

of the SNM from the site obviates the need for communications between the alarm stations and the MCR or LLEAs and the testing of such communications systems. Therefore, the requested exemptions are granted.

The licensee has requested an exemption from the safeguards contingency plan requirement in 10 CFR 73.55(c)(5). With the SNM removed from the TMI Unit 2 site, the protection of the SNM is no longer required of Unit 2. Because there is no SNM to protect, there is no need for the physical protection requirements of 10 CFR 73.55(c)(5) which requires a safeguards contingency plan. Therefore the exemption is granted.

Therefore, the continued application of the previously discussed 10 CFR Part 73 requirements to TMI Unit 2, are not necessary to achieve the underlying purpose of the rule. Additionally, with the removal of the spent nuclear fuel from the site, the radioactive materials remaining on the 10 CFR Part 50 licensed site would be comparable to a source and byproduct licensee that uses general industrial security (i.e., locks and barriers) to protect the public health and safety. As stated in the regulations, Part 73, “\* \* \* prescribes requirements for the establishment and maintenance of a physical protection system which will have capabilities for the protection of special nuclear material at fixed sites and in transit and of plants in which special nuclear material is used.” The possession and responsibility for the security of the SNM was transferred to INEEL and is no longer the responsibility of the licensee. Therefore, protection of the SNM is no longer a requirement of the licensee’s 10 CFR Part 50 license.

With no SNM to protect, there is no need for a cyber security plan, target sets, bullet resisting physical barriers at the MCR, vital area requirements for the MCR or SFP, waterway security, continuous communications with the MCR or LLEA, or a safeguards contingency plan for the TMI Unit 2, 10 CFR Part 50 licensed site.

#### 4.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, an exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest because the security requirements for the spent fuel containing SNM are no longer the responsibility of the licensee. Therefore, the Commission hereby grants GPU Nuclear, Inc., an exemption from the physical protection requirements of 10 CFR 73.55 (b)(4), (f)(1), (f)(3), (f)(4),

(e)(5), (e)(9)(v)(A), (e)(9)(v)(B), (e)(10)(ii)(A), (j)(4)(ii), (n)(5), and (c)(5) at TMI Unit 2.

This licensing action meets the categorical exclusion provision in 10 CFR 51.22(c)(25)(vi)(F). This action is an exemption from the requirements of the Commission’s regulations. For the reasons detailed above in the staff’s analysis of the request, (i) the exemption involves no significant hazards consideration; (ii) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) there is no significant increase in individual or cumulative occupational radiation exposure; (iv) there is no significant construction impact; (v) there is no significant increase in the potential for or consequences from radiological accidents. The requirements from which an exemption is sought involve safeguard plans and is one of the categories of exemptions identified in 10 CFR 51.22(c)(25)(vi)(F) as appropriate for application of this categorical exclusion.

Therefore, this action does not require either an environmental assessment or an environmental impact statement.

These exemptions are effective immediately.

Dated at Rockville, Maryland, this 2nd day of April 2013.

For The Nuclear Regulatory Commission.  
**Larry W. Camper,**  
*Director, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2013–08704 Filed 4–12–13; 8:45 am]

**BILLING CODE 7590–01–P**

## NUCLEAR REGULATORY COMMISSION

[NRC–2012–0066]

### Guidance on the Treatment of Uncertainties Associated With PRA in Risk-Informed Decisionmaking

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Announcement of issuance for public comment, availability.

**SUMMARY:** The Nuclear Regulatory Commission has issued for public comment a document entitled: NUREG–1855, Revision 1, “Guidance on the Treatment of Uncertainties Associated with PRA in Risk-Informed Decisionmaking,” Draft Report for Comment.

**DATES:** Please submit comments by May 27, 2013. Comments received after this

date will be considered if it is practical to do so, but the NRC staff is able to ensure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2012–0066. Address questions about NRC dockets to Carol Gallagher; telephone: 301–492–3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

### Accessing Information and Submitting Comments

#### A. Accessing Information

Please refer to Docket ID NRC–2012–0066 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2012–0066.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then 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](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

#### B. Submitting Comments

Please include Docket ID NRC–2012–0066 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly

disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

*Federal Rulemaking Web site:* Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2012-0066.

#### FOR FURTHER INFORMATION CONTACT:

Mary Drouin, Division of Risk Analysis, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone: 301-251-7574, email: [mary.drouin@nrc.gov](mailto:mary.drouin@nrc.gov).

**SUPPLEMENTARY INFORMATION:** NUREG-1855, Revision 1, Guidance on the Treatment of Uncertainties Associated with PRA in Risk-Informed Decisionmaking, Draft Report for Comment provides guidance on how to treat uncertainties associated with probabilistic risk assessment (PRA) in risk-informed decisionmaking. The objectives of this guidance include fostering an understanding of the uncertainties associated with PRA and their impact on the results of PRA and providing a pragmatic approach to addressing these uncertainties in the context of the decisionmaking. This revision incorporates a revised structure for better ease of use and updates the staff position on the treatment of uncertainties.

Dated at Rockville, Maryland, this 4th day of April, 2013.

For the Nuclear Regulatory Commission.

**Gary M. DeMoss,**

*Chief, Performance and Reliability Branch  
Division of Risk Analysis, Office of Nuclear  
Regulatory Research.*

[FR Doc. 2013-08693 Filed 4-12-13; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-69356; File No. SR-ICC-2013-05]

### Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment No. 1, Related to Regulatory Reporting of Swap Data

April 9, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act"),<sup>1</sup> and Rule 19b-4,<sup>2</sup> notice is hereby given that on March 25, 2013, ICE Clear Credit LLC ("ICC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change, as modified by Amendment No. 1,<sup>3</sup> and as described in Items I and II below, which Items have been substantially prepared by the clearing agency. The Commission is publishing this notice and order to solicit comments on the proposed rule change from interested persons and to approve the proposed rule change on an accelerated basis.

#### I. Clearing Agency's Statement of the Terms of Substance of the Proposed Rule Change

ICC proposes to add, in Chapter 2 of the ICC Rules, Rule 211 (Regulatory Reporting of Swap Data). ICC proposes to add Rule 211 in order to implement swap data repository ("SDR") reporting ("SDR Reporting") consistent with the Commodity Futures Trading Commission ("CFTC") Regulations relating to the regulatory reporting of swap data, specifically Part 45 of CFTC Regulations ("Part 45").<sup>4</sup> ICC currently complies with the CFTC's Regulations relating to the regulatory reporting of swap data by reporting to IntercontinentalExchange, Inc.'s SDR, selected by ICC. In order to codify ICC's practice of reporting relevant Part 45 data to the SDR selected by ICC, which is intended to meet ICC's and its Clearing Participants' swap data reporting obligations under Part 45, ICC proposes to add, in Chapter 2 of the ICC Rules, Rule 211 (Regulatory Reporting of Swap Data).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> ICC filed Amendment No. 1 to ICC-2013-05 on April 8, 2013. In Amendment No. 1, ICC amended Form 19b-4 and Exhibit 1 to include references to Commodity Futures Trading Commission Regulation 45.3.

<sup>4</sup> 17 CFR 45.

#### II. Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the clearing agency included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item III below. The clearing agency has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.<sup>5</sup>

##### (A) Clearing Agency's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

ICC proposes to add, in Chapter 2 of the ICC Rules, Rule 211 in order to implement SDR Reporting consistent with CFTC Regulations 45.3,<sup>6</sup> 45.4(b),<sup>7</sup> and 45.9.<sup>8</sup> Proposed ICC Rule 211 states that for the purposes of complying with applicable CFTC rules governing the regulatory reporting of swaps, ICC will report all creation and continuation data to IntercontinentalExchange, Inc.'s SDR. In addition, proposed ICC Rule 211 provides that, upon the request of an ICC Clearing Participant that is a counterparty to a swap cleared at ICC, ICC shall provide the same creation and continuation data to the SDR selected by the Clearing Participant.

Proposed Rule 211 is consistent with the CFTC's Regulation 45.3<sup>9</sup> and 45.4(b),<sup>10</sup> which requires that creation and continuation data must be reported by both the derivatives clearing organization and the reporting counterparty. ICC currently complies with the CFTC's Regulation 45.3<sup>11</sup> and 45.4(b)<sup>12</sup> by reporting swap data to IntercontinentalExchange, Inc.'s SDR selected by ICC. In order to codify ICC's practice of reporting relevant Part 45 data to the SDR selected by ICC, ICC proposes to add, in Chapter 2 of the ICC Rules, Rule 211 (Regulatory Reporting of Swap Data).

The addition of ICC Rule 211 also is in response to swap dealers' mandatory compliance with CFTC Regulation 45.3<sup>13</sup> and 45.4,<sup>14</sup> which was required by February 28, 2013. ICC believes that proposed ICC Rule 211 is also consistent

<sup>5</sup> The Commission has modified the text of the summaries prepared by the clearing agency.

<sup>6</sup> 17 CFR 45.3.

<sup>7</sup> 17 CFR 45.4(b).

<sup>8</sup> 17 CFR 45.9.

<sup>9</sup> 17 CFR 45.3.

<sup>10</sup> 17 CFR 45.4(b).

<sup>11</sup> 17 CFR 45.3.

<sup>12</sup> 17 CFR 45.4(b).

<sup>13</sup> 17 CFR 45.3.

<sup>14</sup> 17 CFR 45.4.