

regulations, and compliance with the SRP is not required.

III. Backfitting, Issue Finality, and Forward Fitting

The guidance in this draft SRP is updated to ensure alignment of the acceptance criteria with the regulations and provide staff guidance related to the Commission's policies for new passive light-water power reactors. Issuance of this draft SRP, if finalized, would not constitute backfitting as defined in 10 CFR 50.109 (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 MD 8.4. The staff's position is based upon the following considerations:

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

The SRP provides guidance to the NRC 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 10 CFR 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, within the scope of the Backfit Rule or any issue finality provisions under 10 CFR part 52. The backfitting and issue finality regulations include language delineating when those provisions begin; in general, they begin after the issuance of a license, permit, or other approval. Furthermore, neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions discussed in this notice—were intended to apply to NRC actions that substantially change the expectations of current and future applicants.

The exceptions to the general principle are applicable when 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 NRC staff does not, at this time,

intend to impose the positions represented in the draft SRP (if finalized) in a manner that would constitute backfitting or affect the issue finality of a 10 CFR part 52 approval. If, in the future, the staff seeks to impose a position in the draft SRP (if finalized) in a manner that constitutes backfitting or affects the issue finality of a 10 CFR part 52 approval, then the staff would need to address the Backfit Rule or the criteria 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 NRC staff does not, at this time, intend to impose the positions represented in the draft SRP (if finalized) in a manner that would constitute forward fitting. If, in the future, the staff seeks to impose a position in the draft SRP (if finalized) in a manner that constitutes forward fitting, then the staff would need to address the forward fitting criteria in MD 8.4.

Dated: July 27, 2023.

For the Nuclear Regulatory Commission.

Gerond A. George,

Chief, Licensing Project Branch, Division of Operating Reactors, Office of Nuclear Reactor Regulation.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 52-026; NRC-2008-0252]

Southern Nuclear Operating Company, Inc.; Vogtle Electric Generating Plant, Unit 4; Operation Under a Combined License

AGENCY: Nuclear Regulatory Commission.

ACTION: Finding that the acceptance criteria in the combined license are met.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) found pursuant to its regulations that the acceptance criteria in the combined license for Vogtle Electric Generating Plant (VEGP), Unit 4 are met. Because of this action, operation of the facility is allowed in accordance with the terms and conditions of the license.

DATES: The finding that the acceptance criteria in the combined license are met became effective on July 28, 2023.

ADDRESSES: Please refer to Docket ID NRC-2008-0252 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-2008-0252. 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, at 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.

- **NRC's PDR:** The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. ET, Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Cayetano Santos, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7270; email: Cayetano.Santos@nrc.gov.

SUPPLEMENTARY INFORMATION: Under section 2.106 of title 10 of the *Code of Federal Regulations* (10 CFR), "Notice of issuance," the NRC is providing notice that it has found that the acceptance criteria in the combined license for VEGP, Unit 4 are met. Section 185b. (42 U.S.C. 2235(b)) of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 52.97(b) require that the Commission identify within the combined license the inspections, tests, and analyses, including those applicable to emergency planning, that the licensee shall perform, and the acceptance criteria that, if met, are necessary and sufficient to provide reasonable assurance that the facility has been constructed and will be operated in conformity with the license, the provisions of the AEA, and the Commission's rules and regulations. In compliance with these requirements,

the Commission included inspections, tests, analyses, and acceptance criteria (ITAAC) in Appendix C to VEGP, Unit 4 combined license No. NPF-92.

Section 185b. of the AEA also requires, in part, that following issuance of the combined license, the Commission shall ensure that the prescribed inspections, tests, and analyses are performed, and before operation of the facility, find that the prescribed acceptance criteria are met. The NRC codified the requirement to ensure completion of the inspections, tests, and analyses in 10 CFR 52.99(e) and codified the requirement regarding the finding that the acceptance criteria are met in 10 CFR 52.103(g).

The NRC staff has determined that the inspections, tests, and analyses have been successfully completed and found that all specified acceptance criteria in the VEGP, Unit 4 combined license No. NPF-92 are met. This finding was made on July 28, 2023, and was effective on July 28, 2023. The principal basis for the staff's 10 CFR 52.103(g) finding was the staff's review of the licensee's ITAAC notifications under 10 CFR 52.99(c) and the staff's inspection of ITAAC-related activities conducted by the licensee. The staff explained the basis for its finding in the document titled "10 CFR 52.103(g) Basis Document Vogtle Electric Generating Plant, Unit 4." Because of the NRC's finding that the acceptance criteria are met, operation of the facility is allowed in accordance with the terms and conditions of the license.

I. Availability of Documents

The documents identified in the following table are available to interested persons through the ADAMS Public Documents collection and the NRC's PDR. The files are also available online at <https://www.nrc.gov/reactors/new-reactors/col-holder/vog4.html>.

Document description	ADAMS accession No.
VEGP, Unit 4 Combined License No. NPF-92.	ML14100A135
VEGP, Unit 4 Finding that the Acceptance Criteria in the Combined License Are Met.	ML22348A093
10 CFR 52.103(g) Basis Document Vogtle Electric Generating Plant, Unit 4.	ML22348A088

Dated: July 28, 2023.

For the Nuclear Regulatory Commission.

Andrea D. Veil,

Director, Office of Nuclear Reactor Regulation.

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POSTAL REGULATORY COMMISSION

[Docket Nos. MC2023-201 and CP2023-205]

New Postal Products

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

DATES: *Comments are due:* August 4, 2023.

ADDRESSES: Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

FOR FURTHER INFORMATION CONTACT: David A. Trissell, General Counsel, at 202-789-6820.

SUPPLEMENTARY INFORMATION:

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- I. Introduction
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I. Introduction

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the Market Dominant or the Competitive product list, or the modification of an existing product currently appearing on the Market Dominant or the Competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also

establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.¹

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern Market Dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern Competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633, 39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

II. Docketed Proceeding(s)

1. *Docket No(s):* MC2023-201 and CP2023-205; *Filing Title:* USPS Request to Add Priority Mail & USPS Ground Advantage Contract 9 to Competitive Product List and Notice of Filing Materials Under Seal; *Filing Acceptance Date:* July 27, 2023; *Filing Authority:* 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative:* Gregory S. Stanton; *Comments Due:* August 4, 2023.

This Notice will be published in the **Federal Register**.

Erica A. Barker,
Secretary.

[FR Doc. 2023-16437 Filed 8-1-23; 8:45 am]

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¹ See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).