The NRC issued amendments to Facility Operating License Nos. DPR–80 and DPR–82, issued to PG&E for operation of Diablo Canyon, Units 1 and 2. The amendments avoid an unnecessary plant shutdown during the expected time needed to perform potential repairs to the Unit 1 AFW system piping that PG&E conservatively anticipates may be identified during the Diablo Canyon, Unit 1, Cycle 22, planned inspections to the AFW system. Specifically, the amendments provide a new TS 3.7.5, “Auxiliary Feedwater (AFW) System,” Condition G, to allow operation of Diablo Canyon, Unit 1, for up to 7 days when the AFW system is aligned in a manner for which current TS 3.7.5 would require shutdown. The amendments are only for Cycle 22 during repair of the AFW piping. The NRC staff finds that the application for the license amendments complies with the requirements of the Atomic Energy Act of 1954, as amended, and the NRC’s regulations. The NRC staff’s evaluation may be obtained and examined in ADAMS under Accession No. ML20235R635.

In its license amendment request dated August 12, 2020, the licensee requested that the proposed amendments be processed by the NRC on an exigent basis in accordance with the provisions in section 50.91(a)(6) of title 10 of the Code of Federal Regulations (10 CFR). The licensee provided the following information to explain the exigency of the amendments. Because of localized corrosion identified on Diablo Canyon, Unit 2, AFW piping during a recent Diablo Canyon, Unit 2, maintenance outage, the licensee intends to perform inspections of Diablo Canyon, Unit 1, AFW piping in the near term to ensure that Diablo Canyon, Unit 1, is not similarly affected. If similar below-minimum pipe wall thicknesses are found in the Unit 1 AFW system piping and elbows that were found in Unit 2, based on the estimated time-to-repair gained from the Unit 2 repair, it is likely that the current TS 3.7.5 Required Actions B.1 or D.1 would result in the required shutdown of Unit 1. The TS 3.7.5 change would avoid an unnecessary plant shutdown during the expected time needed to perform the potential repairs and associated post-maintenance inspections and testing to the Unit 1 AFW system piping. The licensee stated that it has assessed the potential extent of the Unit 1 AFW system piping repairs based on the required repairs for Unit 2 and is making its best efforts to make a timely
The NRC staff considered the circumstances and found exigent circumstances exist in that a licensee and the Commission must act quickly because if they do not, the AFW inspection results could cause a plant shutdown, and that time did not permit the Commission to publish a Federal Register notice allowing 30 days for prior public comment. The NRC staff also determined that the amendments involved no significant hazards considerations. Under the provisions in 10 CFR 50.91(a)(6), the NRC notifies the public in one of two ways when exigent circumstances exist: (1) By issuing a Federal Register notice providing an opportunity for hearing and allowing at least 2 weeks from the date of the notice for prior public comments; or (2) by using local media to provide reasonable notice to the public in the area surrounding the licensee’s facility. In this case, the NRC used local media and published a public notice in the San Luis Obispo News Tribune, located in San Luis Obispo, California (https://www.sanluisobispo.com/), a newspaper local to the licensee’s facility, on August 16, 2020; August 17, 2020; and August 18, 2020.

The licensee’s supplements dated August 16, 2020; August 18, 2020; and August 20, 2020, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff’s original proposed no significant hazards consideration determination as published in the San Luis Obispo News Tribune, located in San Luis Obispo, California (https://www.sanluisobispo.com/), on August 16, 2020; August 17, 2020; and August 18, 2020. Public comments were received and addressed in the NRC staff’s evaluation.

II. Opportunity to Request a Hearing and Petition for Leave to Intervene

Within 60 days after the date of publication of this notice, any persons (petitioner) whose interest may be affected by this action may file a request for a hearing and petition for leave to intervene (petition) with respect to the action. Petitions shall be filed in accordance with the Commission’s “Agency Rules of Practice and Procedure” in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. The NRC’s regulations are accessible electronically from the NRC Library on the NRC’s website at https://www.nrc.gov/reading-rm/doc-collections/cfr/. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

As required by 10 CFR 2.309(d) the petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements for standing: (1) The name, address, and telephone number of the petitioner; (2) the nature of the petitioner’s right to be made a party to the proceeding; (3) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the petitioner’s interest.

In accordance with 10 CFR 2.309(f), the petition must also set forth the specific contentions which the petitioner seeks to have litigated in the proceeding. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner must provide references to the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to the specific sources and documents on which the petitioner intends to rely to support its position on the issue. The petition must include sufficient information to show that a genuine dispute exists with the applicant or licensee on a material issue of law or fact. Contentions must be limited to matters within the scope of the proceeding. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to satisfy the requirements at 10 CFR 2.309(f) with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene. Parties have the opportunity to participate fully in the conduct of the hearing with respect to resolution of that party’s admitted contentions, including the opportunity to present evidence, consistent with the NRC’s regulations, policies, and procedures.

Petitions must be filed no later than 60 days from the date of publication of this notice. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that there was good cause, by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii). The petition must be filed in accordance with the filing instructions in the “Electronic Submissions (E-Filing)” section of this document.

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally-recognized Indian Tribe, or agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h)(1). The petition should state the nature and extent of the petitioner’s interest in the proceeding. The petition should be submitted to the Commission no later than 60 days from the date of publication of this notice. The petition must be filed in accordance with the filing instructions in the “Electronic Submissions (E-Filing)” section of this document, and should meet the requirements for petitions set forth in this section, except that under 10 CFR 2.309(h)(2) a State, local governmental body, or Federally-recognized Indian Tribe, or agency thereof does not need to address the standing requirements in 10 CFR 2.309(d) if the facility is located within its boundaries. Alternatively, a State, local governmental body, Federally-recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

If a hearing is granted, any person who is not a party to the proceeding and is not affiliated with or represented by a party may, at the discretion of the presiding officer, be permitted to make a limited appearance pursuant to the provisions of 10 CFR 2.315(a). A person making a limited appearance may make oral or written statements for her position on the issues but may not otherwise participate in the proceeding.
A limited appearance may be made at any session of the hearing or at any prehearing conference, subject to the limits and conditions as may be imposed by the presiding officer. Details regarding the opportunity to make a limited appearance will be provided by the presiding officer if such sessions are scheduled.

III. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including a request for hearing and petition for leave to intervene (petition), any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities that request to participate under 10 CFR 2.315(c), must be filed in accordance with the NRC’s E-Filing rule (72 FR 49139; August 28, 2007, as amended at 77 FR 46562; August 3, 2012). The E-Filing process requires participants to submit and serve all adjudicatory documents over the Internet, or in some cases to mail copies on electronic storage media. Detailed guidance on making electronic submissions may be found in the Guidance for Electronic Submissions to the NRC and on the NRC website at https://www.nrc.gov/site-help/e-submittals.html. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant (or its counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed so that they can obtain access to the documents via the E-Filing system. A person filing electronically using the NRC’s adjudicatory E-Filing system may seek assistance by contacting the NRC’s Electronic Filing Help Desk through the “Contact Us” link located in the NRC’s public website at https://www.nrc.gov/site-help/e-submittals.html or by toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., Eastern Time, Monday through Friday, excluding government holidays. Participants who believe that they have a good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, 11555 Rockville Pike, Rockville, Maryland 20852, Attention: Rulemaking and Adjudications Staff.

IV. Availability of Documents

The following table identifies the documents cited in this document and related to the issuance of the amendments. These documents are available for public inspection online through ADAMS at https://www.nrc.gov/reading-rm/adams.html.
### Office of Personnel Management

**Submission for Review: 3206–0237, Information and Instructions on Your Reconsideration Rights, RI 38–47**

**Agency:** Office of Personnel Management.

**Action:** 30-Day notice and request for comments.

**Summary:** The Retirement Services, Office of Personnel Management (OPM) offers the general public and other Federal agencies the opportunity to comment on a revised information collection request RI 38–47, Information and Instructions on Your Reconsideration Rights.

**Dates:** Comments are encouraged and will be accepted until October 9, 2020.

**Addresses:** Interested persons are invited to submit written comments on the proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Office of Personnel Management or sent via electronic mail to: oira_submission@omb.eop.gov or faxed to (202) 395–6974.

**For Further Information Contact:** A copy of this information collection, with applicable supporting documentation, may be obtained by contacting the Retirement Services Publications Team, Office of Personnel Management, 1900 E Street NW, Room 3316–L, Washington, DC 20415, Attention: Cyrus S. Benson, or sent via electronic mail to Cyrus.Benson@opm.gov or faxed to (202) 606–0910 or via telephone at (202) 606–4808.

**Supplementary Information:** As required by the Paperwork Reduction Act of 1995 OPM is soliciting comments for this collection. The information collection (OMB No. 3206–0237) was previously published in the Federal Register on March 23, 2020 at 85 FR 16393, allowing for a 60-day public comment period. The following comment was received: “(a) we recommend that OPM add a bullet stating that reconsideration of denied FEDVIP claims should be sent to the address shown in the brochure of the annuitant’s plan and (b) we recommend that OPM include a telephone number for annuitants to call if they have questions about filing for reconsideration”. Our response is as follows: “The rules for the Federal Employees Dental and Vision Insurance Program (FEDVIP) and the Federal Employees Health Benefits Program (FEHBP) are different. Therefore, the RI 38–47 does not apply to the FEDVIP and the recommended comment will not be added to the form. In addition, a person who has questions about filing for reconsideration should contact the sender on the initial denial letter.” The purpose of this notice is to allow an additional 30 days for public comments. The Office of Management and Budget is particularly interested in comments that:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

**RI 38–47** outlines the procedures required to request reconsideration of an initial OPM decision about Civil Service or Federal Employees retirement, Federal or Retired Federal Employees Health Benefits requests to enroll or change enrollment or Federal or Retired Federal Employees’ Group Life Insurance coverage. This form lists the procedures and time periods required for requesting reconsideration.

**Analysis**

**Agency:** Retirement Operations, Retirement Services, Office of Personnel Management.

**Title:** Information and Instructions on Your Reconsideration Rights.

**OMB Number:** 3206–0237.

**Frequency:** On occasion.

**Affected Public:** Individual or Households.

**Number of Respondents:** 3,100.