

Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

#### FOR FURTHER INFORMATION CONTACT:

David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

#### SUPPLEMENTARY INFORMATION:

### I. Obtaining Information and Submitting Comments

#### A. Obtaining Information

Please refer to Docket ID NRC-2017-0127 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 Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2017-0127.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection 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](mailto:pdr.resource@nrc.gov). The supporting statement for 10 CFR part 36 "Licenses and Radiation Safety Requirements for Irradiators" (3150-0158) is available in ADAMS under Accession No. ML17080A086.

- *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, Maryland 20852.

- *NRC's Clearance Officer:* A copy of the collection of information and related instructions may be obtained without charge by contacting NRC's Clearance Officer, David Cullison, Office of the Chief Information Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email: [INFOCOLLECTS.Resource@NRC.GOV](mailto:INFOCOLLECTS.Resource@NRC.GOV).

#### B. Submitting Comments

Please include Docket ID NRC-2017-0127 in the subject line of your comment submission, in order to ensure

that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information in comment submissions that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS, and the NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

### II. Background

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC is requesting public comment on its intention to request the OMB's approval for the information collection summarized below.

1. *The title of the information collection:* 10 CFR part 36 "Licenses and Radiation Safety Requirements for Irradiators".

2. *OMB approval number:* 3150-0158.

3. *Type of submission:* Extension.

4. *The form number, if applicable:* N/A.

5. *How often the collection is required or requested:* Applications for new licenses and amendments may be submitted at any time (on occasion). Applications for renewal are submitted every 10 years. Reports are submitted as events occur.

6. *Who will be required or asked to respond:* Applicant for and holders of specific licenses authorizing the use of licensed radioactive material for irradiators.

7. *The estimated number of annual responses:* 2,389.

8. *The estimated number of annual respondents:* 70.

9. *The estimated number of hours needed annually to comply with the information collection requirement or request:* 42,612.

10. *Abstract:* Part 39 of Title 10 of the Code of Federal Regulations (10 CFR), establishes radiation safety requirements for the use of radioactive material for irradiators. The information

in the applications, reports and records is used by the NRC staff to ensure that the health and safety of the public is protected and that the licensee possession and use of source or byproduct material is in compliance with license and regulatory requirements.

### III. Specific Requests for Comments

The NRC is seeking comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the estimate of the burden of the information collection accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

Dated at Rockville, Maryland, this 20th day of July 2017.

For the U.S. Nuclear Regulatory Commission.

**David Cullison,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 2017-15769 Filed 7-26-17; 8:45 am]

**BILLING CODE 7590-01-P**

### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 52-040 and 52-041; NRC-2009-0337]

#### Florida Power and Light Company; Turkey Point, Units 6 and 7

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Combined license application; revised notice of hearing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) will convene an evidentiary session to receive testimony and exhibits in the uncontested portion of this proceeding regarding the application of Florida Power and Light Company (FPL) for combined licenses (COLs) to construct and operate two additional units (Units 6 and 7) at the Turkey Point site in Miami-Dade County, Florida. This mandatory hearing will concern safety and environmental matters relating to the requested COLs.

**DATES:** The hearing will be held on October 5, 2017, beginning at 9:00 a.m. Eastern Standard Time. For the schedule for submitting pre-filed

documents and deadlines affecting Interested Government Participants, see Section V of the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** Please refer to Docket ID 52–040 and 52–041 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: NRC’s Electronic Hearing Docket: You may obtain publicly available documents related to this hearing online at <http://www.nrc.gov/about-nrc/regulatory/adjudicatory.html>.

- **NRC’s Agencywide Documents Access and Management System (ADAMS):** You may obtain publicly-available documents online in the ADAMS Public Documents collection 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](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 a document is referenced.

- **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, Maryland 20852.

**FOR FURTHER INFORMATION CONTACT:** Denise McGovern, Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, telephone: (301) 415–0681; email: [Denise.McGovern@nrc.gov](mailto:Denise.McGovern@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Commission hereby gives notice that, pursuant to Section 189a of the Atomic Energy Act of 1954, as amended (the Act), it will convene an evidentiary session to receive testimony and exhibits in the uncontested portion of this proceeding regarding FPL’s June 30, 2009, application for COLs under part 52 of title 10 of the *Code of Federal Regulations* (10 CFR), to construct and operate two additional units (Units 6 and 7) at the Turkey Point site in Miami-Dade County, Florida (<http://www.nrc.gov/reactors/new-reactors/col/turkey-point.html>). The Commission had previously scheduled this hearing for February 9, 2017.<sup>1</sup> This mandatory hearing will concern safety and

environmental matters relating to the requested COLs, as more fully described below. Participants in the hearing are not to address any contested issues in their written filings or oral presentations.

##### **II. Evidentiary Uncontested Hearing**

The Commission will conduct this hearing beginning at 9:00 a.m. Eastern Standard Time on October 5, 2017, at the U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. The hearing on these issues will continue on subsequent days, if necessary.

##### **III. Presiding Officer**

The Commission is the presiding officer for this proceeding.

##### **IV. Matters to be Considered**

The matter at issue in this proceeding is whether the review of the application by the Commission’s staff has been adequate to support the findings found in 10 CFR 52.97 and 10 CFR 51.107. Those findings that must be made for each COL are as follows:

##### *Issues Pursuant to the Atomic Energy Act of 1954, as Amended*

The Commission will determine whether (1) the applicable standards and requirements of the Act and the Commission’s regulations have been met; (2) any required notifications to other agencies or bodies have been duly made; (3) there is reasonable assurance that the facility will be constructed and will operate in conformity with the license, the provisions of the Act, and the Commission’s regulations; (4) the applicant is technically and financially qualified to engage in the activities authorized; and (5) issuance of the license will not be inimical to the common defense and security or the health and safety of the public.

##### *Issues Pursuant to the National Environmental Policy Act (NEPA) of 1969, as Amended*

The Commission will (1) determine whether the requirements of Sections 102(2)(A), (C), and (E) of NEPA and the applicable regulations in 10 CFR part 51 have been met; (2) independently consider the final balance among conflicting factors contained in the record of the proceeding with a view to determining the appropriate action to be taken; (3) determine, after weighing the environmental, economic, technical, and other benefits against environmental and other costs, and considering reasonable alternatives, whether the combined licenses should

be issued, denied, or appropriately conditioned to protect environmental values; and (4) determine whether the NEPA review conducted by the NRC staff has been adequate.

##### **V. Schedule for Submittal of Pre-Filed Documents**

No later than September 14, 2017, unless the Commission directs otherwise, the NRC staff and the applicant shall submit a list of its anticipated witnesses for the hearing.

No later than September 14, 2017, unless the Commission directs otherwise, the applicant shall submit its pre-filed written testimony. The NRC staff previously submitted its testimony on December 2, 2016.

The Commission may issue written questions to the applicant or the NRC staff before the hearing. If such questions are issued, an order containing such questions will be issued no later than September 1, 2017. Responses to such questions are due September 14, 2017, unless the Commission directs otherwise.

##### **VI. Interested Government Participants**

No later than August 30, 2017, any interested State, local government body, or affected, Federally-recognized Indian Tribe may file with the Commission a statement of any issues or questions to which the State, local government body, or Indian Tribe wishes the Commission to give particular attention as part of the uncontested hearing process. Such statement may be accompanied by any supporting documentation that the State, local government body, or Indian Tribe sees fit to provide. Any statements and supporting documentation (if any) received by the Commission using the agency’s E-filing system<sup>2</sup> by the deadline indicated above will be made part of the record of the proceeding. The Commission will use such statements and documents as appropriate to inform its pre-hearing questions to the NRC staff and applicant, its inquiries at the oral hearing and its decision following the hearing. The Commission may also

<sup>2</sup> The process for accessing and using the agency’s E-filing system is described in the June 18, 2010, notice of hearing that was issued by the Commission for this proceeding. See Florida Power and Light Company; Combined License Application for the Turkey Point Units 6 and 7; Notice of Hearing, Opportunity To Petition for Leave To Intervene and Associated Order Imposing Procedures for Access to Sensitive Unclassified Non-Safeguards Information and Safeguards Information for Contention Preparation (75 FR 34777). Participants who are unable to use the electronic information exchange (EIE), or who will have difficulty complying with EIE requirements in the time frame provided for submission of written statements, may provide their statements by electronic mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

<sup>1</sup> See 81 FR 89,995 (Dec. 13, 2016).

request, prior to September 1, 2017, that one or more particular States, local government bodies, or Indian Tribes send one representative each to the evidentiary hearing to answer Commission questions and/or make a statement for the purpose of assisting the Commission's exploration of one or more of the issues raised by the State, local government body, or Indian Tribe in the pre-hearing filings described above. The decision of whether to request the presence of a representative of a State, local government body, or Indian Tribe at the evidentiary hearing to make a statement and/or answer Commission questions is solely at the Commission's discretion. The Commission's request will specify the issue or issues that the representative should be prepared to address.

States, local governments, or Indian Tribes should be aware that this evidentiary hearing is separate and distinct from the NRC's contested hearing process. Issues within the scope of contentions that have been admitted or contested issues pending before the Atomic Safety and Licensing Board or the Commission in a contested proceeding for a COL application are outside the scope of the uncontested proceeding for that COL application. In addition, although States, local governments, or Indian Tribes participating as described above may take any position they wish, or no position at all, with respect to issues regarding the COL application or the NRC staff's associated environmental review that do fall within the scope of the uncontested proceeding (*i.e.*, issues that are not within the scope of admitted contentions or pending contested issues), they should be aware that many of the procedures and rights applicable to the NRC's contested hearing process due to the inherently adversarial nature of such proceedings are not available with respect to this uncontested hearing. Participation in the NRC's contested hearing process is governed by 10 CFR 2.309 (for persons or entities, including States, local governments, or Indian Tribes, seeking to file contentions of their own) and 10 CFR 2.315(c) (for interested States, local governments, and Indian Tribes seeking to participate with respect to contentions filed by others). Participation in this uncontested hearing does not affect the right of a State, local government, or Indian Tribe to participate in the separate contested hearing process.

Dated at Rockville, Maryland, this 20th day of July, 2017.

For the Nuclear Regulatory Commission.  
**Annette L. Vietti-Cook,**  
*Secretary of the Commission.*  
 [FR Doc. 2017-15752 Filed 7-26-17; 8:45 am]  
**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-81186; File No. SR-ICC-2017-006]

### Self-Regulatory Organizations; ICE Clear Credit LLC; Order Approving Proposed Rule Change Relating to ICC's End-of-Day Price Discovery Policies and Procedures

July 21, 2017.

#### I. Introduction

On May 25, 2017, ICE Clear Credit LLC ("ICC" or "ICE Clear Credit") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change (SR-ICC-2017-006) to amend ICC's End-of-Day Price Discovery Policies and Procedures ("Pricing Policy") to implement an automated bid-offer width scaling methodology as part of its end-of-day pricing process. The proposed rule change was published for comment in the **Federal Register** on June 15, 2017.<sup>3</sup> The Commission did not receive comments regarding the proposed changes. For the reasons discussed below, the Commission is approving the proposed rule change.

#### II. Description of the Proposed Rule Change

Bid-offer width ("BOW") is one input in ICC's end-of-day price discovery process used to determine end-of-day price levels for ICC's cleared products. ICC derives the BOW used in its end-of-day price discovery process for each clearing-eligible instrument from BOW information supplied by its Clearing Participants. Currently, ICC determines the end-of-day BOW for index products by comparing BOW data received from Clearing Participants to three pre-defined BOWs. The three pre-defined BOWs are progressively larger, such that the smallest BOW ("Regime 1") is associated with normal market conditions; the next largest BOW ("Regime 2") is associated with market

conditions experiencing some measure of volatility; and the largest BOW ("Regime 3") is associated with more extreme market conditions. ICC selects as the end-of-day BOW ("EOD BOW") for an index product the pre-defined BOW that is most representative of the BOWs obtained from Clearing Participants based on ICC's methodology. For single-name instruments, ICC determines the EOD BOW by using intraday BOW data received from Clearing Participants and then applies various scaling factors to arrive at an EOD BOW based on ICC's methodology. The EOD BOWs are used for mark-to-market and risk management purposes.

As currently constituted, ICC's procedures allow its Risk Department to override the EOD BOW based on the Risk Department's review and monitoring of market conditions. ICC represents that during periods of high market volatility, a significant number of BOW adjustments may need to be made, and that, if needed, such adjustments are determined and input manually.<sup>4</sup> ICC believes that this manual intervention, which takes place in a short time period, is a potential source of operational risk.<sup>5</sup>

In order to reduce this operational risk, ICC proposes to replace the manual BOW adjustment process in the Pricing Policy with an algorithm that will automatically execute the widening of selected BOWs based on the dispersion of intraday mid-level quotes, an indicator of the day's volatility.

To effectuate this automatic BOW-widening process, ICC proposed to introduce a new metric, a "Variability Level," designed to measure the movement of intraday bid-offer mid-levels relative to the existing pre-defined BOWs described above. Under the proposed changes, where the intraday BOW mid-level falls above or below the prior day's end-of-day level by more than one pre-defined BOW, the Variability Level will be determined by a formula that takes the maximum deviation of the time series of intraday BOW mid-levels from the prior day's end-of-day level and divides it by the pre-defined BOW. Where the intraday BOW mid-level falls within one pre-defined BOW of the prior day's end-of-day level, the Variability Level would be set to 1.0, if the range of intraday mid-levels is less than the pre-defined BOW. If the range is greater than the pre-defined BOW, the Variability Level would be set to 1.2. Variability Levels

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> Securities Exchange Act Release No. 34-80895 (June 9, 2017), 82 FR 27539 (June 15, 2017) (SR-ICC-2017-006) ("Notice").

<sup>4</sup> Notice, 82 FR at 27540.

<sup>5</sup> *Id.*