

exemption does not involve a significant change in the types or significant increase in the amounts of any effluents that may be released offsite.

The exemption does not change plant radiation zones, radiological effluent release pathways and release quantities, or cause any changes to the controls required under 10 CFR part 20 that preclude a significant increase in public dose or occupational radiation exposure. Therefore, under 10 CFR 51.22(c)(25)(iii), the NRC staff concludes that the exemption does not involve a significant increase in individual or cumulative public or occupational radiation exposure.

The exemption does not alter the design, function, or operation of any plant equipment. No change to the facility is being made as a result of this exemption. Therefore, under 10 CFR 51.22(c)(25)(iv), the NRC staff concludes that the exemption does not involve a significant construction impact.

The exemption does not alter the design, function, or operation of any plant equipment, and does not involve any safety-related SSCs or functions used to mitigate an accident. No change to the facility is being made as a result of this exemption. Therefore, under 10 CFR 51.22(c)(25)(v), the NRC staff concludes that the exemption does not involve a significant increase in the potential for or consequences from radiological accidents.

The exemption involves scheduling requirements related to the performance of an emergency preparedness exercise. Therefore, under 10 CFR 51.22(c)(25)(vi)(G), the NRC staff concludes that the exemption involves a scheduling requirement.

Based on the evaluation above, the NRC staff concludes that the exemption meets the criteria of 10 CFR 51.22(c)(25). Therefore, in accordance with 10 CFR 51.22(b), an environmental impact statement or environmental assessment is not required for the NRC staff's consideration of this exemption request.

IV. Conclusion

Based on the above, the NRC staff concludes that, with the VEGP Unit 4 exemption from section IV.F.2.a.(iii) of appendix E to 10 CFR part 50, there is reasonable assurance that adequate protective measures can, and will, be taken in the event of a radiological emergency at VEGP Unit 4, and that VEGP Unit 4 continues to demonstrate compliance with 10 CFR 50.47(b)(14) and appendix E to 10 CFR part 50.

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 health and safety of the public, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, given that a partial participation exercise for VEGP Unit 3 was successfully completed, the Commission has granted SNC an exemption from section IV.F.2.a.(iii) of appendix E to 10 CFR part 50, to eliminate the requirement to perform an emergency preparedness exercise at VEGP Unit 4 prior to its initial fuel load.

Dated: May 11, 2021.

For the Nuclear Regulatory Commission.

Gregory T. Bowman,

Director, Vogtle Project Office, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[NRC-2021-0110]

Environmental Assessment and Findings of No Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans

AGENCY: Nuclear Regulatory Commission.

ACTION: Environmental assessment and finding of no significant impact; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is publishing this notice regarding the issuance of a final Environmental Assessment (EA) and a Finding of No Significant Impact (FONSI) for its review and approval of the initial and updated decommissioning funding plans (DFPs) submitted by Sacramento Municipal Utility District (SMUD) for the Rancho Seco independent spent fuel storage installation (ISFSI).

DATES: The EA and FONSI referenced in this document are available on May 14, 2021.

ADDRESSES: Please refer to Docket ID NRC-2021-0110 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-2021-0110. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@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. 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 or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Chris Allen, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6877, email: William.Allen@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC is considering the approval of the initial and updated DFPs submitted by SMUD for the Rancho Seco ISFSI. The NRC staff has prepared a final EA and FONSI determination for SMUDS's initial and updated DFPs in accordance with the NRC regulations in Part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*).

The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule in the **Federal Register** amending its decommissioning planning regulations (76 FR 35511). The final rule amended the NRC regulation, 10 CFR 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation requires each holder of, or applicant for, a license under 10 CFR part 72 to submit a DFP for the NRC's review and approval. The DFP is to demonstrate the licensee's

financial assurance, *i.e.*, that funds will be available to decommission the ISFSI. The NRC staff will later publish its financial analyses of the DFP submittals which will be available for public inspection in ADAMS.

II. Discussion

The table in this notice includes the facility name, docket number, licensee,

and ADAMS Accession Number for the final EA and FONSI determination for each of the individual ISFSIs. The table also includes the ADAMS Accession Numbers for other relevant documents, including the initial and updated DFP submittals. For further details with respect to these actions, see the NRC staff's final EA and FONSI

determinations which are available for public inspection in ADAMS and at <https://www.regulations.gov> under Docket ID NRC-2021-0110. For additional direction on accessing information related to this document, see the **ADDRESSES** section of this document.

FINDING OF NO SIGNIFICANT IMPACT

Facility	Rancho Seco ISFSI
Docket No.	72-11.
Licensee	Sacramento Municipal Utility District.
Proposed Action	The NRC's review and approval of SMUD's initial and updated DFPs submitted in accordance with 10 CFR 72.30(b) and (c).
Environmental Impact of Proposed Action	The NRC staff has determined that the proposed action, the review and approval of SMUD's initial and updated DFPs, submitted in accordance with 10 CFR 72.30(b) and (c), will not authorize changes to licensed operations or maintenance activities, or result in changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of solid waste. Moreover, the approval of the initial and updated DFPs will not authorize any construction activity, facility modification, or other land-disturbing activity. The NRC staff has concluded that the proposed action is a procedural and administrative action that will not have a significant impact on the environment.
Finding of No Significant Impact	The proposed action does not require changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of SMUD's initial and updated DFPs. The scope of the proposed action does not include, and will not result in, the review and approval of decontamination or decommissioning activities or license termination for the ISFSI. Therefore, the NRC staff determined that approval of the initial and updated DFPs for the Rancho Seco ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a FONSI is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not required.
Available Documents	<p>U.S. Nuclear Regulatory Commission. "Environmental Assessment re: Final Rule: Decommissioning Planning" (10 CFR Parts 20, 30, 40, 50, 70, and 72; RIN 3150-A155). Washington, DC. February 2009. ADAMS Accession No. ML090500648.</p> <p>Sacramento Municipal Utility District. ISFSI DFPs, dated March 14, 2013. ADAMS Accession No. ML13098A100.</p> <p>Sacramento Municipal Utility District. ISFSI DFPs, dated March 23, 2015. ADAMS Accession No. ML15093A058.</p> <p>Sacramento Municipal Utility District. ISFSI DFPs, dated March 14, 2016. ADAMS Accession No. ML16102A097.</p> <p>Sacramento Municipal Utility District. ISFSI DFPs dated April 7, 2016. ADAMS Accession No. ML16106A109.</p> <p>U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File). May 2017. ADAMS Accession No. ML17135A062.</p> <p>U.S. Nuclear Regulatory Commission. Request for Additional Information Regarding Sacramento Municipal Utility District's DFP Update for Rancho Seco ISFSI, dated April 3, 2018. ADAMS Accession No. ML18094A261.</p> <p>Sacramento Municipal Utility District. Response to Request for Additional Information Regarding DFPs for ISFSIs, dated April 16, 2018. ADAMS Accession No. ML18113A051.</p> <p>U.S. Nuclear Regulatory Commission. Review of the Draft EA and FONSI for the Rancho Seco ISFSI DFP, dated May 20, 2016. ADAMS Accession No. ML16147A028.</p> <p>U.S. Nuclear Regulatory Commission. Final EA/FONSI for the SMUD Initial and Updated DFPs Submitted in Accordance with 10 CFR 72.30(B) and (C) for Rancho Seco Nuclear Generating Station's ISFSI, dated May 7, 2021. ADAMS Accession No. ML21049A305.</p>

Dated: May 11, 2021.

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.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91803; File No. SR-CboeEDGX-2021-025]

Self-Regulatory Organizations; Cboe EDGX Exchange, Inc.; Notice of Filing of a Proposed Rule Change Relating to the Exchange's Process for Re-Opening Securities Listed on Other National Securities Exchanges Following the Resumption of Trading After a Halt, Suspension, or Pause During the Early Trading Session, Pre-Opening Session, or Post-Closing Session

May 10, 2021.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on April 26, 2021, Cboe EDGX Exchange, Inc. ("Exchange" or "EDGX") 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 Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes a rule change to amend the Exchange's process for re-opening securities listed on other national securities exchanges following the resumption of trading after a halt, suspension, or pause during the Early Trading Session, Pre-Opening Session, or Post-Closing Session.

The text of the proposed rule change is also available on the Exchange's website (http://markets.cboe.com/us/options/regulation/rule_filings/edgx/), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend the Exchange's process for re-opening securities listed on other national securities exchanges following the resumption of trading after a halt, suspension, or pause during the Early Trading Session,³ Pre-Opening Session,⁴ or Post-Closing Session.⁵ EDGX Rule 11.7 describes the Exchange's opening process for securities listed on other national securities exchanges, including the process for re-opening such securities following the resumption of trading after a halt, suspension, or pause. On November 5, 2020, the Exchange filed a proposed rule change to amend its re-opening process pursuant to EDGX Rule 11.7 for securities listed on the New York Stock Exchange LLC ("NYSE") following the resumption of trading after a halt, suspension, or pause during the Early Trading Session, Pre-Opening Session, or Post-Closing Session.⁶ That filing was approved by the Commission on December 28, 2020.⁷ The Exchange now proposes to further amend EDGX Rule 11.7 to adopt a harmonized re-opening process for securities listed on NYSE ("Tape A"), securities listed on exchanges other than The Nasdaq Stock Market LLC ("Nasdaq") and NYSE

³ The term "Early Trading Session" means the time between 7:00 a.m. and 8:00 a.m. Eastern Time. See EDGX Rule 1.5(ii).

⁴ The term "Pre-Opening Session" means the time between 8:00 a.m. and 9:30 a.m. Eastern Time. See EDGX Rule 1.5(s).

⁵ The term "Post-Closing Session" means the time between 4:00 p.m. and 8:00 p.m. Eastern Time. See EDGX Rule 1.5(r).

⁶ See Securities Exchange Act Release No. 90422 (November 13, 2020), 85 FR 73816 (November 19, 2020) (SR-CboeEDGX-2020-055).

⁷ See Securities Exchange Act Release No. 90804 (December 28, 2020), 86 FR 158 (January 4, 2021) (Approval Order).

("Tape B"); and securities listed on Nasdaq ("Tape C") following the resumption of trading after a halt, suspension, or pause during the Early Trading Session, Pre-Opening Session, or Post-Closing Session. The Exchange believes that the proposed harmonized process for Tape A, B, and C securities would simplify its procedures and provide a more effective re-opening process for securities that resume trading outside of Regular Trading Hours.⁸ The Exchange also proposes to make non-substantive changes to Rule 11.7 to conform the text to Cboe BZX Exchange, Inc. ("BZX") Rule 11.24.

As amended pursuant to SR-CboeEDGX-2020-055, EDGX Rule 11.7(e)(3) provides that during the Early Trading Session, Pre-Opening Session, or Post-Closing Session, Tape A securities that resume trading after a halt, suspension, or pause will be automatically re-opened pursuant to the Exchange's contingent open procedures, as described in EDGX Rule 11.7(d), after one second has passed following the Exchange's receipt of the first NBBO following such resumption of trading. This rule was adopted to automate the prior manual process that would otherwise be used to initiate the re-opening of Tape A securities when NYSE was not open for trading. Consistent with that intent, the Exchange proposed to continue to re-open Tape A securities using the same contingent open procedures that would apply when the Exchange manually initiated its re-opening process pursuant to EDGX Rule 11.7(e)(2). As a result, when the Exchange re-opens Tape A securities during pre- and post-market trading sessions today, orders are handled in time sequence and placed on the EDGX Book, routed, cancelled, or executed in accordance with the terms of the order. This differs from the standard processed used by the Exchange during Regular Trading Hours, where the Exchange seeks to execute queued orders at the midpoint of the national best bid or offer ("NBBO").⁹ After additional consideration, the Exchange believes that market participants and investors would be better served by utilizing its standard midpoint re-opening in these circumstances as doing so would promote greater consistency with the process used by the Exchange in other circumstances and may generally

⁸ The term "Regular Trading Hours" means the time between 9:30 a.m. and 4:00 p.m. Eastern Time. See EDGX Rule 1.5(y).

⁹ See EDGX Rule 11.7(e)(1).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.