

submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## II. Discussion

On April 27, 2016, the U.S. Nuclear Regulatory Commission (NRC) solicited comments on the Draft Standard Review Plan (SRP) on Foreign Ownership, Control, or Domination, Revision 1. The purpose of issuing this revision to the SRP is to provide guidance and establish procedures for NRC staff's review of whether an applicant for a nuclear facility license issued under sections 103.d., "Commercial Licenses," or 104.d., "Medical Therapy and Research and Development," of the Atomic Energy Act of 1954, as amended (AEA or Act), is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government (individually or collectively, a foreign entity). This SRP will be used as the basis for the conduct of FOCD reviews associated with license applications for new facilities, to be licensed under Title 10 of the *Code of Federal Regulations* (10 CFR), Parts 50 and 52; applications for the renewal of facility licenses under 10 CFR part 54; or, applications for approval of direct or indirect transfers of facility licenses. The public comment period was originally scheduled to close on May 27, 2016. The NRC has decided to extend the public comment period on this document until July 25, 2016, to allow more time for members of the public to submit their comments.

Dated at Rockville, Maryland, this 19th day of May 2016.

For the Nuclear Regulatory Commission.

**William M. Dean,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 2016-12545 Filed 5-25-16; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

[NRC-2016-0088]

### Foreign Ownership, Control, or Domination of Nuclear Power, and Non-Power Production or Utilization Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory guide; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide on Foreign Ownership, Control, or Domination of Nuclear Power, and Non-Power Production or Utilization Facility. The NRC is issuing this guidance to provide NRC staff's regulatory position to applicants for, and licensees of, nuclear power reactors and non-power production or utilization facilities (NPUFs), regarding methods acceptable to the staff of the NRC for complying with foreign ownership, control, or domination (FOCD) requirements, including guidance on the subject of foreign financing.

This draft regulatory guide may be used in connection with license applications for new facilities, renewal of existing licenses, or applications for approval of direct or indirect transfers of facility licenses.

**DATES:** Submit comments by July 25, 2016. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0088. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Cindy Bladey, Office of Administration, Mail Stop: OWFN-12-H08, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

### FOR FURTHER INFORMATION CONTACT:

Shawn W. Harwell, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-1309, email: [Shawn.Harwell@nrc.gov](mailto:Shawn.Harwell@nrc.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Obtaining Information and Submitting Comments

##### A. Obtaining Information

Please refer to Docket ID NRC-2016-0088 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0088.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-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 draft regulatory guide is available in ADAMS under Accession No. ML16137A520.

- *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.

##### B. Submitting Comments

Please include Docket ID NRC-2016-0088 in your comment submission.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at <http://www.regulations.gov> as well as entering the comment submissions into ADAMS.

The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or

entering the comment submissions into ADAMS.

## II. Discussion

The NRC is issuing this draft regulatory guide on FOCD, to provide NRC staff's regulatory position regarding methods acceptable to the staff for determining whether an applicant for a nuclear facility license issued under sections 103.d., "Commercial Licenses," or 104.d., "Medical Therapy and Research and Development," of the Atomic Energy Act of 1954, as amended (AEA or Act), is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government (individually or collectively, a foreign entity). Pursuant to Commission direction in SRM-SECY-14-0089, this draft guidance is complementary to the staff's draft revision of the standard review plan (SRP) on FOCD. Specifically, the revision of the SRP establishes guidance on graded negation action plan (NAP) criteria; provides for the consideration of site-specific criteria, as necessary; allows for the use of license conditions to incorporate NAPs and the staff's "totality of facts" review approach; and, incorporates provisions for analyzing foreign financing. This draft regulatory guide and the SRP may be used by applicants or licensees for complying with FOCD requirements, including guidance on the subject of foreign financing. This draft regulatory guide may be used for license applications for new facilities, to be licensed under parts 50 and 52 of title 10 of the *Code of Federal Regulations* (10 CFR), applications for the renewal of facility licenses; or, applications for approval of direct or indirect transfers of facility licenses.

The provisions in the AEA for FOCD and inimicality, and the staff's reviews of these areas under NRC regulations, are derived from the same national security concerns, but appear in separate and distinct language in the AEA. As such, the FOCD determination is to be made with an orientation toward the common defense and security. The FOCD provisions in the AEA and NRC's regulations are country-neutral, whereas the staff's inimicality review and its findings directly account for a license applicant's country of origin and any ties or interests that could result in a determination of inimicality. While FOCD and inimicality are complementary, this draft regulatory guide does not address the means for determining whether issuance of a license would be inimical to the common defense and security or to the health and safety of the public.

While this draft regulatory guide is complementary to the draft FOCD SRP, which is currently issued for public comment, there are differences between the two. This draft guidance was completed after the FOCD SRP was issued for public comment, therefore guidance on some topics have been further refined. Specifically, this draft regulatory guide includes the consideration of NPUF applicants and licensees, as applicable, and also interagency comments on provisions for FOCD analysis and negation action plan development. These topics will be addressed, as applicable, in the draft FOCD SRP prior to finalizing for Commission approval.

## III. Backfitting and Issue Finality

This draft regulatory guide describes acceptable methods for determining whether an applicant for (or holder of) a nuclear facility license issued under sections 103.d., "Commercial Licenses," or 104.d., "Medical Therapy and Research and Development," of the Atomic Energy Act of 1954, as amended (AEA or Act), is owned, controlled, or dominated by an alien, a foreign corporation, or a foreign government (individually or collectively, a foreign entity). This determination, and any applicant or licensee actions needed to demonstrate that the applicant or licensee is not owned, controlled or dominated by an alien, a foreign corporation, or a foreign government, is not within the purview of the Backfit Rule, 10 CFR 50.109 or the issue finality provisions in 10 CFR part 52. Accordingly, the issuance of this regulatory guide does not represent backfitting or a violation of any issue finality provisions in part 52.

Dated at Rockville, Maryland, this 16th day of May 2016.

For the Nuclear Regulatory Commission.

**William M. Dean,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 2016-12546 Filed 5-25-16; 8:45 am]

**BILLING CODE 7590-01-P**

## **PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL**

### **Seventh Northwest Electric Power and Conservation Plan**

**AGENCY:** Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power and Conservation Council; the Council).

**ACTION:** Notice of adoption of the Seventh Northwest Electric Power and Conservation Plan.

**SUMMARY:** The Pacific Northwest Electric Power Planning and Conservation Act of 1980 (16 U.S.C. 839 *et seq.*) requires the Council to adopt and periodically review and revise a regional power plan, the Northwest Electric Power and Conservation Plan. The Council first adopted the power and conservation plan in 1983, with significant amendments or complete revisions adopted in 1986, 1991, 1998, 2004 and 2010. The Council began a review of the power and conservation plan in March 2013, and in October 2015 the Council released for public review and comment the Draft Northwest Seventh Electric Power and Conservation Plan. During the comment period, the Council held public hearings in each of the four Northwest states, as required by the Northwest Power Act, engaged in consultations about the power and conservation plan with various governments, entities and individuals in the region, and accepted and considered substantial written and oral comments.

At the Council's regularly scheduled public meeting in February 2016 in Portland, Oregon, the Council formally adopted the revised power and conservation plan, called the Seventh Northwest Electric Power and Conservation Plan. The revised power and conservation plan meets the requirements of the Northwest Power Act, which specifies the components the power plan is to have, including an energy conservation program, a recommendation for research and development; a methodology for determining quantifiable environmental costs and benefits; a 20-year demand forecast; a forecast of power resources that the Bonneville Power Administration will need to meet its obligations; and an analysis of reserve and reserve reliability requirements. The power and conservation plan also includes the Council's Columbia River Basin Fish and Wildlife Program, developed pursuant to other procedural requirements under the Northwest Power Act. The Council followed the adoption of the power and conservation plan with a decision at its regular monthly meeting in May 2016 in Boise, Idaho, to approve a Statement of Basis and Purpose and Response to Comments to accompany the final plan.

The final power and conservation plan is available on the Council's Web site, at <http://www.nwccouncil.org/energy/powerplan/7/home/>.