

the NRC staff's basis that the actions are feasible. Section 3.5.11 provides a discussion of the available time margin. The licensee provided a basis that the actions were reliable based on the available time margin; the administrative controls such as procedures, staffing levels, and availability of equipment; and by accounting for uncertainty in fires and plant conditions. Therefore, the OMAs included in this review are reliable because there is adequate time available to account for uncertainties not only in estimates of the time available, but also in estimates of how long it takes to diagnose a fire and execute the OMAs (e.g., as based, at least in part, on a plant demonstration of the actions under non-fire conditions). For example, OMA 1 establishes the RWST as the suction supply for the charging system and is not conducted until after AFW is established. Further, since the BASTs have a minimum TRM specified inventory to ensure 72 minutes of flow, OMA 1 can be completed with 40 minutes of margin.

#### A.6 Summary of DID and Operator Manual Actions

In summary, the DID concept for a fire in the fire areas discussed above provides a level of safety that results in the unlikely occurrence of fires, rapid detection, control, and extinguishment of fires that do occur and the protection of SSCs important to safety. As discussed above, the licensee has provided preventative and protective measures in addition to feasible and reliable OMAs that, together, demonstrate the licensee's ability to preserve or maintain safe shutdown capability in the event of a fire in the analyzed fire areas.

#### B. Authorized by Law

This exemption would allow Millstone 2 to rely on OMAs, in conjunction with the other installed fire protection features, to ensure that at least one means of achieving and maintaining hot shutdown remains available during and following a postulated fire event as part of its fire protection program, in lieu of meeting the requirements specified in 10 CFR part 50, appendix R, section III.G.2, for a fire in the analyzed fire areas. As stated above, § 50.12 allows the NRC to grant exemptions from the requirements of 10 CFR part 50. The NRC staff has determined that granting of this exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

#### C. No Undue Risk to Public Health and Safety

The underlying purpose of 10 CFR part 50, appendix R, section III.G, is to ensure that at least one means of achieving and maintaining hot shutdown remains available during and following a postulated fire event. Based on the above, no new accident precursors are created by the use of the specific OMAs, in conjunction with the other installed fire protection features, in response to a fire in the analyzed fire areas. Therefore, the probability of postulated accidents is not increased. Also, based on the above, the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety.

#### D. Consistent With the Common Defense and Security

This exemption would allow Millstone 2 to credit the use of the specific OMAs, in conjunction with the other installed fire protection features, in response to a fire in the analyzed fire areas discussed above, in lieu of meeting the requirements specified in 10 CFR part 50, appendix R, section III.G.2. This change, to the operation of the plant, has no relation to security issues. Therefore, the common defense and security is not diminished by this exemption.

#### E. Special Circumstances

One of the special circumstances described in § 50.12(a)(2)(ii) is that the application of the regulation is not necessary to achieve the underlying purpose of the rule. The underlying purpose of 10 CFR part 50, appendix R, section III.G, is to ensure that at least one means of achieving and maintaining hot shutdown remains available during and following a postulated fire event. While the licensee does not comply with the explicit requirements of 10 CFR part 50, appendix R, section III.G.2, specifically, it does meet the underlying purpose of section III.G as a whole by ensuring that safe shutdown capability remains available through the combination of DID and OMAs. Therefore, special circumstances exist that warrant the issuance of this exemption as required by § 50.12(a)(2)(ii).

#### IV. Conclusion

Based on all of the features of the DID concept discussed above, the NRC staff concludes that the use of the requested OMAs, in these particular instances and in conjunction with the other installed fire protection features, in lieu of strict compliance with the requirements of 10 CFR part 50,

appendix R, section III.G.2, is consistent with the underlying purpose of the rule. As such, the level of safety present at Millstone 2 is commensurate with the established safety standards for nuclear power plants.

Accordingly, the Commission has determined that, pursuant to § 50.12(a), the exemption is authorized by law, will not present an undue risk to the public health and safety, is consistent with the common defense and security and that special circumstances are present to warrant issuance of the exemption. Therefore, the Commission hereby grants Dominion an exemption from the requirements of 10 CFR part 50, appendix R, section III.G.2, to utilize the OMAs discussed above at Millstone 2.

Pursuant to § 51.32, an environmental assessment and finding of no significant impact related to this exemption was published in the **Federal Register** on September 28, 2017 (82 FR 45322). Based upon the environmental assessment, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment.

This exemption is effective upon issuance of this **Federal Register** notice.

Dated at Rockville, Maryland, this 24th day of October, 2017.

For the Nuclear Regulatory Commission.

**Eric J. Benner,**

*Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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**BILLING CODE 7590-01-P**

## OFFICE OF PERSONNEL MANAGEMENT

### Excepted Service

**AGENCY:** U.S. Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This notice identifies Schedule A, B, and C appointing authorities applicable to a single agency that were established or revoked from February 1, 2017 to February 28, 2017.

**FOR FURTHER INFORMATION CONTACT:** Senior Executive Resources Services, Senior Executive Service and Performance Management, Employee Services, (202) 606-2246.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A,

B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific authorities established or revoked each month in the **Federal Register** at [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/). OPM also

publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

**Schedule A**

No schedule A authorities to report during February 2017.

**Schedule B**

No schedule B authorities to report during February 2017.

The following Schedule C appointing authorities were approved during February 2017.

Agency name	Organization name	Position title	Authorization No.	Effective date	
Department of Commerce ..... Department of Health And Human Services.	Immediate Office of the Secretary .....	Senior Advisor .....	DC170056	02/27/2017	
	Office of the Assistant Secretary for Public Affairs.	Special Advisor .....	DH170088	02/21/2017	
		Associate Director for Policy	DH170094	02/21/2017	
	Office of the Assistant Secretary for Health.	Special Assistant .....	DH170097	02/21/2017	
		Senior Advisor .....	DH170103	02/21/2017	
	Office of Global Affairs .....	Advisor .....	DH170113	02/21/2017	
		Special Assistant .....	DH170127	02/21/2017	
	Administration for Children and Families.	Office of the Secretary .....	Special Assistant (2) .....	DH170128	02/21/2017
				DH170112	02/22/2017
			Policy Advisor for Health Policy.	DH170093	02/21/2017
Centers for Medicare and Medicaid Services.	Office of Intergovernmental and External Affairs.	Senior Advisor .....	DH170108	02/27/2017	
		Director of External Affairs ..	DH170136	02/27/2017	
Department of Justice .....	Office of the Attorney General .....	Deputy White House Liaison	DJ170039	02/23/2017	
	Department of the Navy .....	Office of the Under Secretary of the Navy.	Special Assistant for International Affairs.	DN170007	02/06/2017
Official Residence of the Vice President.		Official Residence of the Vice President.	Residence Director .....	DN170017	02/09/2017
	Deputy Residence Manager		RV170001	02/09/2017	
Department of Transportation .....	Office of the Secretary .....	Special Assistant for Scheduling and Advance.	DT170036	02/28/2017	
Department of the Treasury .....	Office of the Secretary .....	Director, Operations (Scheduling and Advance).	DY170060	02/27/2017	
		Senior Advisor .....	DY170065	02/27/2017	

The following Schedule C appointing authorities were revoked during February 2017.

Agency name	Organization name	Position title	Request No.	Date vacated
Commodity Futures Trading Commission.	Division of Enforcement .....	Director, Division of Enforcement.	CT140008	02/04/2017
	Office of the Chairperson .....	Administrative Assistant to the Commissioner.	CT100004	02/04/2017
Consumer Product Safety Commission	Office of Commissioners .....	Chief of Staff .....	PS140013	02/08/2017
		Special Assistant .....	PS140016	02/08/2017
	Office of Congressional Relations .....	Director, Office of Congressional Relations.	PS160001	02/09/2017
National Credit Union Administration ...	National Credit Union Administration	Staff Assistant .....	CU090004	02/04/2017
		Director, Public and Congressional Affairs/Chief Policy Advisor to the Chairman.	CU110004	02/18/2017
National Endowment for the Arts .....	Office of the Chief of Staff .....	White House Liaison/Senior Advisor to the Chief of Staff.	NA160006	02/03/2017
Securities and Exchange Commission	Office of the Chief Operating Officer	Writer-Editor .....	SE140001	02/10/2017

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR, 1954–1958 Comp., p. 218.

U.S. Office of Personnel Management.

**Kathleen M. McGettigan,**

*Acting Director.*

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**OFFICE OF PERSONNEL MANAGEMENT**

**Excepted Service**

**AGENCY:** U.S. Office of Personnel Management (OPM).

**ACTION:** Notice.

**SUMMARY:** This notice identifies Schedule A, B, and C appointing

authorities applicable to a single agency that were established or revoked from April 1, 2017 to April 30, 2017.

**FOR FURTHER INFORMATION CONTACT:** Senior Executive Resources Services, Senior Executive Service and Performance Management, Employee Services, (202) 606–2246.

**SUPPLEMENTARY INFORMATION:** In accordance with 5 CFR 213.103, Schedule A, B, and C appointing authorities available for use by all agencies are codified in the Code of Federal Regulations (CFR). Schedule A, B, and C appointing authorities applicable to a single agency are not codified in the CFR, but the Office of Personnel Management (OPM) publishes a notice of agency-specific

authorities established or revoked each month in the **Federal Register** at [www.gpo.gov/fdsys/](http://www.gpo.gov/fdsys/). OPM also publishes an annual notice of the consolidated listing of all Schedule A, B, and C appointing authorities, current as of June 30, in the **Federal Register**.

**Schedule A**

No schedule A authorities to report during April 2017.

**Schedule B**

No schedule B authorities to report during April 2017.

The following Schedule C appointing authorities were approved during April 2017.

Agency name	Organization name	Position title	Request No.	Effective date	
DEPARTMENT OF AGRICULTURE.	Rural Housing Service .....	Staff Assistant .....	DA170124	04/12/2017	
	Office of the Assistant Secretary for Congressional Relations.	Legislative Analyst .....	DA170129	04/12/2017	
	Office of Communications .....	Deputy Press Secretary .....	DA170141	04/12/2017	
		Staff Assistant .....	DA170142	04/12/2017	
	Office of the Secretary .....	Deputy Director (Press Secretary)	DA170138	04/14/2017	
		Scheduler .....	DA170143	04/14/2017	
		Senior Advisor .....	DA170148	04/14/2017	
		Special Communications Advisor ..	IB170002	04/25/2017	
	BROADCASTING BOARD OF GOVERNORS. DEPARTMENT OF COMMERCE ..	Office of Chief Executive Officer and Director.	White House Liaison .....	IB170004	04/24/2017
			Office of the Chief of Staff .....	Program Manager, Office of Faith Based and Neighborhood Partnerships.	DC170097
Economic Development Administration.		Director of Advance and Protocol ..	DC170094	04/14/2017	
		Advance Assistant .....	DC170081	04/14/2017	
		Confidential Assistant .....	DC170101	04/06/2017	
Office of Legislative and Intergovernmental Affairs.		Special Advisor .....	DC170063	04/14/2017	
		Director of Intergovernmental Affairs.	DC170148	04/12/2017	
Office of the Under Secretary .....		Press Secretary and Program Manager, Office of Public Affairs.	DC170103	04/14/2017	
Office of Policy and Strategic Planning.		Policy Assistant .....	DC170105	04/14/2017	
Office of Business Liaison .....		International Trade Administration	Special Assistant .....	DC170107	04/14/2017
	Senior Advisor for Budget and Administration.		DC170089	04/19/2017	
	Bureau of Industry and Security ....	Senior Advisor .....	DC170085	04/20/2017	
		Congressional Affairs Specialist (2)	DC170092	04/14/2017	
COMMODITY FUTURES TRADING COMMISSION. DEPARTMENT OF EDUCATION ..	Office of the Chairperson .....	DC170114	04/21/2017		
		Market Intelligence Advisor .....	CT170008	04/11/2017	
	Office of Legislation and Congressional Affairs.	Confidential Assistant (2) .....	DB170077	04/03/2017	
		Attorney Advisor .....	DB170096	04/18/2017	
		Confidential Assistant .....	DB170082	04/03/2017	
	Office of the General Counsel .....	Confidential Assistant .....	DB170092	04/06/2017	
		Confidential Assistant (4) .....	DB170093	04/19/2017	
		DB170078	04/03/2017		
		DB170085	04/12/2017		
		DB170094	04/24/2017		
DB170089		04/07/2017			
DB170087		04/14/2017			
Office of the Secretary .....	DB170105	04/27/2017			
	DB170095	04/28/2017			
	DB170100	04/18/2017			
Office of Special Education and Rehabilitative Services.	Confidential Assistant .....	DB170102	04/18/2017		
Office of Elementary and Secondary Education.	Confidential Assistant .....	DB170102	04/18/2017		
Office of Communications and Outreach.	Special Assistant (3) .....	DB170088	04/07/2017		
	DB170099	04/19/2017			
	DB170106	04/20/2017			