

copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than 60 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).

For further details with respect to this license amendment application, see the application for amendment dated March 8, 2012, which is available for public inspection at the Commission's PDR, located at One White Flint North, File Public Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland 20852. Publicly available documents created or received at the NRC are accessible electronically through ADAMS in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC's PDR Reference staff by telephone at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Attorney for licensee: Bryan A. Snapp, Esquire, Assoc. General Counsel, PPL Services Corporation, 2 North Ninth St., GENTW3, Allentown, PA 18101-1179.

For the Nuclear Regulatory Commission.

Dated at Rockville, Maryland, this 9th day of March 2012.

**Bhalchandra Vaidya,**

*Project Manager, Plant Licensing Branch I-1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2012-6407 Filed 3-15-12; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0191]

### License Renewal Interim Staff Guidance LR-ISG-2011-05: Ongoing Review of Operating Experience

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Interim staff guidance; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing the final License Renewal Interim Staff Guidance (LR-ISG), LR-ISG-2011-05, "Ongoing Review of Operating Experience." This LR-ISG provides guidance and clarification concerning ongoing reviews of plant-specific and industry-

wide operating experience as an attribute of aging management programs used at nuclear power plants as described in NUREG-1801, Revision 2, "Generic Aging Lessons Learned (GALL) Report," (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103490041), and NUREG-1800, Revision 2, "Standard Review Plan for Review of License Renewal Applications for Nuclear Power Plants" (SRP-LR) (ADAMS Accession No. ML103490036).

**ADDRESSES:** Please refer to Docket ID NRC-2011-0191 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-2011-0191. 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 Documentsz," 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 final LR-ISG-2011-05 is available under ADAMS Accession No. ML12044A215.

- *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 Interim Staff Guidance Web Site:* LR-ISG documents are also available online under the "License Renewal" heading at <http://www.nrc.gov/reading-rm/doc-collections/#int>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Matthew Homiack, Division of License Renewal, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1683; email: [Matthew.Homiack@nrc.gov](mailto:Matthew.Homiack@nrc.gov).

### SUPPLEMENTARY INFORMATION:

#### Background Information

The NRC issues LR-ISG to communicate insights and lessons learned and to address emergent issues

not covered in license renewal guidance documents. In this way, the NRC staff and stakeholders may use the guidance in an LR-ISG document until it is incorporated into a formal license renewal guidance document revision. The NRC staff issues LR-ISG in accordance with the LR-ISG Process, Revision 2 (ADAMS Accession No. ML100920158), for which a notice of availability was published in the **Federal Register** on June 22, 2010 (75 FR 35510).

The NRC staff developed LR-ISG-2011-05 to clarify guidance on how the ongoing review of operating experience should be used to ensure the effectiveness of the license renewal aging management programs used at nuclear power plants to meet the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants." The final LR-ISG-2011-05 revises the NRC staff's recommended aging management programs in the GALL Report and the NRC staff's aging management review procedures and acceptance criteria in the SRP-LR.

On August 24, 2011 (76 FR 52995), the NRC requested public comments on draft LR-ISG-2011-05. By letter dated August 29, 2011 (ADAMS Accession No. ML11242A114), the Nuclear Energy Institute (NEI) requested a 30-day extension to the comment period and a public meeting to discuss draft comments and questions concerning implementation of the LR-ISG. The NRC staff granted the NEI's requests, as noticed on September 20, 2011 (76 FR 58311). The public meeting was held on October 12, 2011 (ADAMS Accession No. ML11304A259), and the comment period was extended until October 23, 2011.

During this time, the NRC staff identified the need to include additional guidance on areas where license renewal applicants should ensure their programmatic activities for operating experience reviews are appropriate for considering operating experience related to aging management. The NRC staff identified this need through its ongoing reviews of license renewal applications and through insights gained on how nuclear power plant licensees carry out their operating experience review activities. The additional guidance covers areas where enhancements may need to be made for license renewal, such as the specific kind of information that should be considered as operating experience, the training of plant personnel, information to consider in operating experience evaluations, criteria for identifying and

categorizing operating experience as related to aging, and guidelines for reporting operating experience on age-related degradation to the industry. The NRC staff outlined these changes at the October 12, 2011, public meeting and a revised draft LR-ISG was issued for public comment on November 25, 2011 (76 FR 72725).

The NRC received comments from Exelon Generation Company, LLC, by letter dated October 18, 2011 (ADAMS Accession No. ML11298A171), and from the NEI by letters dated October 18, 2011 (ADAMS Accession No. ML11293A041), and December 15, 2011 (ADAMS Accession No. ML11354A228). No other comments were submitted. The NRC considered these comments in developing the final LR-ISG. Detailed responses to the comments can be found in Appendix C of the final LR-ISG.

The final LR-ISG-2011-05 is approved for NRC staff and stakeholder use and will be incorporated into NRC's next formal license renewal guidance document revision.

### Backfitting and Issue Finality

Issuance of this final LR-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. As discussed in the "Backfitting Discussion" section of final LR-ISG-2011-05, the LR-ISG is directed to holders of operating licenses or combined licenses who are currently in the license renewal process. The LR-ISG is not directed to holders of operating licenses or combined licenses until they apply for license renewal. The LR-ISG is also not directed to licensees who already hold renewed operating or combined licenses.

Dated at Rockville, Maryland, this 9th day of March 2012.

For the Nuclear Regulatory Commission.

**Melanie A. Galloway,**

*Acting Director, Division of License Renewal,  
Office of Nuclear Reactor Regulation.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-66568; File No. SR-NYSEARCA-2012-17]

### Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the NYSE Arca Equities Fee Schedule

March 9, 2012.

Pursuant to Section 19(b)(1) <sup>1</sup> of the Securities Exchange Act of 1934 (the "Act"),<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on March 1, 2012, NYSE Arca, Inc. (the "Exchange" or "NYSE Arca") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the NYSE Arca Equities Fee Schedule ("Fee Schedule") to (i) Increase the fee for Mid-Point Passive Liquidity ("MPL") orders removing liquidity from the Book, the Tape B Securities fee for orders routed outside the Book to any away market centers, and the fees for Tape A, Tape B, and Tape C Securities that take liquidity from the Book where the per share price is below \$1.00, (ii) add three new Step Up Tiers and a new Investor Tier, (iii) revise the requirements and credits for the Tracking Order Tiers, (iv) raise the fee cap for Market and Auction-Only Orders executed in an Opening, Market Order or Trading Halt Auction, and (v) make other technical changes. The amended section of the Fee Schedule is attached as Exhibit 5. [sic] A copy of this filing is available on the Exchange's Web site at [www.nyse.com](http://www.nyse.com), at the Exchange's principal office and at the Public Reference Room of the Commission.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received

on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

#### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

##### 1. Purpose

The Exchange proposes to amend the Fee Schedule to (i) Increase the fee for MPL <sup>4</sup> orders removing liquidity from the Book, the Tape B Securities fee for orders routed outside the Book to any away market centers, and the fees for Tape A, Tape B, and Tape C Securities that take liquidity from the Book where the per share price is below \$1.00, (ii) add three new Step Up Tiers and a new Investor Tier, (iii) revise the requirements and credits for the Tracking Order <sup>5</sup> Tiers, (iv) raise the fee cap for Market and Auction-Only Orders executed in an Opening, Market Order or Trading Halt Auction, and (v) make other technical changes.

##### MPL Orders

Currently, MPL orders receive a rebate of \$0.0015 for orders that provide liquidity and are charged a fee of \$0.0025 for orders that take liquidity in Tape A, Tape B and Tape C Securities. The Exchange proposes to raise the fee to \$0.0030 for orders that take liquidity in Tape A, Tape B, and Tape C Securities. The Exchange does not propose to change the rebate for MPL orders. This change will apply to the Tier 1, Tier 2, Tier 3, and Basic Rate pricing levels for securities with a per share price above \$1.00.

##### Tape B Orders

Currently, Tape B orders are charged a fee of \$0.0029 for orders that are routed outside the Book to any away market centers for clients at Tier 1, Tier 2, Tier 3, Step Up Tier 1, and Step Up Tier 2. The Exchange proposes to raise the fee to \$0.0030 for orders that are routed outside the Book to any away market centers. This change will apply

<sup>4</sup> An MPL order is a version of the Passive Liquidity order, except it is executable only at the midpoint of the Protected Best Bid and Offer. A Passive Liquidity order is an order to buy or sell a stated amount of a security at a specified, undisplayed price. See NYSE Arca Equities Rule 7.31(h)(4)-(5).

<sup>5</sup> A Tracking Order is an undisplayed, priced round lot order that is eligible for execution in the Tracking Order Process against orders equal to or less than the aggregate size of Tracking Order interest available at that price. See NYSE Arca Equities Rule 7.31(f).

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.