

criteria for avoiding issue finality as described in the applicable issue finality provision.

3. *Backfitting and issue finality do not—with limited exceptions not applicable here—protect current or future applicants.*

Applicants and potential applicants are not, with certain exceptions, protected by either the Backfit Rule or any issue finality provisions under 10 CFR part 52. Neither the Backfit Rule nor the issue finality provisions under 10 CFR part 52—with certain exclusions—were intended to apply to every NRC action that substantially changes the expectations of current and future applicants.

The exceptions to the general principle are applicable whenever an applicant references a 10 CFR part 52 license (e.g., an early site permit) or NRC regulatory approval (e.g., a design certification rule) with specified issue finality provisions. The NRC staff does not, at this time, intend to impose the positions represented in the SRP in a manner that is inconsistent with any issue finality provisions. If, in the future, the staff seeks to impose a position in the SRP section in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must address the criteria for avoiding issue finality as described in the applicable issue finality provision.

### III. Congressional Review Act

This action is not a rule as defined in the Congressional Review Act (5 U.S.C. 801–808).

Dated at Rockville, Maryland, this 8th day of August, 2018.

For the Nuclear Regulatory Commission.

**Jennivine K. Rankin,**

*Acting Chief, Division of Licensing, Siting, and Environmental Analysis, Licensing Branch 3, Office of New Reactors.*

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**BILLING CODE 7590–01–P**

## NUCLEAR REGULATORY COMMISSION

### Meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on NuScale

The ACRS Subcommittee on NuScale will hold a meeting on August 23, 2018, at 11545 Rockville Pike, Room T–2B1, Rockville, Maryland 20852.

The meeting will be open to public attendance. The agenda for the subject meeting shall be as follows:

### Thursday, August 23, 2018—8:30 a.m. Until 5:00 p.m.

The Subcommittee will review the NuScale Design Control Document and the NRC staff Safety Evaluation with Open Items, Chapter 7, “Digital Instrumentation and Control.” The Subcommittee will hear presentations by and hold discussions with the NRC staff, NuScale, and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Christina Antonescu (Telephone 301–415–6792 or Email: [Christina.Antonescu@nrc.gov](mailto:Christina.Antonescu@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. The public bridgeline number for the meeting is 866–822–3032, passcode 8272423. Detailed procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 4, 2017 (82 FR 46312).

Detailed meeting agendas and meeting transcripts are available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/acrs>. Information regarding topics to be discussed, changes to the agenda, whether the meeting has been canceled or rescheduled, and the time allotted to present oral statements can be obtained from the website cited above or by contacting the identified DFO. Moreover, in view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with these references if such rescheduling would result in a major inconvenience.

If attending this meeting, please enter through the One White Flint North building, 11555 Rockville Pike,

Rockville, Maryland 20852. After registering with Security, please contact Mr. Theron Brown (Telephone 301–415–6702) to be escorted to the meeting room.

Dated: August 8, 2018.

**Mark L. Banks**

*Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.*

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## NUCLEAR REGULATORY COMMISSION

### Meeting of the Advisory Committee on Reactor Safeguards (ACRS) Subcommittee on Future Plant Designs

The ACRS Subcommittee on Future Plant Designs will hold a meeting on August 22, 2018 at 11545 Rockville Pike, Room T–2B1, Rockville, Maryland 20852.

The entire meeting will be open to public attendance. The agenda for the subject meeting shall be as follows:

### Wednesday, August 22, 2018—8:30 a.m. Until 12:00 p.m.

The Subcommittee will review the draft Proposed Rule: Emergency Preparedness for Small Modular Reactors and Other New Technologies. This will be a joint subcommittee meeting with the Regulatory Policies and Practices Subcommittee. The Subcommittee will hear presentations by and hold discussions with NRC staff, industry representatives, and other interested persons regarding this matter. The Subcommittee will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the Full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official (DFO), Derek Widmayer (Telephone 301–221–1448 or Email [Derek.Widmayer@nrc.gov](mailto:Derek.Widmayer@nrc.gov)) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Thirty-five hard copies of each presentation or handout should be provided to the DFO thirty minutes before the meeting. In addition, one electronic copy of each presentation should be emailed to the DFO one day before the meeting. If an electronic copy cannot be provided within this timeframe, presenters should provide the DFO with a CD containing each presentation at least thirty minutes before the meeting. Electronic recordings will be permitted only during those portions of the meeting