

no-action alternative, the NRC staff, in accordance with the requirements in 10 CFR part 51, preliminarily recommended the proposed action which would authorize UNC to transfer and dispose the waste from the NECR Mine on top of the UNC tailings impoundment. The comment period on the draft EIS closed on October 31, 2021 (86 FR 32285).

Four archaeological sites fall within the area of potential effect (APE) for direct effects: Sites LA 11617, NM-Q-20-69, NM-Q-20-70, and NM-Q-20-71. Each of the four sites within the direct APE includes Anasazi-period artifact scatters and/or habitation sites. A fifth site, NM-Q-20-72, includes historic and Anasazi-period pictographs and is located fully outside the proposed action's direct APE but within 10 m [33 ft] of the direct APE (*i.e.*, the indirect APE), warranting consideration of the proposed action's indirect effects on the setting of this cultural site. The NRC conducted a site visit with the NNTHPO on December 12, 2019 (ADAMS Accession No. ML21328A180). As part of its consultation pursuant to NHPA Section 106, NRC staff discussed the recommended eligibility, potential impacts, and recommendations for avoidance and mitigation measures for each of the five sites. The NMSHPO (ADAMS Accession No. ML20107F771 and ML21312A473); and NNTHPO have concurred with the NRC staff's eligibility recommendations (ADAMS Accession No. ML20167A115). Due to the presence of historic properties located within the direct and indirect APE, the NRC staff concluded that historic properties would be adversely affected by the proposed project.

The NRC met with US EPA, BIA, NNTHPO, the NMSHPO, and UNC to discuss how to address the adverse effects. The NRC proceeded with development of a PA to resolve adverse effects. Pursuant to this agreement, once this agreement is executed, the US EPA will become the lead agency for implementation of the PA.

The draft PA addresses the potential direct and indirect adverse effects from the movement of waste from the NECR Mine to the UNC Mill Site and ensures that appropriate mitigation measures are implemented. The final EIS will reflect the PA once finalized and therefore conclude NHPA Section 106 consultation.

III. Request for Public Comment

The NRC is requesting public comment on the draft PA. The NRC will consider these comments before finalizing the PA, which will be published as an appendix in the final

EIS. The draft PA is available in ADAMS under Accession No. ML21302A221.

Dated: December 1, 2021.

For the Nuclear Regulatory Commission.

Christine L. Pineda,

Acting Chief, Environmental Review Materials Branch, Division of Rulemaking, Environmental, and Financial Support, Office of Nuclear Material Safety, and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-277 and 50-278; NRC-2020-0110]

Issuance of Exemption in Response to COVID-19 Public Health Emergency

AGENCY: Nuclear Regulatory Commission.

ACTION: Exemption; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) issued one exemption in October 2021 in response to a request from one licensee for relief due to the coronavirus 2019 disease (COVID-19) public health emergency (PHE). The exemption affords the licensee temporary relief from certain requirements under NRC regulations. **DATES:** On October 13, 2021, the NRC granted one exemption in response to a request submitted by one licensee on September 17, 2021.

ADDRESSES: Please refer to Docket ID NRC-2020-0110 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-2020-0110. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual 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>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to

PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the "Availability of Documents" section.

- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays

FOR FURTHER INFORMATION CONTACT: James Danna, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7422, email: James.Danna@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

On October 13, 2021, the NRC granted one exemption in response to a request submitted by one licensee dated September 17, 2021. The exemption temporarily allows the licensee to deviate from certain requirements of chapter I of title 10 of the *Code of Federal Regulations* (10 CFR), part 26, "Fitness for Duty Programs," section 26.205, "Work hours."

The exemption from certain requirements of 10 CFR part 26 for Exelon Generation Company, LLC (for Peach Bottom Atomic Power Station, Units 2 and 3), affords this licensee temporary relief from the work-hour control requirements under 10 CFR 26.205(d)(1) through (d)(7). The exemption from 10 CFR 26.205(d)(1) through (d)(7) ensures that the control of work hours and management of worker fatigue does not unduly limit licensee flexibility in using personnel resources to most effectively manage the impacts of the COVID-19 PHE on maintaining the safe operation of this facility. Specifically, this licensee has stated that its staffing levels are affected or are expected to be affected by the COVID-19 PHE, and it can no longer meet or likely will not meet the work-hour controls of 10 CFR 26.205(d)(1) through (d)(7). This licensee has committed to effecting site-specific administrative controls for COVID-19 PHE fatigue-management for personnel specified in 10 CFR 26.4(a).

The table in this notice provides transparency regarding the number and type of exemptions the NRC has issued. Additionally, the NRC publishes tables of approved regulatory actions related to

the COVID-19 PHE on its public website at <https://www.nrc.gov/about-nrc/covid-19/reactors/licensing-actions.html>.

II. Availability of Documents

The table in this notice provides the facility name, docket number, document description, and ADAMS accession number for the exemption issued. Additional details on the exemption

issued, including the exemption request submitted by the licensee and the NRC's decision, are provided in the exemption approval listed in the following table. For additional directions on accessing information in ADAMS, see the **ADDRESSES** section of this document.

PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3 DOCKET NOS. 50-277 AND 50-278

Document description	ADAMS accession No.
Peach Bottom Atomic Power Station, Units 2 and 3—COVID-19 Related Request for Exemption from 10 CFR part 26 Work Hours Requirements, dated September 17, 2021.	ML21260A162
Peach Bottom Atomic Power Station, Units 2 and 3—Exemption from Specific Requirements of 10 CFR part 26 (EPID L-2021-LLE-0041 [COVID-19]), dated October 13, 2021.	ML21265A438

Dated: November 30, 2021.

For the Nuclear Regulatory Commission.

James G. Danna,

Chief, Plant Licensing Branch I, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

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PENSION BENEFIT GUARANTY CORPORATION

Submission of Information Collection for OMB Review; Comment Request; Special Financial Assistance Information

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of request for extension of OMB approval of information collection.

SUMMARY: The Pension Benefit Guaranty Corporation (PBGC) is requesting that the Office of Management and Budget (OMB) extend approval, without change, under the Paperwork Reduction Act, of a collection of information contained in PBGC's regulation on special financial assistance. This notice informs the public of PBGC's request and solicits public comment on the collection of information.

DATES: Comments must be submitted by January 5, 2022.

ADDRESSES: Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

A copy of the request will be posted on PBGC's website at [https://www.pbgc.gov/prac/laws-and-](https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment)

[regulation/federal-register-notices-open-for-comment](https://www.pbgc.gov/prac/laws-and-regulation/federal-register-notices-open-for-comment). It may also be obtained without charge by writing to the Disclosure Division of the Office of the General Counsel of PBGC, 1200 K Street NW, Washington, DC 20005-4026; or, calling 202-229-4040 during normal business hours (TTY users may call the Federal Relay Service toll-free at 800-877-8339 and ask to be connected to 202-229-4040).

FOR FURTHER INFORMATION CONTACT:

Melissa Rifkin (rifkin.melissa@pbgc.gov), Attorney, Regulatory Affairs Division, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW, Washington, D.C., 20005-4026; 202-229-6563. (TTY and TDD users may call the Federal relay service toll-free at 800-877-8339 and ask to be connected to 202-229-6563.)

SUPPLEMENTARY INFORMATION: Section 4262 of the Employee Retirement Income Security Act of 1974 (ERISA) requires PBGC to provide special financial assistance (SFA) to certain financially troubled multiemployer plans upon application for assistance. To implement section 4262 of ERISA, PBGC added part 4262 to its regulations, "Special Financial Assistance by PBGC." Part 4262 provides guidance to multiemployer pension plan sponsors on eligibility, determining the amount of SFA, content of an application for SFA, the process of applying, PBGC's review of applications, restrictions and conditions, and reporting and notice requirements.

To apply for SFA, a plan sponsor must file an application with PBGC and include information about the plan, plan documentation, and actuarial information, as specified in §§ 4262.6 through 4262.9. PBGC needs this information to review a plan's eligibility for SFA, priority group status (if applicable), and amount of requested SFA. PBGC estimates that an annual average of 60 plan sponsors will file

applications for SFA with an average annual hour burden of 600 hours and an average annual cost burden of \$1,800,000.

Under § 4262.16(i), a plan sponsor of a plan that has received SFA must file an Annual Statement of Compliance with the restrictions and conditions under section 4262 of ERISA and part 4262 once every year through 2051. PBGC needs the information in the Annual Statement of Compliance to ensure that a plan is compliant with the imposed restrictions and conditions. PBGC estimates that an annual average of 49 plan sponsors will file Annual Statements of Compliance with an average annual hour burden of 98 hours and an average annual cost burden of \$117,600.

Under § 4262.15(c), a plan sponsor of a plan with benefits that were suspended under sections 305(e)(9) or 4245(a) of ERISA must issue notices of reinstatement to participants and beneficiaries whose benefits were suspended and are being reinstated. Participants and beneficiaries need the notice of reinstatement to better understand the calculation and timing of their reinstated benefits and, if applicable, make-up payments. PBGC estimates that an average of 11 plans per year will be required to send notices to participants with suspended benefits. PBGC estimates that these notices will impose an average annual hour burden of 22 hours and average annual cost burden of \$22,667.

Finally, under § 4262.16(d), (f), and (h) a plan sponsor must file a request for a determination from PBGC for approval for an exception under certain circumstances for SFA conditions under § 4262.16 relating to reductions in contributions, transfers or mergers, and settlement of withdrawal liability. PBGC needs the information required for a request for determination to determine whether to approve an exception from