Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 52

[NRC–2015–0224]

RIN 3150–AJ67

Advanced Power Reactor 1400 (APR1400) Design Certification

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is proposing to amend its regulations to certify the Advanced Power Reactor 1400 (APR1400) standard design. Applicants or licensees intending to construct and operate an APR1400 standard design may do so by referencing this design certification (DC) rule. The applicant for the certification of the APR1400 standard design is Korea Electric Power Corporation and Korea Hydro & Nuclear Power Co., Ltd. (KEPCO/KHNP).

DATES: Submit comments by June 21, 2019. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date.

ADDRESSES: You may submit comments by any of the following methods:

• Federal Rulemaking Website: Go to https://www.regulations.gov and search for Docket ID NRC–2015–0224. Address questions about NRC dockets to Carol Gallagher; telephone: 301–415–3463; email: Carol.Gallagher@nrc.gov. For technical questions contact the individuals listed in the FOR FURTHER INFORMATION CONTACT section of this document.

• Email comments to: Rulemaking.Comments@nrc.gov. If you do not receive an automatic email reply confirming receipt, then contact us at 301–415–1677.

• Fax comments to: Secretary, U.S. Nuclear Regulatory Commission at 301–415–1101.

• Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, ATTN: Rulemakings and Adjudications Staff.

• Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. (Eastern Time) Federal workdays; telephone: 301–415–1677.

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:


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I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC–2015–0224 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:


• NRC’s Agencywide Documents Access and Management System (ADAMS): You may obtain publicly-available documents online in the ADAMS Public Documents collection at https://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, at 301–415–4737, or by email to pdr.resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

• 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–2015–0224 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 will post all comment submissions at https://www.regulations.gov as well as enter 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 into ADAMS.

II. Rulemaking Procedure

Because the NRC considers this action to be non-controversial, the NRC is publishing this proposed rule concurrently with a direct final rule in the Rules and Regulations section of this issue of the Federal Register. The direct final rule will become effective on September 19, 2019. However, if the NRC receives significant adverse comments on this proposed rule by June 21, 2019, then the NRC will publish a document that withdraws the direct final rule. If the direct final rule is withdrawn, the NRC would address the comments received in response to these proposed revisions in any subsequent final rule. Absent significant modifications to the proposed revisions requiring republication, the NRC does not intend to initiate a second comment...
The NRC will publish a final safety evaluation report in a NUREG titled, “Final Safety Evaluation Report Related to the Certification of the Advanced Power Reactor 1400 Standard Design.” The final safety evaluation report is based on the NRC’s review of revision 3 of the APR1400 design certification document.

IV. Voluntary Consensus Standards

The National Technology Transfer and Advancement Act of 1995, Public Law 104–113, requires that Federal agencies use technical standards that are developed or adopted by voluntary consensus standards bodies unless the use of such a standard is inconsistent with applicable law or otherwise impractical. In this proposed rule, the NRC proposes to certify the APR1400 standard design for use in nuclear power plant licensing under 10 CFR parts 50 or 52. Design certifications are not generic rulemakings establishing a generally applicable standard with which all 10 CFR parts 50 and 52 nuclear power plant licensees must comply. Design certifications are Commission approvals of specific nuclear power plant designs by rulemaking. Furthermore, design certifications are initiated by an applicant for rulemaking, rather than by the NRC. This action does not constitute the establishment of a standard that contains generally applicable requirements.

V. Plain Writing

The Plain Writing Act of 2010 (Pub. L. 111–274) requires Federal agencies to write documents in a clear, concise, and well-organized manner that also follows other best practices appropriate to the subject or field and the intended audience. The NRC has written this document to be consistent with the Plain Writing Act as well as the Presidential Memorandum, “Plain Language in Government Writing,” published June 10, 1998 (63 FR 31883). The NRC requests comment on the proposed rule with respect to clarity and effectiveness of the language used.

VI. Paperwork Reduction Act

This proposed rule contains (a) new or amended collection(s) of information subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). This proposed rule has been submitted to the Office of Management and Budget for review and approval of the information collection(s).

Type of submission, new or revision: Revision.

The title of the information collection: Appendix F to 10 CFR part 52 Design Certification Rule for the APR1400 Design.

The form number if applicable: NA.

How often the collection is required or requested: On occasion.

Who will be required or asked to respond: Applicant for a combined license or a design certification amendment.

An estimate of the number of annual responses: 1 (0 annual responses and 1 recordkeeper).

The estimated number of annual respondents: 1.

An estimate of the total number of hours needed annually to comply with the information collection requirement or request: Approximately 37 hours of additional recordkeeping burden. The only burden associated with this rule will be for recordkeeping by the applicant for this design certification.

Abstract: The NRC is proposing to amend its regulations to certify the APR1400 standard design. This action is necessary so that applicants or licensees intending to construct and operate an APR1400 standard design may do so by referencing this DC rule. The applicant for certification of the APR1400 standard design is KEPCO/KHNP.

The NRC is seeking public comment on the potential impact of the information collection contained in this proposed rule and on the following issues:

(1) Is the proposed information collection necessary for the proper performance of the functions of the NRC, including whether the information will have practical utility?

(2) Is the estimate of the burden of the proposed information collection accurate?

(3) Is there a way to enhance the quality, utility, and clarity of the information to be collected?

(4) How can the burden of the proposed information collection on respondents be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the OMB clearance package is available in ADAMS under Docket No. ML18302A089 or may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O1–F21, Rockville, MD 20852. You may obtain information and comment submissions related to the OMB clearance package by searching on https://www.regulations.gov under Docket ID NRC–2015–0224.
Document | ADAMS Accession No./web link/ Federal Register citation
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KEPCO/KHNP Application for Design Certification of the APR1400 Design | ML15006A037
APR1400 Design Control Document, Revision 3 | ML18228A667
APR1400 Final Safety Evaluation Report | ML18087A364
APR1400 Environmental Assessment | ML18306A607
APR1400 Standard Design Approval | ML18261A187
Regulatory History of Design Certification | ML003761550

**KEPCO/KHNP Topical and Technical Reports:**

- APR1400–E–B–NR–16001–NP, Evaluation of Main Steam and Feedwater Piping Applied to the Graded Approach for the APR1400, Rev. 0 (July 2017) | ML18178A215
- APR1400–E–I–NR–14011–NP, Basic Human-System Interface, Rev. 3 (May 2018) | ML18178A214
- APR1400–E–N–NR–14001–NP, Design Features To Address GSI–191, Rev. 3 (February 2018) | ML18057B532
- APR1400–E–P–NR–14005–NP, Evaluations and Design Enhancements To Incorporate Lessons Learned from Fukushima Dai-Ichi Nuclear Accident, Rev. 2 (July 2017) | ML18044B042
- APR1400–E–S–NR–14004–NP, Evaluation of Effects of HRHF Response Spectra on SSCs, Rev. 3 (December 2017) | ML18078A709
- APR1400–F–C–NR–14001–NP, CPC Setpoint Analysis Methodology for APR1400, Rev. 3 (June 2018) | ML18199A563
- APR1400–F–C–NR–14002–NP, Functional Design Requirements for a Core Operating Limit Supervisory System for APR1400, Rev. 1 (February 2017) | ML17094A132
- APR1400–F–H–NR–14005–NP, Summary Stress Report for Primary Piping, Rev. 2 (September 2016) | ML18178A218
- APR1400–K–Q–TR–11005–NP–A, KHNP Quality Assurance Program Description (QAPD) for the APR1400 Design Certification, Rev. 2 (October 2016) | ML18085B044
The NRC may post materials related to this document, including public comments, on the Federal Rulemaking website at https://www.regulations.gov under Docket ID NRC–2015–0224. The Federal Rulemaking website allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC–2015–0224); (2) click the “Sign up for Email Alerts” link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

**List of Subjects in 10 CFR Part 52**

**POSTAL REGULATORY COMMISSION**

**39 CFR Part 3060**

[Docket No. RM2019–5; Order No. 5097]

**Accounting and Periodic Reporting Rules**

**AGENCY:** Postal Regulatory Commission.  
**ACTION:** Proposed rulemaking.

**SUMMARY:** The Commission is proposing an amendment to its rules involving the calculation of the assumed Federal income tax on competitive products by the Postal Service each fiscal year. The Commission invites public comment on the proposed revisions.

**DATES:** Comments are due: June 21, 2019.

**ADDRESSES:** For additional information, Order No. 5097 can be accessed electronically through the Commission’s website at https://www.prc.gov. 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:** David A. Trissell, General Counsel, at 202–789–6820.

**SUPPLEMENTARY INFORMATION:**

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**I. Background**

The Commission initiated this proceeding to amend its regulations governing the assumed Federal income tax on competitive product income appearing in existing 39 CFR Part 3060. The proposed amendments would revise regulations concerning the annual assumed Federal income tax calculation for competitive products to reflect changes to the Internal Revenue Code made by the Tax Cuts and Jobs Act and to remove other obsolete provisions.

The Commission sought comments from interested parties on whether it should update its regulations to reflect the changes and simplify the existing regulations.

**II. Basis and Purpose of Proposed Rules**

Section 3634(b) of title 39 of the United States Code requires the Postal Service to calculate the assumed Federal income tax on its competitive products income each year and transfer the amount of the assumed tax from the Competitive Products Fund to the Postal Service Fund. As required by 39 U.S.C. 2011(h)(2)(B)(ii), on December 18, 2008, the Commission issued the substantive

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1 The regulatory history of the NRC’s design certification reviews is a package of documents that is available in the NRC’s PDR and NRC Library. This history spans the period during which the NRC simultaneously developed the regulatory standards for reviewing these designs and the form and content of the rules that certified the designs.