

involving a complete loss of SFP water inventory, based on an adiabatic heatup analysis of the limiting fuel assembly for decay heat, shows that within 10 months after permanent cessation of power operations, the time for the limiting fuel assembly to reach 900 °C is 10 hours after the assemblies have been uncovered assuming a loss of all cooling means.

The only analyzed beyond-design-basis accident scenario that progresses to a condition where a significant offsite release might occur, involves the highly unlikely event where the SFP drains in such a way that all modes of cooling or heat transfer are assumed to be unavailable, which is referred to as an adiabatic heatup of the spent fuel. The licensee's analysis of this beyond-design-basis accident shows that within 10 months after permanent cessation of power operations, more than 10 hours would be available between the time the fuel is initially uncovered (at which time adiabatic heatup is conservatively assumed to begin), until the fuel cladding reaches a temperature of 900 °C, which is the temperature associated with rapid cladding oxidation and the potential for a significant radiological release. This analysis conservatively does not include the period of time from the initiating event causing a loss of SFP water inventory until all cooling means are lost.

The NRC staff has verified the licensee's analyses and its calculations. The analyses provide reasonable assurance that in granting the requested exemptions to the licensee, there is no design-basis accident that will result in an offsite radiological release exceeding the EPA early phase PAGs at the exclusion area boundary. In the highly unlikely event of a beyond-design-basis accident affecting the SFP that results in a complete loss of heat removal via all modes of heat transfer, there will be over 10 hours available before an offsite release might occur and, therefore, at least 10 hours to initiate appropriate mitigating actions to restore a means of heat removal to the spent fuel. If a radiological release were projected to occur under this highly unlikely scenario, a minimum of 10 hours is considered sufficient time for offsite authorities to implement protective actions using a CEMP approach to protect the health and safety of the public.

Exemptions from the offsite EP requirements in 10 CFR part 50 have previously been approved by the NRC when the site-specific analyses show that at least 10 hours is available following a loss of SFP coolant

inventory with no air cooling (or other methods of removing decay heat) until cladding of the hottest fuel assembly reaches the rapid oxidation temperature. The NRC staff concluded in its previously granted exemptions, as it does with the licensee's requested EP exemptions, that if a minimum of 10 hours is available to initiate mitigative actions consistent with plant conditions, or if needed, for offsite authorities to implement protective actions using a CEMP approach, then formal offsite radiological emergency preparedness plans, required under 10 CFR part 50, are not necessary at permanently shutdown and defueled facilities.

Additionally, Pilgrim committed to maintaining SFP makeup strategies in its letters to the NRC dated November 30 and December 4, 2018, and February 14 and February 18, 2019. The multiple strategies for providing makeup to the SFP include: Using existing plant systems for inventory makeup; an internal strategy that relies on the fire protection system with redundant pumps (one diesel-driven and electric motor-driven); and onsite diesel fire truck that can take suction from the Cape Cod Bay. These strategies will continue to be required as License Condition 3.K, "Mitigation Strategy License Condition," of Renewed Facility License No. DPR-35 for Pilgrim. Considering the very low probability of beyond-design-basis accidents affecting the SFP, these diverse strategies provide multiple methods to obtain additional makeup or spray to the SFP before the onset of any postulated offsite radiological release.

For all of the reasons stated above, the NRC staff finds that the licensee's requested exemptions meet the underlying purpose of all of the standards in 10 CFR 50.47(b), and requirements in 10 CFR 50.47(c)(2) and 10 CFR part 50, Appendix E, and satisfy the special circumstances provision in 10 CFR 50.12(a)(2)(ii) in view of the greatly reduced risk of offsite radiological consequences associated with the permanently shutdown and defueled state of the Pilgrim facility 10 months after the facility permanently ceases operation.

The NRC staff has concluded that the exemptions being granted by this action will maintain an acceptable level of emergency preparedness at Pilgrim and, if needed, that there is reasonable assurance that adequate offsite protective measures can and will be taken by State and local government agencies using a CEMP approach in the highly unlikely event of a radiological emergency at Pilgrim. Since the

underlying purpose of the rules, as exempted, would continue to be achieved, even with the elimination of the requirements under 10 CFR part 50 to maintain formal offsite radiological emergency preparedness plans and the reduction in the scope of the onsite EP activities at Pilgrim, the special circumstances required by 10 CFR 50.12(a)(2)(ii) exist.

#### *E. Environmental Considerations*

In accordance with 10 CFR 51.31(a), the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment as discussed in the NRC staff's Finding of No Significant Impact and associated Environmental Assessment published in the **Federal Register** on December 18, 2019 (84 FR 69396).

#### **IV. Conclusions**

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the licensee's request for exemptions from certain EP requirements in 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR part 50, Appendix E, Section IV, and as summarized in Enclosure 2 to SECY-19-0078, are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants the licensee's exemptions from certain EP requirements in 10 CFR 50.47(b), 10 CFR 50.47(c)(2), and 10 CFR part 50, Appendix E, Section IV, as discussed and evaluated in detail in the NRC staff's safety evaluation dated December 18, 2019. The exemptions are effective as of 10 months after permanent cessation of power operations.

Dated at Rockville, Maryland, this 18th day of December, 2019.

For the Nuclear Regulatory Commission.

**Craig G. Erlanger,**

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

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#### **NUCLEAR REGULATORY COMMISSION**

**[NRC-2019-0233]**

#### **Target set Identification and Development for Nuclear Power Plants**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Regulatory guide; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 1 to Regulatory Guide (RG) 5.81, “Target set Identification and Development for Nuclear Power Plants,” as a final RG. RG 5.81 provides guidance the NRC considers acceptable for applicant or licensee analysis, development, documentation, and reevaluation of target set elements and target sets, including preventive operator actions that may be credited to prevent core damage (e.g., non-localized fuel melting, and/or core destruction) or loss of spent fuel coolant and exposure of spent fuel. This revision of the guide (Revision 1) clarifies issues that have been identified through interactions with stakeholders and inspection activities since the original publication of the guide.

**DATES:** Revision 1 to RG 5.81 is available on December 23, 2019.

**ADDRESSES:** Revision 1 to RG 5.81 contains Official Use Only—Security Related Information (OUO—SRI). Therefore, this RG is being withheld from public disclosure, but is available to those affected licensees, stakeholders who have established a need to know and cleared stakeholders who have access authorization. For access to RG 5.81, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section.

**FOR FURTHER INFORMATION CONTACT:** Wesley Held, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission, telephone: 301–287–3591, email: [Wesley.Held@nrc.gov](mailto:Wesley.Held@nrc.gov); or Mekonen Baysie, Office of Nuclear Regulatory Research; telephone: 301–415–1699, email: [Mekonen.Baysie@nrc.gov](mailto:Mekonen.Baysie@nrc.gov). Alternatively, you may make suggestions or comments on RG 5.81 via email to: [RegulatoryGuideDevelopmentBranch.Resource@nrc.gov](mailto:RegulatoryGuideDevelopmentBranch.Resource@nrc.gov). Please do not include any potentially classified or sensitive information in your email.

**SUPPLEMENTARY INFORMATION:**

**I. Discussion**

The NRC is issuing a revision to an existing guide in the NRC’s “Regulatory Guide” series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the agency’s regulations, techniques that the NRC staff uses in evaluating specific issues or postulated events, and data that the NRC staff needs in its review of applications for permits and licenses.

Regulatory Guide 5.81 provides licensees with guidance on meeting the requirements described in section 73.55(f) of title 10 of the *Code of Federal Regulations* (10 CFR), “Target Sets.” Specifically, it sets forth approaches that the NRC considers acceptable for use by applicants or licensees in analyzing, developing, documenting, and evaluating target set elements and target sets, including operator actions that may be credited to prevent core damage (e.g., non-localized fuel melting, and/or core destruction) or loss of spent fuel coolant and exposure of spent fuel.

This revision of RG 5.81 (Revision 1) incorporates lessons learned from operating experience. Specifically, this revision clarifies issues that have been identified through interactions with stakeholders and inspection activities since the original publication of the guide.

**II. Additional Information**

Regulatory Guide 5.81 contains OUO—SRI information. Accordingly, this RG is being withheld from public disclosure. It will be made available to those affected licensees and stakeholders who have an established need-to-know for access to the RG. The NRC did not announce the availability of the draft RG for public comment because the guide contains OUO—SRI information. Nonetheless, the NRC is issuing this notice to inform the public of the issuance of this revision to the RG.

On August 14, 2018, the NRC issued a memorandum (ADAMS Accession No. ML19324F694) transmitting the draft regulatory guide for comment to stakeholders who have an established need-to-know for access to the document. The stakeholders’ comment period closed on October, 15, 2018. The NRC received 20 comments from stakeholders. The comments and the associated agency responses to the public comments contain OUO—SRI information and are not available to the public. These comment responses can be obtained by those licensees and stakeholders who have established a need-to-know for access to the regulatory guide. For access to RG 5.81 or the comments and comment resolution document, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section.

**III. Congressional Review Act**

This RG 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.

**IV. Backfitting**

This RG provides applicants or licensees with guidance to meet the requirements set forth in 10 CFR 73.55, “Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage.” Issuance of this regulatory guide does not constitute backfitting as defined in 10 CFR 50.109, “Backfitting,” or affect issue finality of any approval issued under 10 CFR part 52, Licenses, Certificates, and Approvals for Nuclear Power Plants,” because as explained in Section D., “Implementation,” of the regulatory guide, NRC staff does not intend to use the guidance in this regulatory guide to support NRC staff actions in a manner that would constitute backfitting. If, in the future, the NRC seeks to impose a position in this regulatory guide in a manner that constitutes backfitting or affects the issue finality for a Part 52 approval, then the NRC will address the backfitting provision in 10 CFR 50.109 or the applicable issue finality provision in Part 52 respectively.

Dated at Rockville, Maryland, this 17th day of December 2019.

For the Nuclear Regulatory Commission.

**Thomas H. Boyce,**  
*Chief, Regulatory Guidance and Generic Issues Branch, Division of Engineering, Office of Nuclear Regulatory Research.*

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**OFFICE OF PERSONNEL  
MANAGEMENT**

**President’s Commission on White  
House Fellowships Advisory  
Committee: Closed Meeting**

**AGENCY:** President’s Commission on White House Fellowships, Office of Personnel Management.

**ACTION:** Notice of meeting.

**SUMMARY:** The President’s Commission on White House Fellowships (PCWHF) was established by an Executive Order in 1964. The PCWHF is an advisory committee composed of Special Government Employees appointed by the President.

The meeting is closed.  
*Name of Committee:* President’s Commission on White House Fellowships Mid-Year Meeting.

*Date:* January 15–16, 2020.

*Time:* 8:00 a.m.–5:30 p.m.

*Place:* Eisenhower Executive Office Building, 1650 Pennsylvania Ave. NW, Washington, DC 20502.

*Agenda:* The Commission holds a mid-year meeting to talk with current