

For the Nuclear Regulatory Commission.
David C. Cullison,
*NRC Clearance Officer, Office of the Chief
 Information Officer.*

[FR Doc. 2020-20043 Filed 9-10-20; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2020-0196]

Intent and Scope of the Physical Protection Upgrade Rule Requirements for Fixed Sites

AGENCY: Nuclear Regulatory
 Commission.

ACTION: Regulatory guide; withdrawal.

SUMMARY: The U.S. Nuclear Regulatory
 Commission (NRC) is withdrawing
 Regulatory Guide (RG) 5.61, “Intent and
 Scope of the Physical Protection
 Upgrade Rule Requirements for Fixed
 Sites.” This document is being
 withdrawn because the information in
 RG 5.61 is no longer needed. The
 reasons for the withdrawal are described
 in more detail under the “Background”
 Section of this document.

DATES: The withdrawal of RG 5.61 takes
 effect on September 11, 2020.

ADDRESSES: Please refer to Docket ID
 NRC-2020-0196 when contacting the
 NRC about the availability of
 information regarding this document.
 You may obtain publicly-available
 information related to this document
 using any of the following methods:

- *Federal Rulemaking Website:* Go to
<https://www.regulations.gov> and search for
 Docket ID NRC-2020-0196. Address
 questions about NRC docket IDs in
[regulations.gov](https://www.regulations.gov) to Jennifer Borges;
 telephone: 301-287-9127; email:
Jennifer.Borges@nrc.gov. For technical
 questions, contact the individuals listed
 in the **FOR FURTHER INFORMATION**
CONTACT section of this document.

- *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](https://www.nrc.gov/reading-rm/adams.html). To begin the search, select
 “Begin Web-based ADAMS Search.” For
 problems with ADAMS, please contact
 the NRC’s Public Document Room
 reference staff at 1-800-397-4209, 301-
 415-4737, or by email to [pdr.resource@
 nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number
 for each document referenced (if it
 available in ADAMS) is provided the
 first time that a document is referenced.
 The basis for withdrawal of RG 5.61 is
 available in ADAMS under Accession
 No. ML20225A307.

FOR FURTHER INFORMATION CONTACT: Tim
 Harris, Office of Nuclear Security
 Incident Response, telephone: 301-287-
 3594, email: Tim.Harris@nrc.gov and
 Mekonen Bayssie, Office of Nuclear
 Regulatory Research, telephone: 301-
 415-1669, email: [Mekonen.Bayssie@
 nrc.gov](mailto:Mekonen.Bayssie@nrc.gov). Both are staff of the U.S.
 Nuclear Regulatory Commission,
 Washington, DC 20555-0001.

SUPPLEMENTARY INFORMATION:

I. Background

Regulatory Guide 5.61 was published
 in July 1980 to provide guidance to
 affected licensees in revising their
 physical protection plans in response to
 the requirements in part 73 of title 10 of
 the *Code of Federal Regulations* (10
 CFR), “Physical Protection of Plants and
 Materials” (November 28, 1979; 44 FR
 68184). The RG explains the link
 between the performance capabilities
 provided in 10 CFR 73.45 and the fixed
 site physical protection system
 requirements in 10 CFR 73.46. Future
 applicants and licensees may use other
 more relevant regulatory guidance
 documents to meet those regulatory
 requirements.

The NRC is withdrawing RG 5.61,
 “Intent and Scope of the Physical
 Protection Upgrade Rule Requirements
 for Fixed Sites,” because the guide is no
 longer needed for several reasons. First,
 the regulatory requirements in 10 CFR
 73.45 and 73.46 have not changed since
 1979 and are well understood by
 existing licensees. Second, no new
 licensees that would possess and use
 formula quantities of strategic special
 nuclear material are expected in the
 foreseeable future. Third, the RG is
 predominately explanatory of the
 rulemaking rather than guidance on
 how to comply with the applicable
 requirements. Lastly, other guidance on
 developing security plans to meet the
 physical protection requirements in 10
 CFR 73.46 are available. The basis for
 withdrawal of RG 5.61 is available in
 ADAMS under Accession No.
 ML20225A307.

II. General Consideration

The withdrawal of RG 5.61 does not
 alter any prior or existing NRC licensing
 approvals, or the acceptability of
 licensee commitments made regarding
 the withdrawn guidance. Although RG
 5.61 is withdrawn, current licensees
 referencing this RG may continue to do
 so, and withdrawal does not affect any
 existing licenses or agreements.
 However, by withdrawing RG 5.61, the
 NRC no longer approves use of the
 guidance in future requests or
 applications for NRC licensing actions.

Dated: September 1, 2020.

For the Nuclear Regulatory Commission.

Meraj Rahimi,

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

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-89774; File No. SR-
 PEARL-2020-12]

Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the MIAX PEARL Fee Schedule

September 4, 2020.

Pursuant to Section 19(b)(1) of the
 Securities Exchange Act of 1934
 (“Act”),¹ and Rule 19b-4 thereunder,²
 notice is hereby given that on August
 25, 2020, MIAX PEARL, LLC (“MIAX
 PEARL” or “Exchange”) filed with the
 Securities and Exchange Commission
 (“Commission”) a proposed rule change
 as described in Items I, II, and III below,
 which Items have been prepared by the
 Exchange. The Commission is
 publishing this notice to solicit
 comments on the proposed rule change
 from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing a proposal to
 amend the MIAX PEARL Fee Schedule
 (the “Fee Schedule”) to increase the
 number of additional Limited Service
 MIAX Express Order Interface (“MEO”) Ports
 available to Market Makers.³ The
 Exchange does not propose to amend
 the fees for additional Limited Service
 MEO Ports.

The text of the proposed rule change
 is available on the Exchange’s website at
[http://www.miaxoptions.com/rule-
 filings/pearl](http://www.miaxoptions.com/rule-filings/pearl) at MIAX PEARL’s principal
 office, and at the Commission’s Public
 Reference Room.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ The term “Market Maker” or “MM” means a
 Member registered with the Exchange for the
 purpose of making markets in options contracts
 traded on the Exchange and that is vested with the
 rights and responsibilities specified in Chapter VI
 of the Exchange’s Rules. See Exchange Rule 100.