses, certifications, or approvals. Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. Neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions discussed below—were intended to apply to every NRC action which substantially changes

the expectations of current and future applicants. Therefore, the positions in any regulatory guide, if imposed on applicants under 10 CFR 50.34(a)(3), 52.47(a)(3), 52.79(a)(4), 52.137(a)(3), or 52.157(a), would not represent backfitting or a violation of issue finality (except as discussed below).

The exceptions to the general principle are applicable whenever a combined license applicant references a 10 CFR part 52 license (*i.e.*, an early site permit or a manufacturing license) and/or 10 CFR part 52 regulatory approval (*i.e.*, a design certification rule or design approval). There are no current non-LWR applicants or holders of licenses or design certifications for non-LWR designs. Therefore, issuance of DG-1353 in final form would not constitute a violation of issue finality.

Dated at Rockville, Maryland, this 30th day of April, 2019.

For the Nuclear Regulatory Commission.

Thomas H. Boyce,

Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.

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POSTAL SERVICE

Temporary Emergency Committee of the Board of Governors; Sunshine Act Meeting

DATES AND TIMES: Thursday, May 9, 2019, at 11:00 a.m.; and Friday, May 10, 2019, at 9:00 a.m.

PLACE: Indianapolis, Indiana, at the Hyatt Regency Indianapolis Hotel, 1 South Capitol Avenue, Indianapolis, Indiana 46204, in the Cosmopolitan A Room.

STATUS: Thursday, May 9, 2019, at 11:00 a.m.—Closed; Friday, May 10, 2019, at 9:00 a.m.—Open.

MATTERS TO BE CONSIDERED:

Thursday, May 9, 2019, at 11:00 a.m. (Closed)

1. Strategic Issues.
2. Financial Matters.
3. Compensation and Personnel Matters.
4. Executive Session—Discussion of prior agenda items and Board governance.

Friday, May 10, 2019, at 9:00 a.m. (Open)

1. Remarks of the Chairman of the Temporary Emergency Committee of the Board.
2. Remarks of the Postmaster General and CEO.

3. Approval of Minutes of Previous Meetings.

4. Committee Reports.

5. Quarterly Financial Report.

6. Quarterly Service Performance Report.

7. Approval of Tentative Agenda for August meetings.

A public comment period will begin immediately following the adjournment of the open session on May 10, 2019. During the public comment period, which shall not exceed 30 minutes, members of the public may comment on any item or subject listed on the agenda for the open session above. Registration of speakers at the public comment period is required. Speakers may register online at <https://www.surveymonkey.com/r/BOG-5-10-19>. Onsite registration will be available until thirty minutes before the meeting starts. No more than three minutes shall be allotted to each speaker. The time allotted to each speaker will be determined after registration closes. Participation in the public comment period is governed by 39 CFR 232.1(n).

CONTACT PERSON FOR MORE INFORMATION:

Acting Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260-1000. Telephone: (202) 268-4800.

Michael J. Elston,

Acting Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-85744; File No. SR-BOX-2019-14]

Self-Regulatory Organizations; BOX Exchange LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Fee Schedule on the BOX Options Market LLC ("BOX") Facility To Modify Its Strategy QOO Order Fee Cap and Rebate

April 29, 2019.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on April 17, 2019, BOX Exchange LLC (the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.