

supports the NRC's decision to issue Subsequent Renewed Facility Operating License Nos. DPR-31 and DPR-41 is available in ADAMS under Accession No. ML19309F859.

As discussed in the ROD and the final supplemental environmental impact statement (FSEIS) for Turkey Point, entitled Supplement 5, Second Renewal, to NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Plants Regarding Subsequent License Renewal for Turkey Point Nuclear Generating Unit Nos. 3 and 4, Final Report," dated October 2019 (ADAMS Accession No. ML19290H346), the NRC has considered the reasonably foreseeable impacts of subsequent license renewal for Turkey Point Units 3 and 4, as well as a range of reasonable alternatives that included natural gas combined-cycle (NGCC); NGCC and solar photovoltaic combination; new nuclear; and the no-action alternative. In addition, the staff evaluated the use of mechanical draft cooling towers as a cooling water system alternative to the existing Cooling Canal System (CCS). This analysis compared the environmental impacts of the closed-cycle cooling system approach with the existing CCS. The FSEIS documents the environmental review, including the determination that the adverse environmental impacts of subsequent license renewal for Turkey Point are not so great that preserving the option of subsequent license renewal for energy-planning decisionmakers would be unreasonable.

The Turkey Point nuclear units are located in Miami-Dade County, east of Florida City, Florida. Each unit consists of a Westinghouse pressurized-water reactor nuclear steam supply system. The application for the subsequent renewed licenses dated January 30, 2018 (ADAMS Package Accession No. ML18037A812), as supplemented by letters dated February 9, 2018 (ADAMS Accession No. ML18044A653); February 16, 2018 (ADAMS Package Accession No. ML18053A123); March 1, 2018 (ADAMS Package Accession No. ML18072A224); and April 10, 2018 (ADAMS Accession No. ML18102A521 and ADAMS Package Accession No. ML18113A132). The NRC staff has determined that the application, as supplemented, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the NRC's regulations. As required by the Act and the NRC's regulations in chapter 1 of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC has made appropriate findings, which are set forth in the license.

A public notice of the NRC's consideration of the subsequent renewed license application and an opportunity for a hearing was published in the **Federal Register** on May 2, 2018 (83 FR 19304). Requests for hearing were filed, and an adjudicatory proceeding was then initiated. All contested issues were subsequently decided by an NRC Atomic Safety and Licensing Board (Board) and proceedings before the Board have terminated; appeals from the Board's decisions are pending before the Commission. The ASLB's decisions have not been stayed pending Commission review, and issuance of the subsequent renewed licenses is therefore permissible. The NRC staff has determined that issuance of the subsequent renewed licenses prior to Commission action on the pending appeals would not foreclose or prejudice any action by the Commission.

For further details with respect to this action, see: (1) FPL's subsequent license renewal application for Turkey Point Units 3 and 4, dated January 30, 2018 (ADAMS Package Accession No. ML18037A812), and the above cited supplements; (2) the NRC's safety evaluation report published on July 22, 2019 (ADAMS Accession No. ML19191A057); (3) the NRC's final environmental impact statement (NUREG-1437, Supplement 5, Second Renewal) for Turkey Point Units 3 and 4, dated on October 2019 (ADAMS Accession No. ML19290H346); and (4) the NRC's ROD, issued on December 4, 2019 (ADAMS Accession No. ML19309F859).

Dated at Rockville, Maryland, this 4th day of December 2019.

For the Nuclear Regulatory Commission  
**Anna H. Bradford,**

*Director, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.*

[FR Doc. 2019-26500 Filed 12-9-19; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

**[NRC-2019-0001]**

### **Sunshine Act Meetings**

**TIME AND DATE:** Weeks of December 9, 16, 23, 30, 2019, January 6, 13, 2020.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public.

### **Week of December 9, 2019**

There are no meetings scheduled for the week of December 9, 2019.

### **Week of December 16, 2019—Tentative**

*Tuesday, December 17, 2019*

10:00 a.m. Briefing on Equal Employment Opportunity, Affirmative Employment, and Small Business (Public Meeting); (Contact: Larniece McKoy Moore: 301-415-1942).

This meeting will be webcast live at the Web address—<https://www.nrc.gov/>.

### **Week of December 23, 2019—Tentative**

There are no meetings scheduled for the week of December 23, 2019.

### **Week of December 30, 2019—Tentative**

There are no meetings scheduled for the week of December 30, 2019.

### **Week of January 6, 2020—Tentative**

There are no meetings scheduled for the week of January 6, 2020.

### **Week of January 13, 2020—Tentative**

There are no meetings scheduled for the week of January 13, 2020.

### **CONTACT PERSON FOR MORE INFORMATION:**

For more information or to verify the status of meetings, contact Denise McGovern at 301-415-0681 or via email at [Denise.McGovern@nrc.gov](mailto:Denise.McGovern@nrc.gov). The schedule for Commission meetings is subject to change on short notice.

The NRC Commission Meeting Schedule can be found on the internet at: <https://www.nrc.gov/public-involve/public-meetings/schedule.html>.

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify Anne Silk, NRC Disability Program Specialist, at 301-287-0745, by videophone at 240-428-3217, or by email at [Anne.Silk@nrc.gov](mailto:Anne.Silk@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

Members of the public may request to receive this information electronically. If you would like to be added to the distribution, please contact the Nuclear Regulatory Commission, Office of the Secretary, Washington, DC 20555 (301-415-1969), or by email at [Wendy.Moore@nrc.gov](mailto:Wendy.Moore@nrc.gov) or [Tyesha.Bush@nrc.gov](mailto:Tyesha.Bush@nrc.gov).

The NRC is holding the meetings under the authority of the Government in the Sunshine Act, 5 U.S.C. 552b.

Dated at Rockville, Maryland, this 6th day of December 2019.

For the Nuclear Regulatory Commission.

**Denise L. McGovern,**

*Policy Coordinator, Office of the Secretary.*

[FR Doc. 2019-26681 Filed 12-6-19; 4:15 pm]

BILLING CODE 7590-01-P

## PENSION BENEFIT GUARANTY CORPORATION

### Notice of Approval of Alternative Arbitration Procedure; American Arbitration Association

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of approval.

**SUMMARY:** This notice advises interested persons that the Pension Benefit Guaranty Corporation (PBGC) has approved a request from the American Arbitration Association (AAA) for approval of an alternative arbitration procedure.

**DATES:** PBGC's approval of the AAA's alternative arbitration procedure is effective January 1, 2020.

**FOR FURTHER INFORMATION CONTACT:** Bruce Perlin (*Perlin.Bruce@PBGC.gov*), 202-326-4020, ext. 6818, Office of the General Counsel, Suite 340, 1200 K Street NW, Washington, DC 20005-4026; (TTY users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4020, extension 6818 or 6757.)

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 4221(a)(1) of the Employee Retirement Income Security Act of 1974 (ERISA), as amended by the Multiemployer Pension Plan Amendments Act of 1980 (MPPAA), requires "any dispute" between an employer and a multiemployer pension plan concerning a withdrawal liability determination to be "resolved through arbitration." Under the MPPAA, an employer has 90 days after receipt of notice of a withdrawal liability assessment to request review of that assessment. ERISA § 4219(b)(2)(A). If there remains a dispute about the assessment of withdrawal liability, the employer may "initiate" arbitration of the dispute within a 60-day period after the earlier of (i) the date the employer was notified of the plan's response to the employer's request for review, or (ii) 120 days after the date that the employer requested review of the

withdrawal liability. ERISA § 4221(a)(1). If the employer fails to timely initiate arbitration, the assessment becomes due and owing and the plan sponsor may bring an action in a state or federal court to collect the assessment. ERISA § 4221(b).

The MPPAA directed PBGC to promulgate fair and equitable procedures for the conduct of an arbitration under section 4221 of ERISA. PBGC's implementing regulation, "Arbitration of Disputes in Multiemployer Plans" (29 CFR part 4221), was designed to provide procedures to facilitate prompt resolution of disputes by an impartial arbitrator, facilitating expeditious resolutions of disputes concerning an employer's withdrawal liability. PBGC's default arbitration procedures provide rules for the appointment and powers of the arbitrator, rules for discovery and hearings, and rules for awards, costs, filing and service (§§ 4221.4-4221.13).

#### Scope of Alternative Arbitration Procedures

In lieu of the default procedures, under § 4221.14 of PBGC's arbitration regulation, an arbitration may be conducted in accordance with an alternative arbitration procedure approved by PBGC in accordance with § 4221.14(c). Certain rules applicable to the default procedures cannot be varied in any alternative procedure. 29 CFR 4221.14(b). If an arbitration is conducted under a PBGC-approved alternative procedure, the alternative procedure governs all aspects of the arbitration, with the following exceptions provided in § 4221.14(b): The time limits for initiating arbitration may not differ from the time limits provided § 4221.3; the arbitrator must be selected after the initiation of arbitration; the arbitrator must give the parties an opportunity for prehearing discovery that is substantially equivalent to that required by § 4221.5(a)(2); copies of the award must be made available to the public at least to the extent mandated by § 4221.8(g); and the arbitration costs must be allocated in accordance with § 4221.10.

#### Process for Approval of Alternative Arbitration Procedures

Under § 4221.14(c) PBGC may approve arbitration procedures on its own initiative by publishing an appropriate notice in the **Federal Register**. Additionally, the sponsor of an arbitration procedure may request PBGC approval of its procedures by submitting an application to PBGC. The application must include: (1) A copy of the procedures for which approval is

sought; (2) a description of the history, structure and membership of the organization that sponsors the procedures; and (3) a description of the reasons why, in the sponsoring organization's opinion, the procedures satisfy the criteria for approval set forth in this section.

#### Criteria for Approval of Alternative Procedures

Under § 4221.21(d), PBGC shall approve an application if it determines that the proposed procedures will be substantially fair to all parties involved in the arbitration of a withdrawal liability dispute and that the sponsoring organization is neutral and able to carry out its role under the procedures. PBGC may request comments on the application by publishing an appropriate notice in the **Federal Register** and notice of PBGC's decision on the application shall be published in the **Federal Register**. Unless the notice of approval specifies otherwise, approval will remain effective until revoked by PBGC through a **Federal Register** notice.

#### AAA's Alternative Arbitration Rules—1981 & 1986 MPPAR

In 1985, on its own initiative, PBGC approved the 1981 Multiemployer Pension Plan Arbitration Rules for Withdrawal Liability Disputes (the "1981 MPPAR"), an alternative arbitration procedure sponsored by the International Foundation of Employee Benefit Plans and administered by the American Arbitration Association (AAA). 50 FR 38046 (Sept. 19, 1985). In 1986, PBGC approved AAA's request to use an amended MPPAR (the "1986 MPPAR") which eliminated certain procedural differences from the 1981 MPPAR and PBGC's final arbitration regulation. 51 FR 22585 (June 20, 1986). The administrative fee schedule for handling arbitrations in the 1986 MPPAR was applicable until 2013, at which point AAA adopted an updated 2013 Fee Schedule, creating a revised MPPAR, effective February 1, 2013 ("2013 MPPAR"). The new Administrative Fee Schedule provides for increases to the Initial Filing Fee, establishes two different fee arrangements—the Standard and Flexible Fee Schedules, and adds a "Final Fee" under each schedule and a "Proceed Fee" in the flexible schedule context. Other than significant changes to the Administrative Fee Schedule and the removal of language regarding the apportionment of fees, the 2013 MPPAR are identical to the 1986 MPPAR that PBGC previously approved. Under § 4221.14, AAA has requested PBGC