

serial number, or other identifiers, of the power press that was inspected.

### Section 1910.217(e)(1)(ii)

Paragraph (e)(1)(ii) requires employers to inspect and test each press no less than weekly to determine the condition of the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism. Employers must perform and complete necessary maintenance or repair or both before the press is operated. In addition, employers must maintain a record of inspections, tests, and maintenance work. The record must include the date of the inspection, test, or maintenance; the signature of the person who performed the inspection, test, or maintenance; and the serial number, or other identifiers, of the press that was inspected, tested, or maintained.

### II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

### III. Proposed Actions

OSHA is requesting a burden hour adjustment decrease of 17,160 hours from 37,967 hours to 20,807 hours. This change in calculation methods accounts for the large decrease in the agency's estimate of mechanical power presses currently in service, still an overestimation.

*Type of Review:* Extension of a currently approved collection.

*Title:* Mechanical Power Presses Standard. (29 CFR 1910.217(e)(1)(i) and (e)(1)(ii)).

*OMB Number:* 1218-0229.

*Affected Public:* Business or other for-profit; farms.

*Number of Respondents:* 104,035.

*Frequency of Response:* On occasion.

*Total Responses:* 62,421.

*Average Time per Response:* Various.

*Estimated Total Burden Hours:* 20,807.

*Estimated Cost (Operation and Maintenance):* \$0.

### IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions

You may submit comments in response to this document as follows:

(1) Electronically at <http://www.regulations.gov>, which is the Federal e-Rulemaking Portal; (2) by facsimile; or (3) by hard copy. All comments, attachments, and other material must identify the agency name and the OSHA docket number for this ICR (Docket No. OSHA-2010-0026). You may supplement electronic submissions by uploading document files electronically. If you wish to mail additional materials in reference to an electronic or facsimile submission, you must submit them to the OSHA Docket Office (see the section of this notice titled **ADDRESSES**). The additional materials must clearly identify your electronic comments by your name, date, and the docket number so the agency can attach them to your comments.

Because of security procedures, the use of regular mail may cause a significant delay in the receipt of comments. For information about security procedures concerning the delivery of materials by hand, express delivery, messenger, or courier service, please contact the OSHA Docket Office at (202) 693-2350, (TTY) (877) 889-5627).

Comments and submissions are posted without change at <http://www.regulations.gov>. Therefore, OSHA cautions commenters about submitting personal information such as your social security number and date of birth. Although all submissions are listed in the <http://www.regulations.gov> index, some information (e.g., copyrighted material) is not publicly available to read or download from this website. All submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office. Information on using the <http://www.regulations.gov> website to submit comments and access the docket is available at the website's "User Tips" link. Contact the OSHA Docket Office for information about materials not available from the website, and for assistance in using the internet to locate docket submissions.

### V. Authority and Signature

Loren Sweatt, Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44

U.S.C. 3506 *et seq.*) and Secretary of Labor's Order No. 1-2012 (77 FR 3912).

Signed at Washington, DC, on October 22, 2020.

**Loren Sweatt,**

*Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.*

[FR Doc. 2020-23816 Filed 10-27-20; 8:45 am]

**BILLING CODE 4510-26-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2020-0051]

### Environmental Considerations Associated With Micro-Reactors

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Interim staff guidance; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Interim Staff Guidance (ISG), "Micro-Reactor License Application COL-ISG-029, 'Environmental Considerations Associated With Micro-Reactors.'" The purpose of this ISG is to modify existing guidance and provide supplemental guidance to assist the NRC staff in determining the scope and scale of environmental reviews of micro-reactor applications.

**DATES:** This guidance is effective on November 27, 2020.

**ADDRESSES:** Please refer to Docket ID NRC-2020-0051 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-2020-0051. Address questions about Docket IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individuals 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](mailto:pdr.resource@nrc.gov). The documents entitled, "Micro-Reactor License Application COL-ISG-029, 'Environmental

Considerations Associated with Micro-Reactors,'” and “Resolution of Public Comments on Draft COL–ISG–029,” are available in ADAMS Package Accession No. ML20252A075.

• *Attention:* The PDR, where you may examine and order copies of public documents is currently closed. You may submit your request to the PDR via email at [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1–800–397–4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jack Cushing, Office of Nuclear Material Safety and Safeguards, telephone: 301–415–1424, email: [Jack.Cushing@nrc.gov](mailto:Jack.Cushing@nrc.gov) and Mallecia Sutton, Office of Nuclear Reactor Regulation, telephone: 301–415–0673, email: [Mallecia.Sutton@nrc.gov](mailto:Mallecia.Sutton@nrc.gov). Both are staff of the U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

#### SUPPLEMENTARY INFORMATION:

### I. Background

On February 26, 2020 the U.S. Nuclear Regulatory Commission (NRC) issued a **Federal Register** notice (85 FR 11127) soliciting public comment on its draft Interim Staff Guidance (ISG), “Micro-Reactor License Application COL–ISG–029, ‘Environmental Considerations Associated with Micro-Reactors.’” The NRC responded to the comments and revised the draft ISG as appropriate and is issuing it as a final ISG. The NRC staff is preparing for the environmental reviews of prospective design, license, and permit applications for advanced nuclear power reactors (advanced reactors), including micro-reactors. The guidance in the ISG highlights unique considerations for micro-reactors in each resource area typically covered in the staff’s environmental review. The ISG also offers guidance on identifying considerations and approaches to simplify and shorten the environmental reviews for micro-reactors relative to the environmental reviews that the NRC has previously performed for other nuclear facilities, such as large light-water reactors (LWRs). The ISG outlines what the NRC staff considers to be an appropriate scope and level of detail for the specific aspects of an environmental review needed for a micro-reactor licensing action. A micro-reactor may have some, but not necessarily all, of the following characteristics:

- Occupies only a small area of land and/or disturbs only previously disturbed lands.
- Uses zero or only small quantities of resources, such as water or fuel.

- Releases zero or only small quantities of emissions to the environment.
- Avoids environmentally sensitive areas such as wetlands and floodplains.
- Avoids areas with cultural, historic, or environmental justice significance.
- Avoids habitat for threatened or endangered species.
- Uses mitigation to reduce impacts.
- Involves only low levels of employment for both construction and operation.
- Uses simpler designs than those for large LWRs, with limited interfaces with the exterior environment.

While the ISG is designed to aid the NRC staff in developing a micro-reactor environmental impact statement, the staff recognizes the value of the guidance as a supplemental source of insight into the NRC’s environmental review process that can inform the development of an applicant’s environmental report. Applicants should scale their level of effort appropriately when preparing Environmental Reports, commensurate with the significance of the impact on the resource area being addressed.

The scope of this ISG is limited to environmental review considerations specific to micro-reactors, such as the following:

- Preapplication interactions
- purpose and need for the proposed project
- size of the proposed project and resources used
- mitigation
- land use
- water resources
- terrestrial ecology
- aquatic ecology
- socioeconomic and environmental justice
- historic and cultural resources
- need for power and alternatives
- meteorology and air quality
- nonradiological health
- radiological health
- postulated accidents
- severe accident mitigation alternatives
- acts of terrorism
- fuel cycle impacts, transportation of fuel and waste, and continued storage of spent fuel
- cumulative impact analysis
- consistency with safety licensing documents
- incorporation by reference

The NRC staff will continue to look for other opportunities to effectively streamline environmental reviews and work with prospective applicants to identify opportunities to streamline ERs while still meeting the NRC’s regulations.

### II. Backfitting, Issue Finality, and Forward Fitting Discussion

The guidance in this final ISG–029 clarifies how the NRC will approach environmental reviews for a micro-reactor application for combined license, early site permit, construction permit, operating license and/or limited work authorization. Issuance of this final ISG would not constitute backfitting as defined in section 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR) (the Backfit Rule) and as described in NRC Management Directive 8.4, “Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests;” would not affect the issue finality of an approval under 10 CFR part 52; and would not constitute forward fitting as that term is defined and described in Management Directive 8.4. The staff’s position is based upon the following considerations:

1. The final ISG positions, would not constitute backfitting or forward fitting or affect issue finality, inasmuch as the ISG would be internal guidance to NRC staff.

The ISG provides interim guidance to the staff on how to review an application for NRC regulatory approval in the form of licensing. Changes in internal staff guidance, without further NRC action, are not matters that meet the definition of backfitting or forward fitting or affect the issue finality of a part 52 approval.

2. Current or future applicants are not, with limited exceptions not applicable here, within the scope of the backfitting and issue finality regulations and forward fitting policy.

Applicants are not, with certain exceptions, covered by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. This is because 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.

The exceptions to the general principle are applicable whenever an applicant references a 10 CFR part 52 license (e.g., an early site permit) and/or NRC regulatory approval (e.g., a design certification rule) with specified issue finality provisions or a construction permit under 10 CFR part 50. The staff does not, at this time, intend to impose the positions represented in the ISG section (if finalized) in a manner that would constitute backfitting or affect the issue finality of a part 52 approval. If, in the

future, the staff seeks to impose a position in a manner that constitutes backfitting or does not provide issue finality as described in the applicable issue finality provision, then the staff would need to address the Backfit Rule or the criteria for avoiding issue finality as described in the applicable issue finality provision.

The Commission's forward fitting policy generally does not apply when an applicant files an initial licensing action for a new facility. Nevertheless, the staff does not, at this time, intend to impose the positions represented in the final ISG section in a manner that would constitute forward fitting.

### III. Congressional Review Act

This interim staff guidance is a rule as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found it to be a major rule as defined in the Congressional Review Act.

Dated: October 23, 2020.

For the Nuclear Regulatory Commission.

**Kenneth T. Erwin,**

*Chief, Environmental Review New Reactor Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2020–23873 Filed 10–27–20; 8:45 am]

BILLING CODE 7590–01–P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 70–7029; NRC–2020–0232]

### Defense Threat Reduction Agency

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** License application; opportunity to request a hearing and to petition for leave to intervene; order imposing procedures.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received an application from the Defense Threat Reduction Agency (DTRA) for a license which authorizes possession and use of Special Nuclear Materials (SNM) for analytical or scientific research and development. The license application request contains sensitive unclassified non-safeguards information (SUNSI).

**DATES:** A request for a hearing or petition for leave to intervene must be filed by December 28, 2020. Any potential party, as defined in section 2.4 of title 10 of the *Code of Federal Regulations* (10 CFR), who believes access to SUNSI is necessary to respond to this notice must request document access by November 9, 2020.

**ADDRESSES:** Please refer to Docket ID NRC–2020–0232 when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC–2020–0232. Address questions about Docket IDs to Jennifer Borges; telephone: 301–287–9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@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 <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](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *Attention:* The PDR, where you may examine and order copies of public documents, is currently closed. You may submit your request to the PDR via email at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov) or call 1–800–397–4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Tyrone Naquin, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–7352; email: [Tyrone.Naquin@nrc.gov](mailto:Tyrone.Naquin@nrc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Introduction

The NRC received a letter of intent to submit an application for a 10 CFR part 70 License for Special Nuclear Materials, by letter dated February 11, 2019 (ADAMS Accession No. ML20274A037), from the DTRA. By correspondence dated August 21, 2020 (ADAMS Accession No. ML20238B814), the NRC received an application to possess and use SNM in an amount less than the maximum amount described as a Category II quantity as defined in 10 CFR 70.4. If the NRC approves the application, DTRA will possess, store, and use SNM in sealed test objects for general use in detection training and

scientific research and development. The application is available in ADAMS under Accession No. ML20254A189.

An NRC administrative completeness review, dated September 24, 2020 (ADAMS Accession No. ML20258A275), found the application acceptable for a technical review. Prior to approving the application, the NRC will need to make the findings required, as required by the Atomic Energy Act of 1954 as amended (the Act), and the NRC's regulations. The NRC's findings will be documented in a Safety Evaluation Report and an environmental assessment.

### II. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission's “Agency Rules of Practice and Procedure” in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC's regulations are accessible electronically from the NRC Library on the NRC's website at <https://www.nrc.gov/reading-rm/doc-collections/cfr/>. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner's right under the Act to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the petitioner's interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions that the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion that support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner