

Register on August 26, 2020 (85 FR 52643) for a 30-day public comment period. The public comment period closed on September 25, 2020. Two public comment submissions were received by the end of the public comment period. These comment submissions expressed agreement with the DG-1351, Revision 1 and recommended final issuance of the RG.

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, Forward Fitting, and Issue Finality

RG 1.239 provides guidance on licensee actions to address nonconservative technical specifications. Issuance of RG 1.239 does not constitute backfitting as defined in 10 CFR 50.109, "Backfitting," and as described in NRC Management Directive (MD) 8.4, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests;" constitute forward fitting as that term is

defined and described in MD 8.4; or affect the issue finality of any approval issued under 10 CFR part 52, "Licenses, Certificates, and Approvals for Nuclear Power Plants." As explained in this RG, applicants and licensees are not required to comply with the positions set forth in this RG.

V. Availability of Documents

The documents identified in the following table are available to interested persons through ADAMS under the respective ADAMS Accession numbers identified in the table.

Document	ADAMS accession No.
RG 1.239, Licensee Actions to Address Nonconservative Technical Specifications.	ML20294A510
DG-1351, Dispositioning of Technical Specifications that are Insufficient to Ensure Plant Safety, July 2018.	ML18086A690
Regulatory Analysis, Draft Regulatory Guide, DG-1351.	ML18086A685
DG-1351, Revision 1, Licensee Actions to Address Nonconservative Technical Specifications, August 2020.	ML20142A489
NEI 15-03, Revision 2, Licensee Actions to Address Nonconservative Technical Specifications, September 2017.	ML17276A642
Summary of October 17, 2019, Meeting with NEI Regarding DG-1351.	ML19298B110
Draft NRC Staff Responses to Public Comments on DG-1351.	ML19267A108
NEI 15-03, Revision 3, Licensee Actions to Address Nonconservative Technical Specifications, March 2020.	ML20100G899
Comment (1) of Brian Mann on Licensee Actions to Address Nonconservative Technical Specifications.	(Package) ML20247J650
Comment (2) of Timothy Riti on behalf of Nuclear Energy Institute (NEI) on Licensee Actions to Address Nonconservative Technical Specifications.	ML20255A302
Management Directive 8.4, Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests.	ML18093B087

Dated: December 2, 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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facilities specified in the AEA, and such other duties as the Commission may request.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION: The AEA as amended by Public Law 100-456 also specifies that the Defense Nuclear Safety Board may obtain the advice and recommendations of the ACRS.

Membership on the Committee includes individuals experienced in reactor operations, management; probabilistic risk assessment; analysis of reactor accident phenomena; design of nuclear power plant structures, systems and components; materials science; and mechanical, civil, and electrical engineering.

The Nuclear Regulatory Commission has determined that renewal of the charter for the ACRS until December 2, 2022, is in the public interest in connection with the statutory responsibilities assigned to the ACRS. This action is being taken in accordance

with the Federal Advisory Committee Act.

Dated: December 2, 2020.

Russell E. Chazell,

Federal Advisory Committee Management Officer, Office of the Secretary.

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards Charter Renewal

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of renewal of the charter of the advisory committee on reactor safeguards.

SUMMARY: The Advisory Committee on Reactor Safeguards (ACRS) was established by the Atomic Energy Act (AEA) of 1954, as amended. Its purpose is to provide advice to the Commission with regard to the hazards of proposed or existing reactor facilities, to review each application for a construction permit or operating license for certain

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-289 and 50-320; NRC-2020-0217]

Exelon Generation Company, LLC; Three Mile Island Nuclear Station, Units 1 and 2

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) has issued exemptions in response to a request from Exelon Generation Company, LLC (Exelon, the licensee) regarding certain emergency planning (EP) requirements. The exemptions eliminate the