

statements. However, the Board will continue to accept written limited appearance statements until October 24, 2012. Such written statements should be submitted in one of the following methods:

*Mail:* Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-1101 (verification) (301) 415-1966).

*Email:* [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov),

In addition, using the same method of service, a copy of the written limited appearance statement should be sent to the Chairman of this Licensing Board as follows:

*Mail:* Alex S. Karlin, Chairman, c/o: Matthew E. Flyntz, Law Clerk, Atomic Safety and Licensing Board Panel, Mail Stop T-3 E2C, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-5599 (verification) (301) 415-7405).

*Email:* [Matthew.Flyntz@nrc.gov](mailto:Matthew.Flyntz@nrc.gov).

#### *D. Availability of Documentary Information Regarding the Proceeding*

Documents relating to this Atomic Safety and Licensing Board adjudicatory proceeding such as the parties' statements of position, pre-filed testimony, pre-filed evidentiary exhibits, transcripts of prior conferences and oral arguments, and copies or prior orders and rulings issued by this Board in this case, are available for public inspection at the Nuclear Regulatory Commission's "Electronic Hearing Docket" (EHD). The EHD is located at <http://adams.nrc.gov/ehd/>. Interested persons should access that Web page and click on the tab identified as "Levy County 52-029 & 52-030-COL." The documents in that portion of the EHD will be the primary focus of the evidentiary hearing. The public should be aware that new documents are regularly added to the EHD as the parties file pleadings and the Board issues orders or notices. Therefore this Web site should be monitored regularly by interested members of the public.

In addition, the broader category of all of NRC's public documents related to PEF's application and the responses, questions, and other documents generated by the NRC Staff (such as PEF's Combined License Application and the NRC's Environmental Impact Statements) may be accessed via the publicly available records component of NRC's document system (ADAMS). ADAMS can be accessed via the NRC Web site at <http://www.nrc.gov/> and then clicking on the link specified as: "ADAMS Public Documents." Once on

that page, click on the link identified as "Begin Web-Based ADAMS Search."

Persons who have difficulty in conducting useful searches in ADAMS or who otherwise encounter problems in accessing the documents located in ADAMS may contact the NRC Public Document Room (PDR) reference staff by telephone at (800) 397-4209 or (301) 415-4737, or by e-mail at [pdr@nrc.gov](mailto:pdr@nrc.gov).

In addition, hard copies of Board orders, notices and/or memoranda are also available at the NRC PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland.

Finally, the public is advised that the Secretary of the Commission will give notice of filings and other events in this proceeding to any member of the public who requests it.<sup>6</sup> See 10 CFR 2.315(b).

Dated: Rockville, Maryland, August 21, 2012.

For the Atomic Safety and Licensing Board.

**Alex S. Karlin,**

*Chairman, Administrative Judge.*

[FR Doc. 2012-21005 Filed 8-24-12; 8:45 am]

**BILLING CODE 7590-01-P**

## **RAILROAD RETIREMENT BOARD**

### **Proposed Collection; Comment Request**

*Summary:* In accordance with the requirement of Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

1. *Title and purpose of information collection:* Employer Reporting; 3220-0005.

Under Section 9 of the Railroad Retirement Act (RRA), and Section 6 of

<sup>6</sup> Any such request may be directed to the Secretary of the Commission by electronic mail at [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov) or by telephone at (301) 415-1677.

the Railroad Unemployment Insurance Act (RUIA), railroad employers are required to submit reports of employee service and compensation to the RRB as needed for administering the RRA and RUIA. To pay benefits due on a deceased employee's earnings records or determine entitlement to, and amount of annuity applied for, it is necessary at times to obtain from railroad employers current (lag) service and compensation not yet reported to the RRB through the annual reporting process. The reporting requirements are specified in 20 CFR 209.6 and 209.7. The RRB currently utilizes Form G-88A.1, Notice of Retirement and Verification of Date Last Worked, Form G-88A.2, Notice of Retirement and Request for Service Needed for Eligibility, and Form AA-12, Notice of Death and Compensation, to obtain the required lag service and related information from railroad employers. Form G-88A.1 is a computer-generated listing sent by the RRB to railroad employers and used for the specific purpose of verifying information previously provided to the RRB regarding the date last worked by an employee. If the information is correct, the employer need not reply. If the information is incorrect, the employer is asked to provide corrected information. Form G-88A.2 is used by the RRB to secure lag service and compensation information when it is needed to determine benefit eligibility. Form AA-12 obtains a report of lag service and compensation from the last railroad employer of a deceased employee. This report covers the lag period between the date of the latest record of employment processed by the RRB and the date an employee last worked, the date of death or the date the employee may have been entitled to benefits under the Social Security Act. The information is used by the RRB to determine benefits due on the deceased employee's earnings record. The RRB proposes no changes to Forms AA-12 or G-88A.2; minor editorial changes to the paper version of Form G-88A.1 and the implementation of an Internet equivalent version of Forms G-88A.1 and G-88A.2 that can be submitted through the RRB's Employer Reporting System (ERS).

In addition, 20 CFR 209.12(b) requires all railroad employers to furnish the RRB with the home addresses of all employees hired within the last year (new-hires). Form BA-6a, *Form BA-6 Address Report*, is used by the RRB to obtain home address information of employees from railroad employers who do not have the home address information computerized and who

submit the information in a paper format. The form also serves as an instruction sheet to railroad employers who can submit the information

electronically by magnetic tape cartridge, CD-ROM, PC diskette, secure Email, or via ERS. The RRB proposes no changes to Form BA-6a.

Completion of the forms is mandatory. Multiple responses may be filed by respondent.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**

[The estimated annual respondent burden is as follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
AA-12 .....	60	5	5
G-88A.1 .....	100	5	8
G-88A.1 Internet .....	260	4	17
G-88A.1 Internet (Class 1 railroads) .....	144	16	38
G-88A.2 .....	100	5	8
G-88A.2 (Internet) .....	1,200	2.5	50
BA-6a Electronic Equivalent* .....	14	15	4
BA-6a (E-mail) .....	30	15	8
BA-6a (File Transfer Protocol) .....	10	15	3
BA-6a Internet (RR initiated) .....	250	17	71
BA-6a Internet (RRB initiated) .....	250	12	50
BA-6a Paper (RR initiated) .....	80	32	43
BA-6a Paper (RRB initiated) .....	250	32	133
<b>Total .....</b>	<b>2,748</b>	<b>.....</b>	<b>438</b>

**2. Title and purpose of information collection: Survivor Questionnaire; OMB 3220-0032.**

Under Section 6 of the Railroad Retirement Act (RRA), benefits that may be due on the death of a railroad employee or a survivor annuitant include (1) a lump-sum death benefit (2) a residual lump-sum payment (3) accrued annuities due but unpaid at

death, and (4) monthly survivor insurance payments. The requirements for determining the entitlement of possible beneficiaries to these benefits are prescribed in 20 CFR part 234.

When the RRB receives notification of the death of a railroad employee or survivor annuitant, an RRB field office utilizes Form RL-94-F, Survivor Questionnaire, to secure additional

information from surviving relatives needed to determine if any further benefits are payable under the RRA. Completion is voluntary. One response is requested of each respondent. The RRB proposes collecting identifying information when a trustee pays the burial expenses; minor non-burden impacting clarification; and editorial changes to Form RL-94-F.

**ESTIMATE OF ANNUAL RESPONDENT BURDEN**

[The estimated annual respondent burden is as follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
RL-94-F, Items 5-10, and 18 .....	50	9	8
RL-94-F, Items 5-18 .....	7,200	11	1,320
RL-94-F, Item 18 only .....	750	5	63
<b>Total .....</b>	<b>8,000</b>	<b>.....</b>	<b>1,391</b>

**3. Title and purpose of information collection: Employer's Deemed Service Month Questionnaire; OMB 3220-0156.**

Section 3(i) of the Railroad Retirement Act (RRA), as amended by Public Law 98-76, provides that the Railroad Retirement Board (RRB), under certain circumstances, may deem additional months of service in cases where an employee does not actually work in every month of the year, provided the employee satisfies certain eligibility requirements, including the existence of

an employment relation between the employee and his or her employer. The procedures pertaining to the deeming of additional months of service are found in the RRB's regulations at 20 CFR part 210, Creditable Railroad Service.

The RRB utilizes Form GL-99, Employer's Deemed Service Months Questionnaire, to obtain service and compensation information from railroad employers to determine if an employee can be credited with additional deemed months of railroad service.

The RRB is proposing revisions to Form GL-99 to obtain only a "Yes" or "No" response regarding whether an employee was in an employment relationship with an employer during any months indicated on the GL-99 as not worked. Other minor non-burden impacting editorial changes are also proposed. Completion is mandatory. One response is required for each RRB inquiry.

## ESTIMATE OF ANNUAL RESPONDENT BURDEN

[The estimated annual respondent burden is as follows]

Form No.	Annual responses	Time (minutes)	Burden (hours)
GL-99 .....	4,000	2	133

*Additional Information or Comments:* To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, contact Dana Hickman at (312) 751-4981 or [Dana.Hickman@RRB.GOV](mailto:Dana.Hickman@RRB.GOV). Comments regarding the information collection should be addressed to Charles Mierzwa, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or emailed to [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV). Written comments should be received within 60 days of this notice.

Charles Mierzwa,

Chief of Information Resources Management.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-67700; File No. SR-Phlx-2012-108]

### Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Rule 1014

August 21, 2012.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),<sup>1</sup> and Rule 19b-4)<sup>2</sup> thereunder, notice is hereby given that on August 13, 2012, NASDAQ OMX PHLX LLC (“Phlx” or “Exchange”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. 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 is filing with the Commission a proposal to amend Rule 1014 (Obligations and Restrictions Applicable to Specialists and Registered Options Traders) to indicate that

compliance with specified market making obligations pursuant to the rule will be determined on a monthly basis.

The text of the proposed rule change is available on the Exchange’s Web site at <http://nasdaqomxphlx.cchwallstreet.com/NASDAQOMXPHLX/Filings/>, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

#### 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 Exchange 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 Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The purpose of this proposed rule change is to amend Rule 1014 to indicate that compliance with specified market making obligations pursuant to the rule will be determined on a monthly basis.

###### Background

Market makers on the Exchange include Registered Options Traders (“ROT’s”),<sup>3</sup> Streaming Quote Traders (“SQT’s”),<sup>4</sup> Remote Streaming Quote

Traders (“RSQT’s”),<sup>5</sup> specialists,<sup>6</sup> and Remote Specialists.<sup>7</sup> As set forth in Rule 1014, market makers have an obligation to make two-sided markets in products listed on the Exchange. This rule change proposal does not negate any of the general market making obligations established in Rule 1014. These Rule 1014 market making obligations continue in force. This proposal only clarifies one discreet part of Rule 1014 to make it identical to the rules of other options exchanges, as discussed below.

###### Market Making Obligations

Currently, Rule 1014 sets forth the market making obligations of all market makers. Sub-section (b)(ii)(D)(1) of Rule 1014 states that SQTs and RSQTs (when they do not function as Remote Specialists) shall be responsible to quote two-sided markets in not less than 60% of the series in which such SQTs or RSQTs are assigned; provided that, on any given day, a DRSQT or DSQT shall be responsible to quote two-sided markets in the lesser of 99% of the series listed on the Exchange or 100% of the series listed on the Exchange minus one call-put pair. The sub-section states also that whenever a DSQT or DRSQT enters a quotation in an option in which such DSQT or DRSQT is assigned, such DSQT or DRSQT must maintain until the close of that trading day quotations for the lesser of 99% of the series of the option listed on the Exchange or 100% of the series of the

<sup>5</sup> An RSQT is an ROT that is a member or member organization with no physical trading floor presence who has received permission from the Exchange to generate and submit option quotations electronically in options to which such RSQT has been assigned. An RSQT may only submit such quotations electronically from off the floor of the Exchange. See Rule 1014(b)(ii)(B).

Rule 1014 also discusses other market makers including Directed SQTs and Directed RSQTs, which receive Directed Orders as defined in Rule 1080(l)(i)(A). Specialists may likewise receive Directed Orders.

<sup>6</sup> A member may not act as an options specialist (to include a Remote Specialist as defined in Rule 1020(a)(ii)) in any option unless such member is registered as an options specialist in such option by the Exchange pursuant to Rule 501 and such registration may be revoked or suspended at any time by the Exchange. See Rule 1020(a)(i).

<sup>7</sup> A Remote Specialist is an options specialist in one or more classes that does not have a physical presence on an Exchange floor and is approved by the Exchange pursuant to Rule 501. See Rule 1020(a)(ii).

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

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

<sup>3</sup> An ROT is a regular member or a foreign currency options participant of the Exchange located on the trading floor who has received permission from the Exchange to trade in options for his own account. See Rule 1014 (b)(i).

<sup>4</sup> An SQT is an ROT who has received permission from the Exchange to generate and submit option quotations electronically in options to which such SQT is assigned. An SQT may only submit such quotations while such SQT is physically present on the floor of the Exchange. See Rule 1014(b)(ii)(A).