

modalities; a discussion on the licensing guidance for yttrium-90 microsphere brachytherapy; a discussion on the training and experience requirements for authorized individuals for various modalities; a presentation from Spectrum Pharmaceuticals, Inc. on the training and experience requirements for alpha and beta emitters; an update on the worldwide supply of molybdenum-99; and a discussion on the licensing guidance for the NorthStar® Generator. The agenda is subject to change. The current agenda and any updates will be available at <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/2016.html> or by emailing Ms. Michelle Smethers at the contact information below.

**Purpose:** Discuss issues related to 10 CFR part 35 Medical Use of Byproduct Material.

**Date and Time for Open Sessions:** October 06, 2016, from 8:00 a.m. to 3:00 p.m. and October 07, 2016, from 8:00 a.m. to 4:00 p.m.

**Data and Time for Closed Sessions:** October 06, 2016, from 7:00 a.m. to 8:00 a.m. and from 3:00 p.m. to 5:00 p.m.

**Address for Public Meeting:** U.S. Nuclear Regulatory Commission, Two White Flint North Building, Room T2-B3, 11545 Rockville Pike, Rockville, Maryland 20852.

**Public Participation:** Any member of the public who wishes to participate in the meeting in person or via phone should contact Ms. Smethers using the information below. The meeting will also be webcast live: [video.nrc.gov](http://video.nrc.gov).

**FOR FURTHER INFORMATION CONTACT:** Michelle Smethers, email: [michelle.smethers@nrc.gov](mailto:michelle.smethers@nrc.gov), telephone: (301) 415-6711.

### Conduct of the Meeting

Philip O. Alderson, M.D., will chair the meeting. Dr. Alderson will conduct the meeting in a manner that will facilitate the orderly conduct of business. The following procedures apply to public participation in the meeting:

1. Persons who wish to provide a written statement should submit an electronic copy to Ms. Smethers using the contact information listed above. All submittals must be received by October 3, 2016, and must pertain to the topic on the agenda for the meeting.

2. Questions and comments from members of the public will be permitted during the meeting, at the discretion of the Chairman.

3. The draft transcript and meeting summary will be available on ACMUI's Web site <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/>

[2016.html](#) on or about November 22, 2016.

4. Persons who require special services, such as those for the hearing impaired, should notify Ms. Smethers of their planned attendance.

This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 161a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in Title 10 of the *Code of Federal Regulations*, part 7.

Dated at Rockville, Maryland, this 28th day of July, 2016.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 2016-18372 Filed 8-2-16; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2016-0045]

### Steam Generator Materials and Design

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Standard review plan—final section revision; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing a final revision to Section 5.4.2.1, “Steam Generator Materials and Design,” of NUREG-0800, “Standard Review Plan [SRP] for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR [Light Water Reactor] Edition.” Revision 4 to Section 5.4.2.1 of the SRP reflects current NRC review methods and practices based on lessons learned from NRC reviews of design certification and combined license applications completed since the last revision of this section.

**DATES:** The effective date of Revision 4 to Section 5.4.2.1 of the SRP is September 2, 2016.

**ADDRESSES:** Please refer to Docket ID NRC-2016-0045 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID NRC-2016-0045. 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 individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- **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). A mark-up showing the Revision 4 changes made to SRP Section 5.4.2.1, and the final revision of SRP Section 5.4.2.1, Revision 4, are available in ADAMS under Accession Nos. ML16147A298 and ML16147A289.

- **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 NUREG-0800 is available on the NRC's public Web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/>.

### FOR FURTHER INFORMATION CONTACT:

Carolyn Lauron, telephone: 301-415-2736, email: [Carolyn.Lauron@nrc.gov](mailto:Carolyn.Lauron@nrc.gov); or Mark Notich, telephone: 301-415-3053, email: [Mark.Notich@nrc.gov](mailto:Mark.Notich@nrc.gov). Both are staff of the Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

### SUPPLEMENTARY INFORMATION:

#### I. Background

On April 22, 2016 (81 FR 23762), the NRC published for public comment the proposed revisions to SRP Section 5.4.2.1. The NRC received no comments on the proposed revisions. Therefore, the NRC is issuing Revision 4 to Section 5.4.2.1 of the SRP in final form for use. There have been minor editorial changes to this section since its issuance in proposed form for public comment. Details of the specific changes are included at the end of the revised section, under the subsection titled, “Description of Changes.”

Revision 4 to Section 5.4.2.1 of the SRP reflects current NRC review methods and practices based on lessons learned from NRC reviews of design certification and combined license applications completed since the last revision of this section.

#### II. Backfitting and Finality Provisions

Issuance of this revised SRP section does not constitute backfitting as defined in § 50.109 of title 10 of the *Code of Federal Regulations* (10 CFR), “Backfitting,” (the Backfit Rule) or

otherwise be inconsistent with the issue finality provisions in 10 CFR part 52. The NRC'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 NRC staff on how to review an application for the NRC's regulatory approval in the form of licensing. Changes in internal NRC 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. *The NRC staff has no intention to impose the SRP positions on current licensees and regulatory approvals either now or in the future.*

The NRC staff does not intend to impose or apply the positions described in the SRP to existing (already issued) licenses and regulatory approvals. Therefore, the issuance of a final SRP—even if considered guidance that 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 NRC 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 NRC 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.

3. *Backfitting and issue finality do not—with limited exceptions not applicable here—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 under 10 CFR part 52—with certain exclusions discussed in the next paragraph—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 NRC staff does not, at this time, intend to impose the positions represented in the SRP in

a manner that is inconsistent with any issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP in a manner which does not provide issue finality as described in the applicable issue finality provision, then the NRC staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

### III. Congressional Review Act

This SRP section revision 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 29th day of July 2016.

For the Nuclear Regulatory Commission.

**Joseph Colaccino,**

*Chief, New Reactor Rulemaking and Guidance Branch, Division of Engineering, Infrastructure, and Advanced Reactors, Office of New Reactors.*

[FR Doc. 2016–18390 Filed 8–2–16; 8:45 am]

**BILLING CODE 7590-01-P**

### NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–280 and 50–281 NRC–2016–0105]

#### Virginia Electric Power Company; Surry Power Station, Unit Nos. 1 and 2; Use of AREVA's M5® Alloy Fuel Rod Cladding Material

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Exemption; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a September 30, 2016, request from Virginia Electric Power Company (Dominion or the licensee) in order to use AREVA's M5® alloy fuel rod cladding material at Surry Power Station, Unit Nos. 1 and 2 (SPS).

**DATES:** The exemption was issued on July 27, 2016.

**ADDRESSES:** Please refer to Docket ID NRC–2016–0105 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID: NRC–2016–0105. 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.

- *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 ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *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.

#### FOR FURTHER INFORMATION CONTACT:

Karen R. Cotton, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1438, email: [Karen.Cotton@nrc.gov](mailto:Karen.Cotton@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Dominion is the holder of Facility Operating License Nos. DPR–32 and DPR–37, which authorize operation of SPS. The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the NRC now or hereafter in effect.

The facility consists of two pressurized-water reactors (PWR) located in Surry County, Virginia.

##### II. Request/Action

Pursuant to § 50.12 of title 10 of the *Code of Federal Regulations* (10 CFR), "Specific exemptions," the licensee has requested, by letter dated September 30, 2015 (ADAMS Accession No. ML15282A036), an exemption from 10 CFR 50.46, "Acceptance criteria for emergency core cooling systems [ECCS] for light-water nuclear power reactors," and 10 CFR part 50, appendix K, "ECCS Evaluation Models," to allow the use of fuel rods clad with AREVA's M5® alloy. The regulations in 10 CFR 50.46 require that the calculated cooling performance following postulated loss-of-coolant accidents (LOCAs) at reactors fueled with zircaloy or ZIRLO™ cladding conforms to the criteria set forth in 10 CFR 50.46(b). In addition, 10 CFR part