

for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with the NRC guidance available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the documents are submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email notice confirming receipt of the document. The E-Filing system also distributes an email notice that provides access to the document to the NRC's Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help Desk through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by email at [MSHD.Resource@nrc.gov](mailto:MSHD.Resource@nrc.gov), or by a toll-free call at 1-(866) 672-7640. The NRC Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants.

Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at <http://ehd1.nrc.gov/ehd/>, unless excluded pursuant to an order of the Commission, or the presiding officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law requires submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 20 days from the date of publication of this notice. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)-(viii).

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

Dated at Rockville, Maryland this 15th day of February 2012.

For the Nuclear Regulatory Commission.

**Carleen J. Sanders,**

*Project Manager, Plant Licensing Branch I-2, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0097]

### Thermal Overload Protection for Electric Motors on Motor-Operated Valves

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC or Commission) is issuing a revision to Regulatory Guide (RG) 1.106, "Thermal Overload Protection for Electric Motors on Motor-Operated Valves." This regulatory guide describes a method acceptable to NRC's staff for complying with NRC requirements for the application of thermal overload protection devices that are integral with the motor starter for electric motors on motor-operated valves.

**ADDRESSES:** Please refer to Docket ID NRC-2011-0097 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly-available, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0097. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto: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](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced. The regulatory guide is available electronically under ADAMS Accession Number ML112580358. The regulatory analysis may be found in ADAMS under Accession Number ML120170063.

- *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.

Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

**FOR FURTHER INFORMATION CONTACT:** Edward O'Donnell, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, telephone: 301-251-7455; email: [Edward.ODonnell@nrc.gov](mailto:Edward.ODonnell@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The NRC is issuing a revision to an existing guide in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information such as methods that are acceptable to the NRC staff for implementing specific parts of the agency's regulations, techniques that the staff uses in evaluating specific problems or postulated accidents, and data that the staff needs in its review of applications for permits and licenses.

Revision 2 of RG 1.106 was issued with a temporary identification as Draft Regulatory Guide, DG-1264. This regulatory guide describes a method acceptable to the NRC staff regarding the application of thermal overload protection devices. This method would ensure that the thermal overload protection devices will not needlessly prevent the motor from performing its safety-related function.

**II. Further Information**

DG-1264, was published in the **Federal Register** on May 02, 2011 (76 FR 24538) for a 60-day public comment period. The public comment period closed on June 28, 2011. The NRC staff's responses to the public comments on DG-1264 are available under ADAMS Accession Number ML112580363.

**III. Backfitting and Issue Finality**

Issuance of this final regulatory guide 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 10 CFR Part 52. As discussed in the "Implementation" discussion of this regulatory guide, the NRC has no current intention to impose this regulatory guide on holders of current operating licenses or combined licenses. Accordingly, the issuance of this regulatory guide does not constitute "backfitting" as defined in 10 CFR 50.109(a)(1) or is otherwise inconsistent with the applicable issue finality provisions in 10 CFR Part 52.

This regulatory guide may be applied to applications for operating licenses

and combined licenses docketed by the NRC as of the date of issuance of the final regulatory guide, as well as future applications for operating licenses and combined licenses submitted after the issuance of the regulatory guide. Such action does not constitute backfitting as defined in 10 CFR 50.109(a)(1) or is otherwise inconsistent with the applicable issue finality provision in 10 CFR Part 52, inasmuch as such applicants or potential applicants are not within the scope of entities protected by the Backfit Rule or the relevant issue finality provisions in 10 CFR Part 52.

Dated at Rockville, Maryland, this 17th day of February 2012.

For the Nuclear Regulatory Commission.

**Mark P. Orr,**

*Acting Chief, Regulatory Guide Development Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

[FR Doc. 2012-4552 Filed 2-24-12; 8:45 am]

**BILLING CODE 7590-01-P**

**OFFICE OF PERSONNEL MANAGEMENT**

**January 2012 Pay Schedules**

**AGENCY:** U.S. Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** The President has signed an Executive order containing the 2012 pay schedules for certain Federal civilian employees. The rates of pay for these employees will not be increased in 2012 and remain at 2010/2011 levels, except for employees in nonforeign areas. This notice serves as documentation for the public record.

**FOR FURTHER INFORMATION CONTACT:** Lisa Dismond, Pay and Leave, Employee Services, U.S. Office of Personnel Management; (202) 606-2858; Fax (202) 606-0824; or email to [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov)

**SUPPLEMENTARY INFORMATION:** On December 19, 2011, the President signed Executive Order 13594 (76 FR 80191), which documented the January 2012 pay schedules. Pursuant to Public Law 111-242, as amended by Public Law 111-322 (December 22, 2010), the Executive order provides that the 2012 pay rates for most civilian employee pay schedules covered by the order are not adjusted and remain at 2010/2011 levels. Schedule 1 of Executive Order 13594 provides the rates for the 2012 General Schedule (GS) and reflects no increase from 2010/2011. Executive Order 13594 also includes the percentage amounts of the 2012 locality

payments, which remain at 2010/2011 levels except for employees in nonforeign areas. (See Section 5 and Schedule 9 of Executive Order 13594.)

The publication of this notice satisfies the requirement in section 5(b) of Executive Order 13594 that the U.S. Office of Personnel Management (OPM) publish appropriate notice of the 2012 locality payments in the **Federal Register**.

GS employees receive locality payments under 5 U.S.C. 5304. Locality payments apply in the United States (as defined in 5 U.S.C. 5921(4)) and its territories and possessions. In 2012, locality payments ranging from 14.16 percent to 35.15 percent apply to GS employees in the 34 locality pay areas. The 2012 locality pay area definitions can be found at <http://www.opm.gov/oca/12tables/locdef.asp>.

The 2012 locality pay percentages became effective on the first day of the first pay period beginning on or after January 1, 2012 (January 1, 2012). An employee's locality rate of pay is computed by increasing his or her scheduled annual rate of pay (as defined in 5 CFR 531.602) by the applicable locality pay percentage. (See 5 CFR 531.604 and 531.609.) As provided under the Nonforeign Area Retirement Equity Assurance Act of 2009 (subtitle B of title XIX of the National Defense Authorization Act for Fiscal Year 2010 (Pub. L. 111-84, October 28, 2009)), the locality rate for each nonforeign area will be set at the full applicable locality rate in January 2012. Employees in nonforeign areas entitled to cost-of-living allowances (COLAs) (i.e., Alaska, Hawaii, and other nonforeign areas as defined in 5 CFR 591.207) have corresponding reductions in their COLAs when locality rates increase.

Executive Order 13594 documents that the Executive Schedule rates of pay remain at the 2010/2011 levels. By law, Executive Schedule officials are not authorized to receive locality payments.

Executive Order 13594 documents the 2012 range of rates of basic pay for members of the Senior Executive Service (SES) under 5 U.S.C. 5382. The minimum rate of basic pay for the SES remains at \$119,554 in 2012. The maximum rate of the SES rate range continues to be \$179,700 (level II of the Executive Schedule) for SES members covered by a certified SES performance appraisal system and \$165,300 (level III of the Executive Schedule) for SES members covered by an SES performance appraisal system that has not been certified.

The minimum rate of basic pay for the senior-level (SL) and scientific and professional (ST) rate range remains at