

only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation.

The licensee is requesting an exemption to allow a temporary extension of the 10 CFR part 50, Appendix R, Section III.H requirement that annual physical examinations be conducted for fire brigade members. The exemption would apply to 15 Indian Point 2 and 3 staff who are members of the fire brigade and extend, by 90 days, the due dates to conduct these physical examinations currently due from April 23 through June 19, 2020, to July 22 through September 17, 2020, based on when an individual brigade member's physical examination is due.

The licensee had scheduled these annual physical examinations to comply with the regulation, and prior to the implementation of isolation activities (e.g., social distancing, group size limitations, self-quarantining, etc.) necessary to protect brigade personnel in response to the COVID-19 PHE, the licensee had successfully scheduled and completed previous annual fire brigade physical examinations within the specified frequency. As discussed in Section III.B above, the licensee will implement certain actions, including having each member complete an annual medical history questionnaire, having that medical questionnaire reviewed by a licensed physician, and using telehealth conferencing if a one-on-one assessment is needed, prior to the respective member's approved extension period.

Since the exemption would only grant temporary relief from the regulation, and the licensee has made good faith efforts to comply with the regulation, the NRC staff finds that the special circumstances required by 10 CFR 50.12(a)(2)(v) exist for the granting of an exemption from 10 CFR part 50, Appendix R, Section III.H, in regard to conducting the annual physical examinations for fire brigade members.

#### *E. Environmental Considerations*

The granting of the proposed exemption is categorically excluded under 10 CFR 51.22(c)(25) and there are no special (or extraordinary) circumstances present that would preclude reliance on this exclusion. The NRC staff determined, per 10 CFR 51.22(c)(25)(vi)(E), that the proposed action would grant an exemption from education, training, experience, qualification, requalification, or other employment suitability requirements. The NRC staff also determined, per 10 CFR 51.22(c)(25)(i), that granting the proposed exemption involves no

significant hazards consideration because the 90-day extension of due dates to conduct annual physical examinations for fire brigade members does not change the way the reactor protection systems perform, authorize any hardware or design changes, alter any assumptions made in the safety analyses, introduce any new failure modes, or alter any safety limits. Thus, the issuance of the exemption does not (1) involve a significant increase in the probability or consequences of an accident previously evaluated, or (2) create the possibility of a new or different kind of accident from any accident previously evaluated, or (3) involve a significant reduction in a margin of safety. Similarly, per 10 CFR 51.22(c)(25)(v), there is no significant increase in the potential for or consequences from radiological accidents.

In addition, the NRC staff determined that there would be no significant impacts to biota, water resources, air or terrestrial resources, historic properties, cultural resources, or socioeconomic conditions in the region. The requested temporary deferral of physical examinations, based on the medical review and other actions the licensee plans to implement, would maintain fire brigade availability during the COVID-19 PHE. Thus, per 10 CFR 51.22(c)(25)(ii) and (iii), there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite and no significant increase in individual or cumulative public or occupational radiation exposure. In addition, because the proposed exemption does not authorize any construction, per 10 CFR 51.22(c)(25)(iv), there is no significant construction impact. As such, there are no special (or extraordinary) circumstances present that would preclude reliance on this categorical exclusion.

Based on the above, the NRC staff concludes that the proposed exemption meets the eligibility criteria for the categorical exclusion set forth in 10 CFR 51.22(c)(25). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the granting of this exemption.

#### **IV. Conclusions**

Accordingly, the Commission has determined that pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security, and there are special

circumstances present. Therefore, based upon the medical review and other actions described in the exemption request, as supplemented, the Commission hereby grants the licensee's request for a temporary exemption from the 10 CFR part 50, Appendix R, Section III.H, fire brigade annual qualification requirement by extending, by 90 days, the completion time for annual fire brigade physical examinations due from April 23 through June 19, 2020, to July 22 through September 17, 2020, for 15 brigade members at Indian Point 2 and 3.

Dated: April 22, 2020.

For the Nuclear Regulatory Commission.

**Craig G. Erlanger,**

*Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## **NUCLEAR REGULATORY COMMISSION**

**[Docket No(s). 72-1031; 72-1037; 72-64; 72-38; and 72-45; NRC-2020-0092]**

**ZionSolutions LLC; Dominion Energy Kewaunee, Inc.; Duke Energy Carolinas, LLC**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Exemptions; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) issued four exemptions in response to requests from ZionSolutions LLC; Dominion Energy Kewaunee, Inc.; and Duke Energy Carolinas, LLC. The exemptions allow the licensees to deviate from the requirements for the MAGNASTOR® storage cask system in Certificate of Compliance No. 1031, Amendment No. 7 (for Catawba and McGuire) and Amendment No. 6 (for Zion and Kewaunee), by utilizing two exceptions to the American Society of Mechanical Engineers Boiler and Pressure Vessel Code. The NRC is issuing a single notice to announce the issuance of these exemptions because these are nearly identical.

**DATES:** The four exemptions were issued on April 21, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2020-0092 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 website:* Go to <https://www.regulations.gov> and search

for Docket ID NRC–2020–0092. Address questions about NRC docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301–287–9127; email: *Jennifer.Borges@nrc.gov*. For technical questions, contact the individual(s) 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 <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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*.

For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

**FOR FURTHER INFORMATION CONTACT:** Bernard White, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–6577; email: *Bernard.White@nrc.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The NRC issued four exemptions in response to requests dated December 30, 2019, January 16, 2020, and January 9, 2020, from ZionSolutions LLC; Dominion Energy Kewaunee, Inc.; Duke Energy Carolinas, LLC, respectively. The exemptions allow exemption from the requirements of title 10 of the *Code of Federal Regulations* (10 CFR) sections 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.214, and the portion of 10 CFR 72.212(b)(11), which requires compliance with the terms and conditions set forth in the certificate of compliance for each spent fuel cask used by an independent spent fuel storage installation general licensee.

The exemptions requested use of two exceptions to the American Society of

Mechanical Engineers Boiler and Pressure Vessel Code, one for the Section III, Division 1, Subsection NG–2300, Charpy V-notch testing direction requirement for carbon steel plate material greater than 0.625 inches thick and the other to the post-heat treatment ultrasonic testing requirements in Section III, Division 1, Subsection NG–2500, for rolled carbon steel plate material greater than 0.75 inches thick. The requested exemptions do not change the fundamental design, components, contents, or safety features of the storage system.

**II. Availability of Documents**

The table below provides the plant name, docket number, and ADAMS Accession Numbers related to this action. For further details with respect to these exemptions, see the requests for exemption for each facility in ADAMS. For additional direction on accessing information related to this document, see the **ADDRESSES** section of this document.

Document title	ADAMS Accession No.
<b>ZionSolutions Independent Spent Fuel Storage Installation Docket No. 72–1037</b>	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031, Amendment No. 6 for the NAC MAGNASTOR Storage System Zion Nuclear Power Station, Units 1 and 2 Facility Operating License Nos. DPR–39 and DPR–48 NRC Docket Nos. 50–295 and 50–304 Independent Spent Fuel Storage Installation Docket No. 72–1037 .....	ML20003D845
Revised Request for an Exemption to the Requirements of Certificate of Compliance No. 1031 Amendment No. 6 for the NAC MAGNASTOR Storage System Zion Nuclear Power Station, Units 1 and 2 Facility Operating License Nos. DPR–39 and DPR–48 NRC Docket Nos. 50–295 and 50–304 Independent Spent Fuel Storage Installation Docket No. 72–1037 .....	ML20035E402
Response to NRC Request for Additional Information for MAGNASTOR Basket Material Investigation for NAC CARs 19–01 and 19–02 .....	ML20076C526
Issuance of Exemption for Zion Independent Spent Fuel Storage Installation .....	ML20098E710
<b>Catawba Independent Spent Fuel Storage Installation Docket No. 72–45</b>	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031, Amendment No. 7 for the NAC MAGNASTOR Storage System .....	ML20009E527
Response to Requests for Additional Information for Exemption Request to the Requirements of Certificate of Compliance No. 1031, Amendment No. 7 for the NAC MAGNASTOR Storage System .....	ML20072M224
Issuance of Exemption for Catawba Independent Spent Fuel Storage Installation .....	ML20098D956
<b>McGuire Independent Spent Fuel Storage Installation Docket No. 72–38</b>	
Request for an Exemption to the Requirements of Certificate of Compliance No. 1031, Amendment No. 7 for the NAC MAGNASTOR Storage System .....	ML20009E527
Response to Requests for Additional Information for Exemption Request to the Requirements of Certificate of Compliance No. 1031, Amendment No. 7 for the NAC MAGNASTOR Storage System .....	ML20072M224
Issuance of Exemption for McGuire Independent Spent Fuel Storage Installation .....	ML20098C982
<b>Kewaunee Independent Spent Fuel Storage Installation Docket No. 72–38</b>	
Dominion Energy Kewaunee, Inc. Kewaunee Power Station Request for Exemption from Certain Code of Federal Regulation Requirements of Certificate of Compliance No. 1031, Amendment No. 6 for the NAC MAGNASTOR Storage System .....	ML20035C759
Dominion Energy Kewaunee, Inc. Kewaunee Power Station Application for Exemption-MAGNASTOR Storage System Response to Request for Additional Information .....	ML20086K860
Issuance of Exemption for McGuire Independent Spent Fuel Storage Installation .....	ML20098D404

The NRC may post additional materials to the Federal rulemaking website at <https://www.regulations.gov>, under Docket ID NRC–2020–0092. The Federal rulemaking website allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2020–0092); (2) click the “Sign up for Email Alerts” link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

Dated: April 22, 2020.

For the Nuclear Regulatory Commission.

**John B. McKirgan,**

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

[FR Doc. 2020–08925 Filed 4–27–20; 8:45 am]

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## PENSION BENEFIT GUARANTY CORPORATION

### Submission of Information Collection for OMB Review; Comment Request; Multiemployer Plan Regulations

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of request for extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget (OMB) extend approval, under the Paperwork Reduction Act, of collections of information in PBGC’s regulations on multiemployer plans under the Employee Retirement Income Security Act of 1974 (ERISA). This notice informs the public of PBGC’s request and solicits public comment on the collection.

**DATES:** Comments must be submitted by May 28, 2020.

**ADDRESSES:** Written comments and recommendations for the information collections should be sent within 30 days of publication of this notice to <https://www.reginfo.gov/public/do/PRAMain>. These particular information collections may be found by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function.

A copy of the request will be posted on PBGC’s website at <https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment>. Copies of the collections of information may be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC, 1200 K Street NW,

Washington, DC 20005–4026, or calling 202–326–4040 during normal business hours (TTY users may call the Federal Relay Service toll-free at 800–877–8339 and ask to be connected to 202–326–4040). PBGC’s regulations on multiemployer plans may be accessed on PBGC’s website at <https://www.pbgc.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Hilary Duke ([duke.hilary@pbgc.gov](mailto:duke.hilary@pbgc.gov)), Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, DC 20005–4026, 202–229–3839. TTY users may call the Federal Relay Service toll-free at 800–877–8339 and ask to be connected to 202–229–3839.

**SUPPLEMENTARY INFORMATION:** OMB has approved and issued control numbers for seven collections of information in PBGC’s regulations relating to multiemployer plans. These collections of information are described below. OMB approvals for these collections of information expire August 31, 2020.

On February 11, 2020, PBGC published in the **Federal Register** (at 85 FR 7803) a notice informing the public of its intent to request an extension of these collections of information. No comments were received. PBGC is requesting that OMB extend approval of the collections of information for three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

#### 1. Extension of Special Withdrawal Liability Rules (29 CFR Part 4203) (OMB Control Number 1212–0023)

Sections 4203(f) and 4208(e)(3) of ERISA allow PBGC to permit a multiemployer plan to adopt special rules for determining whether a withdrawal from the plan has occurred, subject to PBGC approval.

The regulation specifies the information that a plan that adopts special rules must submit to PBGC about the rules, the plan, and the industry in which the plan operates. PBGC uses the information to determine whether the rules are appropriate for the industry in which the plan functions and do not pose a significant risk to the insurance system.

PBGC estimates that at most one plan sponsor submits a request each year under this regulation. The estimated annual burden of the collection of information is 3 hours and \$7,000.

#### 2. Variances for Sale of Assets (29 CFR Part 4204) (OMB Control Number 1212–0021)

If an employer’s covered operations or contribution obligation under a plan ceases, the employer must generally pay withdrawal liability to the plan. Section 4204 of ERISA provides an exception, under certain conditions, where the cessation results from a sale of assets. Among other things, the buyer must furnish a bond or escrow, and the sale contract must provide for secondary liability of the seller.

The regulation establishes general variances (rules for avoiding the bond/escrow and sale-contract requirements) and authorizes plans to determine whether the variances apply in particular cases. It also allows buyers and sellers to request individual variances from PBGC. Plans and PBGC use the information to determine whether employers qualify for variances. PBGC estimates that each year, 100 employers submit, and 100 plans respond to, variance requests under the regulation, and one employer submits a variance request to PBGC. The estimated annual burden of the collection of information is 1,050 hours and \$501,000.

#### 3. Reduction or Waiver of Complete Withdrawal Liability (29 CFR Part 4207) (OMB Control Number 1212–0044)

Section 4207 of ERISA allows PBGC to provide for abatement of an employer’s complete withdrawal liability, and for plan adoption of alternative abatement rules, where appropriate.

Under the regulation, an employer applies to a plan for an abatement determination, providing information the plan needs to determine whether withdrawal liability should be abated, and the plan notifies the employer of its determination. The employer may, pending plan action, furnish a bond or escrow instead of making withdrawal liability payments, and must notify the plan if it does so. When the plan then makes its determination, it must so notify the bonding or escrow agent.

The regulation also permits plans to adopt their own abatement rules and request PBGC approval. PBGC uses the information in such a request to determine whether the amendment should be approved.

PBGC estimates that each year, at most one employer submits, and one plan responds to, an application for abatement of complete withdrawal liability, and no plan sponsors request approval of plan abatement rules from