

and redline strikeouts comparing final revisions with draft revisions are available in ADAMS under the following Accession Nos.:

ML16125A114, ML13108A095, and ML16125A296, respectively.

• *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:

Mark Notich, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3053; email: Mark.Notich@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

On August 10, 2015 (80 FR 47958), the NRC published for public comment a proposed revision of Section 18.0, "Human Factors Engineering," of NUREG-0800, "Standard Review Plan (SRP) for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR Edition." On October 8, 2015, the NRC received a request to extend the comment period for 30 days. Prior to granting the request, the NRC received a request for a public meeting to discuss industry comments. A public meeting was held on January 7, 2016, and on February 24, 2016 (81 FR 9226), the NRC published an extension of the public comment period for the SRP. The public comment period closed on March 11, 2016. A summary of comments received and the staff's disposition of the comments are available in a separate document, "Response to Public Comments on Draft Standard Review Plan, Section 18.0, "Human Factors Engineering," (ADAMS Accession No. ML16112A329). In addition to revising the text of SRP 18.0 to address public comments, the staff revised the text to add a reference to NUREG-1852; reinserted specific guidance that was in previous versions of SRP 18.0 but deleted during the draft phase of Revision 3; and made editorial changes. None of these revisions changed the staff's approach to reviewing human factors engineering information in licensing applications.

II. Backfitting and Issue Finality

Section 18 of the SRP provides guidance to the staff for reviewing applications for a construction permit and an operating license under part 50 of title 10 of the *Code of Federal Regulations* (10 CFR) with respect to systems associated with human factors engineering. Section 18.0 of the SRP provides guidance for reviewing an

application for a standard design approval, a standard design certification, a combined license, and a manufacturing license under 10 CFR part 52 with respect to the same subject matters.

Issuance of this SRP section revision does not constitute backfitting as defined in 10 CFR 50.109 (the Backfit Rule) nor is it inconsistent with the issue finality provisions in 10 CFR part 52. The NRC's position is based upon the following considerations.

1. *The SRP positions would not constitute backfitting, inasmuch as the SRP is internal guidance to NRC staff.*

The SRP provides internal 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 are not matters for which either nuclear power plant applicants or licensees are protected under either the Backfit Rule or the issue finality provisions of 10 CFR part 52.

2. *The NRC staff has no intention to impose the SRP positions on existing licensees either now or in the future.*

The NRC staff does not intend to impose or apply the positions described in the SRP to existing licensees and regulatory approvals. Hence, the issuance of this SRP does not need to be evaluated as if it were a backfit or as being inconsistent with issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP on holders of already issued licenses in a manner that challenges issue finality as described in the applicable part 52 issue finality provision, then the staff must either make the requisite showing as set forth in the Backfit Rule or address the criteria for avoiding issue finality as described in the applicable part 52 issue finality provision.

3. *Backfitting and issue finality do not—with limited exceptions not applicable here—protect current or future applicants.*

Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. Neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions—were intended to apply to every NRC action that 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) or NRC regulatory approval (e.g., a design certification rule) with specified issue

finality provisions. The NRC staff does not, at this time, intend to impose the positions represented in the SRP in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in the SRP section in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

III. Congressional Review Act

This action 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 at Rockville, Maryland, this 26th day of January 2017.

For the Nuclear Regulatory Commission.

Joseph Colaccino,

Chief, New Reactor Rulemaking and Guidance Branch, Division of Engineering, Infrastructure and Advanced Reactors, Office of New Reactors.

[FR Doc. 2017-02060 Filed 1-30-17; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2016-0070]

Information Collection: NRC Form 212, "Qualifications Investigation Professional, Technical, and Administrative Positions"

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of submission to the Office of Management and Budget (OMB); request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has recently submitted a request for renewal of an existing collection of information to OMB for review. The information collection is entitled, NRC Form 212, "Qualifications Investigation Professional, Technical, and Administrative Positions."

DATES: Submit comments by March 2, 2017.

ADDRESSES: Submit comments directly to the OMB reviewer at: Vlad Dorjets, Desk Officer, Office of Information and Regulatory Affairs (3150-0033), NEOB-10202, Office of Management and Budget, Washington, DC 20503; telephone: 202-395-7315, email: oir_submission@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT:

David Cullison, NRC Clearance Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-2084; email:

INFOCOLLECTS.Resource@nrc.gov.

SUPPLEMENTARY INFORMATION:**I. Obtaining Information and Submitting Comments***A. Obtaining Information*

Please refer to Docket ID NRC-2016-0070 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-2016-0070. A copy of the collection of information and related instructions may be obtained without charge by accessing Docket ID NRC-2016-0070 on this Web site.

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. A copy of the collection of information and related instructions may be obtained without charge by accessing ADAMS Accession No. ML16168A217. The supporting statement is available in ADAMS under Accession No. ML16305A089.

- *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 the 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.

B. Submitting Comments

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. All comment submissions are posted at <http://www.regulations.gov> and entered into

ADAMS. Comment submissions are not routinely edited to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the OMB, 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 comment submissions are not routinely edited to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the NRC recently submitted a request for renewal of an existing collection of information to OMB for review entitled, "NRC Form 212, "Qualifications Investigation Professional, Technical, and Administrative Positions". The NRC hereby informs potential respondents that an agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The NRC published a **Federal Register** notice with a 60-day comment period on this information collection on August 3, 2016 (81 FR 51215).

1. *The title of the information collection:* NRC Form 212,

"Qualifications Investigation Professional, Technical, and Administrative Positions."

2. *OMB approval number:* 3150-0033.

3. *Type of submission:* Extension.

4. *The form number if applicable:* NRC Form 212.

5. *How often the collection is required or requested:* The form is collected for every new hire to the NRC.

6. *Who will be required or asked to respond:* Former employers, supervisors, and other references indicated on the job application are asked to complete the NRC Form 212.

7. *The estimated number of annual responses:* 1,000.

8. *The estimated number of annual respondents:* 1,000.

9. *An estimate of the total number of hours needed annually to comply with the information collection requirement or request:* 500 hours.

10. *Abstract:* Information requested on NRC Form 212, "Qualifications Investigation, Professional, Technical, and Administrative Positions" is used to determine the qualifications and suitability of external applicants for employment with the NRC. The

completed form may be used to examine, rate and/or assess the prospective employee's qualifications. The information regarding the qualifications of applicants for employment is reviewed by professional personnel of the Office of the Chief Human Capital Officer, in conjunction with other information in the NRC files, to determine the qualifications of the applicant for appointment to the position under consideration.

Dated at Rockville, Maryland, this 26th day of January 2017.

For the Nuclear Regulatory Commission.

David Cullison,

NRC Clearance Officer, Office of the Chief Information Officer.

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PENSION BENEFIT GUARANTY CORPORATION**Submission of Information Collections for OMB Review; Comment Request; Payment of Premiums; Termination Premium**

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for extension of OMB approval of collection of information.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget (OMB) extend approval, under the Paperwork Reduction Act, of the collection of information for the termination premium under its regulation on Payment of Premiums (29 CFR part 4007) (OMB control number 1212-0064; expires February 28, 2017), without changes. This notice informs the public of PBGC's request and solicits public comment on the collection of information.

DATES: Comments should be submitted by March 2, 2017.

ADDRESSES: Comments should be sent to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Pension Benefit Guaranty Corporation, via electronic mail at OIRA_DOCKET@omb.eop.gov or by fax to 202-395-6974.

The currently approved collection of information (Form T and instructions) and PBGC's premium payment regulation may be found on PBGC's Web site at <http://www.pbgc.gov/prac/prem/termination-premiums.html>. Copies of the proposed collection of information and PBGC's request will be posted at <http://www.pbgc.gov/res/laws-and->