

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](mailto:pdr.resource@nrc.gov). The final revision for Section 19.3, "Regulatory Treatment of Non-Safety Systems (RTNSS) for Passive Advanced Light Water Reactors," is available under ADAMS Accession No. ML14035A149.

- **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.

- The NRC posts its issued staff guidance on the NRC's external Web page at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/>.

**FOR FURTHER INFORMATION CONTACT:**

Jonathan DeGange, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6992 or email: [Jonathan.Degange@nrc.gov](mailto:Jonathan.Degange@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

On October 12, 2012 (77 FR 62270) the NRC staff published for public comment the initial issuance of Section 19.3, "Regulatory Treatment of Non-Safety Systems (RTNSS) for Passive Advanced Light Water Reactors," (ADAMS Accession No. ML12128A405).

The NRC staff received comment submissions on the proposed revision. The NRC staff made several changes to the proposed revision after consideration of the comments. Additionally, in July 2013 (78 FR 41436) the staff re-noticed the draft SRP section to include a revised position on treatment of the high winds external hazard for certain RTNSS structures, systems and components. Comments from both the original request for comment and subsequent re-issuance are documented alongside the NRC staff's respective response in ADAMS under Accession No. ML14035A148. A redline strikeout comparing the proposed draft and final revisions can be found in ADAMS under Accession No. ML14035A146.

**II. Backfitting and Issue Finality**

This 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 the regulatory treatment of non-safety systems. The draft SRP would also provide 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 these same subject matters.

Issuance of this final SRP section 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. The NRC staff's position is based upon the following considerations:

1. *The SRP positions do not constitute backfitting, inasmuch as the SRP is internal guidance directed at the NRC staff with respect to their regulatory responsibilities.*

The SRP provides guidance to the 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. *Backfitting and issue finality—with certain exceptions discussed below—do not 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. This is because neither the Backfit Rule nor the issue finality provisions were intended to apply to every NRC action which 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) and/or NRC regulatory approval (e.g., a design certification rule) with specified issue finality provisions. The staff does not currently intend to impose the positions represented in this SRP section in a manner that is inconsistent with any issue finality provisions of 10 CFR part 52. If in the future the NRC staff does indeed intend to impose positions inconsistent with these issue finality provisions, the NRC staff must address the regulatory criteria for avoiding issue finality.

The staff notes that with respect to economic simplified boiling water reactor (ESBWR) design certification application currently under consideration by the NRC, the NRC staff does not intend to reevaluate the adequacy of RTNSS SSCs, because for the ESBWR design already meets the guidance discussed in this SRP Section.

3. *The NRC staff has no intention to impose the SRP positions on existing nuclear power plant licenses or regulatory approvals either now or in the future (absent a voluntary request for change from the licensee, holder of a regulatory approval, or a design certification applicant).*

The staff does not intend to impose or apply the positions described in the SRP section to existing (already issued) licenses (e.g., operating licenses and combined licenses) and regulatory approvals—in this case, design certifications and combined licenses. Hence, the issuance of this SRP guidance even if considered guidance which is within the purview of the issue finality provisions in 10 CFR part 52—need not be evaluated as if it were a backfit or as being inconsistent with issue finality provisions. If, in the future, the staff seeks to impose a position in the SRP on holders of already issued licenses in a manner which does not provide issue finality as described in the applicable issue finality provision, then the staff must make the showing as set forth in the Backfit Rule, or 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 23rd day of June, 2014.

For the Nuclear Regulatory Commission.

**Joseph Colaccino, Chief,**

*Policy Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactors.*

[FR Doc. 2014-15572 Filed 7-1-14; 8:45 am]

**BILLING CODE 7590-01-P**

**POSTAL SERVICE**

**Transfer of Inbound Surface Parcel Post (at UPU Rates) to Competitive Product List**

**AGENCY:** Postal Service™.

**ACTION:** Notice.

**SUMMARY:** The Postal Service hereby provides notice that it has filed a request with the Postal Regulatory Commission to transfer Inbound Surface Parcel Post (at UPU rates) from the market-dominant product list to the competitive product list.

**DATES:** *Effective date:* July 2, 2014.

**FOR FURTHER INFORMATION CONTACT:** Caroline Brownlie, 202-268-3010.

**SUPPLEMENTARY INFORMATION:** On June 25, 2014, the United States Postal Service® filed with the Postal Regulatory Commission a *Request of the United States Postal Service* to transfer Inbound Surface Parcel Post (at UPU rates) from the Mail Classification Schedule's Market-Dominant Product List to its Competitive Product List, pursuant to 39 U.S.C. 3642. Documents pertinent to this request are available at <http://www.prc.gov>, Docket No. MC2014–28.

**Stanley F. Mires,**

*Attorney, Legal Policy & Legislative Advice.*

[FR Doc. 2014–15540 Filed 7–1–14; 8:45 am]

**BILLING CODE 7710–12–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–72478; File No. SR–CME–2014–25]

### Self-Regulatory Organizations; Chicago Mercantile Exchange Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Collateral Acceptance Practices for Products in the Base Guaranty Fund

June 26, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Exchange Act” or “Act”),<sup>1</sup> and Rule 19b–4 thereunder,<sup>2</sup> notice is hereby given that on June 23, 2014, Chicago Mercantile Exchange Inc. (“CME”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change described in Items I and II below, which Items have been prepared primarily by CME. CME filed the proposal pursuant to Section 19(b)(3)(A) of the Act<sup>3</sup> and Rule 19b–4(f)(4)(ii)<sup>4</sup> thereunder, so that the proposal was effective upon filing with the Commission. 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

CME is proposing to announce via advisory notice a certain change to its collateral acceptance practices. More specifically, CME is proposing to issue an advisory to clearing member firms announcing a change to the acceptable collateral types for base guaranty fund

products. The text of the proposed rule change is below. Italicized text indicates additions; bracketed text indicates deletions.

*CME Group Advisory Notice #14–194*

*TO: Clearing Member Firms*

*FROM: CME Clearing*

*SUBJECT: Exchange Traded Fund (ETF) and Stock Programs*

*CME Clearing is expanding its existing collateral program to include additional Exchange Traded Funds (ETFs) that may be used as performance bond collateral for Base Guaranty Fund products effective June 23rd, 2014.*

*Currently, CME Clearing accepts a select number of ETFs through its Stock Program. The existing haircut of 30% will be applied to ETFs. Please see CME’s Financial and Collateral Management page for the updated acceptance criteria for ETFs and stocks. On the 5th business day of every month, a new list of acceptable ETFs and stocks will be posted to CME’s Financial and Collateral Management page.*

*Both ETFs and stocks are part of category 3 assets. Therefore, ETFs and stocks in combination with other category 3 assets will be capped at the lesser of 40% of core requirement per currency or \$5 billion per clearing member firm. Please see the list of category 3 assets below. ETFs and stocks combined are capped at \$1 billion per clearing member firm.*

*In accordance with CME Rule 930.C, a clearing member cannot accept an accountholder security that has been “issued, sponsored or otherwise guaranteed by the accountholder.” In addition, any ETF that is sponsored by the clearing member or its parent or affiliate company may not be pledged for the clearing member’s house performance bond requirement. For any questions related to the ETF and Stock Programs, please contact the Risk Management department at 312–648–3888 or the Financial Management group at 312–207–2594.*

*Category 3 Assets*

- *IEF 2 (Money Market Funds)*
- *IEF 4 (Corporate Bonds)*
- *Gold*
- *ETFs and Stocks*
- *Foreign Sovereign Debt*

*The list of proposed ETFs that may be used as performance bond collateral for Base Guaranty Fund products effective June 23rd, 2014 is as follows:*

*TICKER NAME*

*SPY US SPDR S&P 500 ETF TRUST*

*IWM US ISHARES RUSSELL 2000 ETF*

*QQQ US POWERSHARES QQQ*

*TRUST SERIES*

*XLU US UTILITIES SELECT SECTOR*

*SPDR*

*IYR US ISHARES US REAL ESTATE ETF*

*XLI US INDUSTRIAL SELECT SECT SPDR*

*XLE US ENERGY SELECT SECTOR SPDR*

*XLV US HEALTH CARE SELECT SECTOR*

*XLK US TECHNOLOGY SELECT SECT SPDR*

*XLP US CONSUMER STAPLES SPDR*

*XLY US CONSUMER*

*DISCRETIONARY SELT*

*DIA US SPDR DJIA TRUST*

*XLB US MATERIALS SELECT SECTOR SPDR*

*XOP US SPDR S&P OIL & GAS EXP & PR*

*IVV US ISHARES CORE S&P 500 ETF*

*VNQ US VANGUARD REIT ETF*

*VTI US VANGUARD US TOTAL STOCK MKT*

*IBB US ISHARES NASDAQ BIOTECHNOLOGY*

*LQD US ISHARES IBOX*

*INVESTMENT GRA*

*BND US VANGUARD TOTAL BOND MARKET*

*AGG US ISHARES CORE U.S. AGGREGATE*

*VOO US VANGUARD S&P 500 ETF*

*REM US ISHARES MORTGAGE REAL ESTATE*

*BSV US VANGUARD SHORT–TERM BOND ETF*

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

In its filing with the Commission, CME included statements concerning the purpose 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. CME 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

CME is registered as a derivatives clearing organization with the Commodity Futures Trading Commission (“CFTC”) and operates a substantial business clearing futures and swaps contracts subject to the jurisdiction of the CFTC. CME is proposing to make a certain change to its collateral acceptance practices through the issuance of an advisory notice to its clearing members. More specifically, CME is expanding its existing collateral program to include

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

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>4</sup> 17 CFR 240.19b–4(f)(4)(ii).