

staff received comments from five commenters which were considered in the development of the final JLD-ISG-12-02. The questions, comments and staff resolutions of those comments are contained in "NRC Responses to Public Comments, Japan Lessons-Learned Project Directorate Interim Staff Guidance, JLD-ISG-2012-02: Compliance with Order EA-12-050, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents," which can be found in ADAMS as Accession No. ML122229A477.

Backfitting and Issue Finality

This ISG does not constitute backfitting as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) 50.109 (the Backfit Rule) and is not otherwise inconsistent with the issue finality provisions in Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants," of 10 CFR. This ISG provides guidance on an acceptable method for implementing the requirements contained in Order EA-12-050, which was issued as ensuring adequate protection under the provisions of the backfit rule. Applicants and licensees may voluntarily use the guidance in JLD-ISG-2012-02 to demonstrate compliance with Order EA-12-050. Methods or solutions that differ from those described in this ISG may be deemed acceptable if they provide sufficient basis and information for the NRC staff to verify that the proposed alternative demonstrates compliance with Order EA-12-050.

Congressional Review Act

This interim staff guidance is a rule as designated in the Congressional Review Act (5 U.S.C. 801-808). OMB has found that this is not a major rule in accordance with the Congressional Review Act.

Dated at Rockville, Maryland, this 29th day of August 2012.

For the Nuclear Regulatory Commission.

John D. Monninger,

Associate Director, Japan Lessons-Learned Project Directorate, Office of Nuclear Reactor Regulation.

[FR Doc. 2012-22078 Filed 9-6-12; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[NRC-2012-0067]

Japan Lessons-Learned Project Directorate Interim Staff Guidance JLD-ISG-2012-03; Compliance With Order EA-12-051, Order Modifying Licenses With Regard to Reliable Spent Fuel Pool Instrumentation

AGENCY: Nuclear Regulatory Commission (NRC).

ACTION: Japan Lessons-Learned Project Directorate Interim Staff Guidance; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC or the Commission) is issuing the Final Japan Lessons-Learned Project Directorate (JLD) Interim Staff Guidance (ISG), JLD-ISG-2012-03, "Compliance with Order EA-12-051, Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12221A339). This JLD-ISG provides guidance and clarification to assist nuclear power reactors applicants and licensees with the identification of measures needed to comply with requirements to install enhanced spent fuel pool monitoring capability. These requirements are contained in Order EA-12-051, "Order Modifying Licenses with Regard to Reliable Spent Fuel Pool Instrumentation," (ADAMS Accession No. ML12054A679).

ADDRESSES: You may access information and comment submissions related to this document, which the NRC possesses and are publicly available, by searching on <http://www.regulations.gov> under Docket ID NRC-2012-0067.

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2012-0067. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: Carol.Gallagher@nrc.gov.

- **NRC's Agencywide Documents Access and Management System (ADAMS):** You may access publicly-available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then 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 JLD-ISG-2012-03 is available under ADAMS Accession No. ML12221A339.

- **NRC's PDR:** You may examine and purchase copies of public documents at

the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852.

- **NRC's Interim Staff Guidance Web Site:** Go to <http://www.nrc.gov/reading-rm/doc-collections/isg/japan-lessons-learned.html> and refer to JLD-ISG-2012-03.

FOR FURTHER INFORMATION CONTACT: Mrs. Lisa M. Regner, Japan Lessons-Learned Project Directorate, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1906; email: Lisa.Regner@nrc.gov.

SUPPLEMENTARY INFORMATION:

II. Background Information

JLD-ISG-2012-03 is being issued to describe to the public methods acceptable to the Nuclear Regulatory Commission (NRC) staff for complying with Order EA-12-051, "Order Modifying Licenses With Regard to Reliable Spent Fuel Pool Instrumentation (Effective Immediately)" (Order EA-12-051), issued March 12, 2012. This ISG endorses with clarifications and exceptions, the methodologies described in the industry guidance document, Nuclear Energy Institute (NEI) 12-02, *Industry Guidance for Compliance with NRC Order EA-12-051, "To Modify Licenses With Regard to Reliable Spent Fuel Pool Instrumentation"* (NEI 12-02), Revision 1 (ADAMS Accession No. ML122400399). The ISG is not a substitute for the requirements in Order EA-12-051, and compliance with this ISG is not required.

The NRC issued Order EA-12-051 following the NRC staff's evaluation of the earthquake and tsunami, and resulting nuclear accident, at the Fukushima Dai-ichi nuclear power plant in March 2011. Order EA-12-051 requires all licensees and construction permit (CP) holders to provide safety enhancements in the form of reliable spent fuel pool instrumentation for beyond-design-basis external events. Order EA-12-051 also specified that the NRC staff would issue final interim staff guidance in August 2012 to provide additional details on an acceptable approach for complying with Order EA-12-051.

Numerous public meetings were held to receive stakeholder input on the proposed requirement for spent fuel pool instrumentation enhancements prior to issuance of Order EA-12-051. Following issuance of Order EA-12-051, several more public meetings were held with representatives from the NEI task force and public stakeholders to discuss development of the guidance for

compliance with Order EA-12-051. On June 7, 2012 (77 FR 33780), the NRC requested public comments on draft JLD-ISG-12-03. The staff received comments from seven stakeholders, and these were considered in the development of the final JLD-ISG-12-03. The questions, comments and staff resolutions of those comments are contained in "NRC Responses to Public Comments," for JLD-ISG-2012-03, which can be found in ADAMS at Accession No. ML122221A319.

Backfitting and Issue Finality

This ISG does not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) and is not otherwise inconsistent with the issue finality provisions in Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants," of 10 CFR. This ISG provides guidance on an acceptable method for implementing the requirements contained in Order EA-12-051, which was issued under an administrative exemption to the backfit rule and the issue finality requirements in 10 CFR 52.63 and 10 CFR Part 52, Appendix D, Paragraph VIII. Applicants and licensees may voluntarily use the guidance in JLD-ISG-2012-03 to demonstrate compliance with Order EA-12-051. Methods or solutions that differ from those described in this ISG may be deemed acceptable if they provide sufficient basis and information for the NRC staff to verify that the proposed alternative demonstrates compliance with Order EA-12-051.

Congressional Review Act

This interim staff guidance is a rule as designated in the Congressional Review Act (5 U.S.C. 801-808). OMB has found that this is not a major rule in accordance with the Congressional Review Act.

Dated at Rockville, Maryland, this 29th day of August 2012.

For the Nuclear Regulatory Commission.

John D. Monninger,

Associate Director, Japan Lessons-Learned Project Directorate, Office of Nuclear Reactor Regulation.

[FR Doc. 2012-22069 Filed 9-6-12; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT

Hispanic Council on Federal Employment

AGENCY: Office of Personnel Management.

ACTION: Scheduling of Council Meeting.

SUMMARY: The Hispanic Council on Federal Employment (HCFE) will hold a meeting on Friday, September 21, 2012, at the time and location shown below. The Council is an advisory committee composed of representatives from Hispanic organizations and senior government officials. Along with its other responsibilities, the Council shall advise the Director of the Office of Personnel Management on matters involving the recruitment, hiring, and advancement of Hispanics in the Federal workforce. The Council is co-chaired by the Chief of Staff of the Office of Personnel Management and the Assistant Secretary for Human Resources and Administration at the Department of Veterans Affairs.

The meeting is open to the public. Please contact the Office of Personnel Management at the address shown below if you wish to present material to the Council at the meeting. The manner and time prescribed for presentations may be limited, depending upon the number of parties that express interest in presenting information.

DATES: September, 21st 2012, from 2:00-4:00 p.m.

Location: U.S. Department of the Interior, Secretary's Conference Room # 5160, 1849 C St. NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT:

Veronica E. Villalobos, Director for the Office of Diversity and Inclusion, Office of Personnel Management, 1900 E St. NW., Suite 5H35, Washington, DC 20415. Phone (202) 606-0040 FAX (202) 606-2183 or email at Jesse.Frank@opm.gov.

U.S. Office of Personnel Management.

John Berry,
Director.

[FR Doc. 2012-22091 Filed 9-6-12; 8:45 am]

BILLING CODE 6325-46-P

POSTAL REGULATORY COMMISSION

[Docket Nos. MC2012-46 and CP2012-55; Order No. 1458]

Product List Changes

AGENCY: Postal Regulatory Commission.

ACTION: Notice.

SUMMARY: The Commission is noticing a recently-filed Postal Service request to add Express Mail, Priority Mail & First-Class Package Service Contract 1 to the competitive product list. This notice addresses procedural steps associated with this filing.

DATES: *Comments are due:* September 10, 2012.

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

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel at 202-789-6820.

SUPPLEMENTARY INFORMATION:

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I. Introduction

In accordance with 39 U.S.C. 3642 and 39 CFR 3020.30 *et seq.*, the Postal Service filed a formal request and associated supporting information to add Express Mail, Priority Mail & First-Class Package Service Contract 1 to the competitive product list.¹ The Postal Service asserts that Express Mail, Priority Mail & First-Class Package Service Contract 1 is a competitive product "not of general applicability" within the meaning of 39 U.S.C. 3632(b)(3). Request at 1. The Request has been assigned Docket No. MC2012-46.

The Postal Service contemporaneously filed a redacted contract related to the proposed new product under 39 U.S.C. 3632(b)(3) and 39 CFR 3015.5. *Id.* Attachment B. The instant contract has been assigned Docket No. CP2012-55.

Request. To support its Request, the Postal Service filed six attachments as follows:

- Attachment A—a redacted copy of Governors' Decision No. 11-6, authorizing the new product;
- Attachment B—a redacted copy of the contract;
- Attachment C—proposed changes to the Mail Classification Schedule competitive product list with the addition underlined;
- Attachment D—a Statement of Supporting Justification as required by 39 CFR 3020.32;
- Attachment E—a certification of compliance with 39 U.S.C. 3633(a); and
- Attachment F—an application for non-public treatment of materials to maintain redacted portions of the

¹ Request of the United States Postal Service to Add Express Mail, Priority Mail & First-Class Package Service Contract 1 to Competitive Product List and Notice of Filing (Under Seal) of Unredacted Governors' Decision, Contract, and Supporting Data, August 30, 2012 (Request).