

extension of time in which to request a hearing, the provisions specified in Section III above shall be final twenty (20) days from the date of this Order without further order or proceedings.

If an extension of time for requesting a hearing has been approved, the provisions specified in Section III shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

Dated at Rockville, Maryland this 27th day of June, 2013.

For the Nuclear Regulatory Commission.

**Brian J. McDermott,**

*Director, Division of Materials Safety and State Agreements, Office of Federal and State Materials and Environmental Management Programs.*

#### **Attachment 1: List of Applicable Materials Licensees**

Redacted

#### **Attachment 2: Modified Handling Requirements for the Protection of Certain Safeguards Information (SGI-M) General Requirement**

Redacted

#### **Attachment 3: Trustworthiness and Reliability Requirements for Individuals Handling Safeguards Information**

In order to ensure the safe handling, use, and control of information designated as Safeguards Information, each licensee shall control and limit access to the information to only those individuals who have established the need-to-know the information, and are considered to be trustworthy and reliable. Licensees shall document the basis for concluding that there is reasonable assurance that individuals granted access to Safeguards Information are trustworthy and reliable, and do not constitute an unreasonable risk for malevolent use of the information.

The Licensee shall comply with the requirements of this attachment:

1. The trustworthiness and reliability of an individual shall be determined based on a background investigation:

(a) The background investigation shall address at least the past three years and, at a minimum, include verification of employment, education, and personal references. The licensee shall also, to the extent possible, obtain independent information to corroborate that provided by the employee (i.e., seeking references not supplied by the individual).

(b) If an individual's employment has been less than the required three-year

period, educational references may be used in lieu of employment history.

The licensee's background investigation requirements may be satisfied for an individual that has an active Federal security clearance.

2. The licensee shall retain documentation regarding the trustworthiness and reliability of individual employees for three years after the individual's employment ends.

In order for an individual to be granted access to Safeguards Information, the individual must be determined to be trustworthy and reliable, as described in requirement 1 above, and meet the requirements of NRC Order EA-13-041.

[FR Doc. 2013-16285 Filed 7-5-13; 8:45 am]

**BILLING CODE 7590-01-P**

### **NUCLEAR REGULATORY COMMISSION**

[NRC-2013-0141]

#### **Issuance of Regulatory Guide 1.124 and Regulatory Guide 1.130**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory Guide; Issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 of Regulatory Guide (RG) 1.124, "Service Limits and Loading Combinations for Class 1 Linear-Type Supports," and Revision 3 of RG 1.130, "Service Limits and Loading Combinations for Class 1 Plate-and-Shell-Type Supports." There are no substantive changes to these regulatory guides. The revisions include an update of the Edition and Addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (B&PVC). Regulatory Guides 1.124 and 1.130 delineate levels of service limits and appropriate combinations of loadings associated with normal operation, postulated accidents, and specified seismic events for the design of Class 1 linear-type component and piping supports, and Class 1 plate-and-shell-type component and piping supports, respectively.

**ADDRESSES:** Please refer to Docket ID NRC-2013-0141 when contacting the NRC about the availability of information regarding these documents. You may access information related to these documents, which the NRC possesses and are publicly available, using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2013-0141. Address questions about NRC dockets to Carol

Gallagher; telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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). Revision 3 of RG 1.124 and Revision 3 of RG 1.130 are available in ADAMS under Accession Nos. ML13141A666 and ML13141A667, respectively.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's Public Document 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:** Hector Rodriguez-Luccioni, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-251-7685, email: [Hector.Rodriguez-Luccioni@nrc.gov](mailto:Hector.Rodriguez-Luccioni@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Introduction**

The NRC is issuing a revision to existing guides in the NRC's "Regulatory Guide" series. Regulatory guides were developed to describe and make available to the public information 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.

The NRC is issuing Revision 3 of RG 1.124 (ADAMS Accession No. ML13141A666) and Revision 3 of RG 1.130 (ADAMS Accession No. ML13141A667) as final regulatory guides without an opportunity for public comment, because the changes between Revision 2 and Revision 3 are non-substantive. The most significant change in Revision 3 of both regulatory guides is the approval for use of the 2007 Edition through the 2008 Addenda of the Boiler and Pressure Vessel Code (ASME B&PVC Code), Section III, Division 1 (limited to

the subject matters covered in each regulatory guide). The earlier revisions of both guides (Revision 2) approved for use the ASME B&PV Code, 2001 Edition through the 2003 Addenda. There were no changes from the 2001 Edition through the 2003 Addenda, to the 2007 Edition through the 2008 Addenda affecting the technical content of either of the two regulatory guides. The remaining changes reflected in Revision 3 of each regulatory guide are editorial in nature, to improve clarity and to provide for a new standardized format for the regulatory guides. Therefore, the NRC has determined that an opportunity for public comment is not necessary on Revision 3 of both RG 1.124 and RG 1.130.

## II. Submitting Suggestions for Improvement of Regulatory Guides

The NRC typically seeks public comment on a draft version of a regulatory guide by announcing its availability for comment in the **Federal Register**. However, as explained on page 7 of NRC Management Directive 6.6 "Regulatory Guides," (ADAMS Accession Number ML110330475) the NRC may directly issue a final regulatory guide without a draft version or public comment period if the changes to the regulatory guide are non-substantive.

Revision 3 of RG 1.124 and Revision 3 of RG 1.130 are being issued without public comment. However, you may at any time submit suggestions to the NRC for improvement of existing regulatory guides or for the development of new regulatory guides to address new issues. Suggestions can be submitted by the form available online at <http://www.nrc.gov/reading-rm/doc-collections/reg-guides/contactus.html>. Suggestions will be considered in future updates and enhancements of the regulatory guide.

## 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. Revision 3 of RG 1.124 and 1.130 approves for use the 2007 Edition through the 2008 Addenda of the Boiler and Pressure Vessel Code (ASME B&PV Code), Section III, Division 1 (limited to the subject matters covered in each regulatory guide). There were no changes from the 2001 Edition through the 2003 Addenda, to the 2007 Edition through the 2008 Addenda affecting the technical content of either of the two regulatory guides. Therefore, the revisions to these two regulatory guides

do not constitute backfitting nor are they otherwise inconsistent with the issue finality provisions in 10 CFR part 52. The revisions to these two regulatory guides also include editorial changes to improve clarity and to provide a new standardized format for regulatory guides, and the approval for use of the 2007 Edition through the 2008 Addenda of the ASME B&PV Code, Section III, Division 1. These changes do not fall within the kinds of agency actions that constitute backfitting or are subject to limitations in the issue finality provisions of part 52. Accordingly, the NRC did not address the Backfit Rule or issue finality provisions of part 52 for these types of changes.

## III. Congressional Review Act

These regulatory guides are rules as defined in the Congressional Review Act (5 U.S.C. 801–808). However, the Office of Management and Budget has not found them to be major rules as defined in the Congressional Review Act.

Dated at Rockville, Maryland, this 27th day of June, 2013.

For the Nuclear Regulatory Commission.

**Thomas H. Boyce,**

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

[FR Doc. 2013–16292 Filed 7–5–13; 8:45 am]

**BILLING CODE 7590–01–P**

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## POSTAL REGULATORY COMMISSION

[Docket No. CP2013–71; Order No. 1770]

### New Postal Product

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing concerning the addition of Global Expedited Package Services (GEPS) 3 negotiated service agreement to the competitive product list. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* July 8, 2013.

**ADDRESSES:** Submit comments electronically via the Commission's Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the FOR FURTHER INFORMATION CONTACT section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, General Counsel, at 202–789–6820.

### SUPPLEMENTARY INFORMATION:

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#### I. Introduction

On June 28, 2013, the Postal Service filed a notice stating that it has entered into an additional Global Expedited Package Services (GEPS) 3 negotiated service agreement (Agreement).<sup>1</sup> The Postal Service seeks inclusion of the Agreement within the GEPS 3 product. *Id.* at 2.

#### II. Background

The Commission first approved the addition of a GEPS negotiated service agreement to the competitive product list as a result of consideration of Governors' Decision No. 08–7 in Docket No. CP2008–5.<sup>2</sup> The Commission later added GEPS 3 to the competitive product list and authorized the agreement filed in Docket No. CP2010–71 to serve as the baseline agreement for comparison of potentially functionally equivalent agreements.<sup>3</sup>

The effective date of the Agreement will be established by the Postal Service after it has received all regulatory approvals. *Id.* Attachment 1 at 6. It is set to expire on the last day of the month which falls one calendar year from the effective date. *Id.*

#### III. Contents of Filing

The Notice includes the following attachments:

- Attachment 1—a redacted copy of the Agreement;
- Attachment 2—a redacted copy of the certified statement required by 39 CFR 3015.5(c)(2);
- Attachment 3—a redacted copy of Governors' Decision No. 08–7, which establishes prices and classifications for Global Expedited Package Services Contracts; and
- Attachment 4—an application for non-public treatment of materials to be filed under seal.

<sup>1</sup> Notice of United States Postal Service of Filing a Functionally Equivalent Global Expedited Package Services 3 Negotiated Service Agreement and Application for Non-Public Treatment of Materials Filed Under Seal, June 28, 2013 (Notice).

<sup>2</sup> See Order No. 86, Docket No. CP2008–5, Order Concerning Global Expedited Package Services Contracts, June 27, 2008.

<sup>3</sup> See Order No. 503, Docket Nos. MC2010–28 and CP2010–71, Order Approving Global Expedited Package Services 3 Negotiated Service Agreement, July 29, 2010.