

SGI because the authorizing law and regulations for SGI provide specific handling controls.

**IV. Availability of Documents**

The documents identified in the following table are available to

interested persons through one or more of the following methods, as indicated.

Document	ADAMS accession No./Federal Register citation
Draft Template for Protective Orders Governing the Disclosure and Use of Sensitive Unclassified Non-Safeguards Information (SUNSI) in Hearings Related to Conformance with Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC).	ML18239A329.
Draft Template for Protective Orders Governing the Disclosure and Use of Safeguards Information (SGI) in Hearings Related to Conformance with Inspections, Tests, Analyses, and Acceptance Criteria (ITAAC).	ML18239A322.
Final Procedures for Conducting Hearings on Conformance With the Acceptance Criteria in Combined Licenses, dated July 1, 2016.	81 FR 43266.
SECY-15-0010, Final Procedures for Hearings on Conformance With the Acceptance Criteria in Combined Licenses, dated January 20, 2015.	ML14343A747.
Final Rule: Controlled Unclassified Information, dated September 14, 2016 .....	81 FR 63324.
NRC Regulatory Issue Summary 2005-26, Control of Sensitive Unclassified Non-Safeguards Information Related to Nuclear Power Reactors, dated November 7, 2005.	ML051430228.

The NRC may post materials related to this document, including public comments, on the Federal rulemaking website at <http://www.regulations.gov> under Docket ID NRC-2018-0190. The Federal Rulemaking website allows you to receive alerts when changes or additions occur in a docket folder. To subscribe: (1) Navigate to the docket folder (NRC-2018-0190); (2) click the "Sign up for Email Alerts" link; and (3) enter your email address and select how frequently you would like to receive emails (daily, weekly, or monthly).

Dated at Rockville, Maryland, this 28th day of August 2018.

For the Nuclear Regulatory Commission.  
**Susan H. Vrahoretis,**

*Assistant General Counsel for New Reactor Programs, Office of the General Counsel.*

[FR Doc. 2018-19023 Filed 8-31-18; 8:45 am]

**BILLING CODE 7590-01-P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50-440; NRC-2018-0187]

**FirstEnergy Nuclear Operating Company; FirstEnergy Nuclear Generation Company, LLC; Perry Nuclear Power Plant, Unit No. 1**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant impact; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is making a finding of no significant impact (FONSI) for a proposed issuance of an exemption to FirstEnergy Nuclear Operating Company (FENOC, the licensee), for Perry Nuclear Power Plant (PNPP), Unit No. 1, located in Lake County, Ohio. The proposed

action would grant the licensee a partial exemption from the "Physical barrier" requirements in the NRC's regulations, to allow FENOC to continue using vertical, rather than angled, barbed wire fence toppings in certain limited protected area sections on-site. The NRC is considering an exemption to facility operating license no. NPF-58, issued on November 13, 1986, and held by FENOC, and FirstEnergy Nuclear Generation Company, LLC for the operation of PNPP, Unit No. 1.

**DATES:** The environmental assessment referenced in this document is available on September 4, 2018.

**ADDRESSES:** Please refer to Docket ID NRC-2018-0187 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 <http://www.regulations.gov> and search for Docket ID NRC-2018-0187. Address questions about NRC dockets to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@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 <http://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](mailto:pdr.resource@nrc.gov). For the convenience of the reader, the ADAMS accession numbers

are provided in a table in the "Availability of Documents" section of this document.

- *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.

**FOR FURTHER INFORMATION CONTACT:** Bhalchandra K. Vaidya, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3308; email: [Bhalchandra.Vaidya@nrc.gov](mailto:Bhalchandra.Vaidya@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Introduction**

The NRC is considering issuance of a partial exemption, pursuant to section 73.5 of title 10 of the *Code of Federal Regulations* (10 CFR), "Specific exemptions," from the "Physical barrier" requirement of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) "fences," as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper, to FENOC and FirstEnergy Nuclear Generation Company, LLC (collectively, the licensee), for PNPP, Unit No. 1, located in Lake County, Ohio.

In accordance with 10 CFR 51.21, the NRC has prepared an environmental assessment (EA) that analyzes the environmental effects of the proposed action. Based on the results of the EA and in accordance with 10 CFR 51.31(a), the NRC has prepared a FONSI for the proposed exemption.

**II. Environmental Assessment**

*Description of the Proposed Action*

The proposed action would grant the licensee a partial exemption from the

“physical barrier” requirement of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) “fences,” as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper. As stated in 10 CFR 73.2, fences must be constructed of No. 11 American wire gauge, or heavier wire fabric, topped by three strands or more of barbed wire or similar material on brackets angled inward or outward between 30 and 45 degrees from the vertical, with an overall height of not less than eight feet, including the barbed topping. If approved, the partial exemption would allow the licensee to continue to use, without modification, the current configuration of vertical barbed wire fence toppings in limited protected area sections on-site, as specified on the maps submitted by the licensee in its letter dated March 16, 2018, to meet the regulatory requirements of 10 CFR part 73, “Physical protection of plants and materials.” Specifically, barbed wire on top of physical barrier fencing on gates, near gates, near interfaces with buildings, and on corners is oriented vertically.

The proposed action is in accordance with the licensee’s application dated July 19, 2017, as supplemented by letters dated March 16, 2018; and May 2, 2018.

#### *Need for the Proposed Action*

Physical protection consists of a variety of measures to protect nuclear facilities and material against sabotage, theft, diversion, and other malicious acts. The NRC and its licensees use a graded approach for physical protection, consistent with the significance of the facilities or material to be protected. In so doing, the NRC establishes the regulatory requirements and assesses compliance, and licensees are responsible for providing the protection.

The proposed action is needed to allow the licensee to continue to use, without modification, the current configuration of vertical barbed wire fence toppings in certain limited protected area sections on-site, as shown on the maps submitted by the licensee in its March 16, 2018, letter. Currently, some of the barbed wire bracketing on top of the protected area physical barrier fencing do not meet certain design criteria specified in 10 CFR 73.2. Specifically, barbed wire on top of physical barrier fencing on gates, near gates, near interfaces with buildings, and on corners is oriented vertically.

Separate from this EA, the NRC staff is evaluating the licensee’s proposed action, which will be documented in a safety evaluation report. The staff’s review will determine whether there is reasonable assurance that the site maintains adequate protection from the current physical barriers in accordance with the requirements in 10 CFR part 73.

#### *Environmental Impacts of the Proposed Action*

The NRC has completed its environmental evaluation of the proposed action. The proposed action would grant the licensee a partial exemption from the “physical barrier” requirement of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) “fences,” as it applies to the angular specification for brackets used to support the required barbed wire (or similar material) topper. This will allow the licensee to continue using vertical, rather than angled, barbed wire fence toppings in certain limited protected area sections on site.

The proposed action would have no direct impacts on land use or water resources, including terrestrial and aquatic biota as the proposed action involves no new construction or modification of plant operational systems. There would be no changes to the quality or quantity of non-radiological effluents. No changes to the plant’s National Pollutant Discharge Elimination System permit are needed. In addition, there would be no noticeable effect on air pollutant emissions, socio-economic conditions in the region, no environment justice impacts, and no impacts to historic and cultural resources. Therefore, there would be no significant non-radiological impacts associated with the proposed action.

The NRC has concluded that the proposed action would not significantly affect plant safety and would not have a significant adverse effect on the probability of an accident occurring. There would be no change to radioactive effluents that affect radiation exposures to plant workers and members of the public. No changes would be made to plant buildings or the site property. Therefore, implementing the proposed action would not result in a change to the radiation exposures to the public or radiation exposure to plant workers.

#### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the NRC considered denial of the

proposed action (*i.e.*, the “no-action” alternative). Denial of the exemption request would result in the licensee having to replace the vertical barbed wire fence toppings with angled barbed wire that meets the definition of “Physical barrier” in 10 CFR 73.2. This could result in temporary, minor changes in vehicular traffic and associated air pollutant emissions due to any construction-related impacts of performing the necessary modifications, but no significant changes in ambient air quality would be expected.

#### *Alternative Use of Resources*

There are no unresolved conflicts concerning alternative uses of available resources under the proposed action.

#### *Agencies and Persons Consulted*

The NRC staff did not enter into consultation with any other Federal agency or with the State of Ohio regarding the environmental impact of the proposed action.

### **III. Finding of No Significant Impact**

The licensee has requested an exemption from the “physical barrier” requirement of 10 CFR 73.2, specifically with respect to the design criteria specified in 10 CFR 73.2(1) “fences,” to allow the licensee to continue using vertical, rather than angled, barbed wire fence toppings in limited protected area sections on site. The NRC is considering issuing the requested exemption. The proposed action would not significantly affect plant safety, would not have a significant adverse effect on the probability of an accident occurring, and would not have any significant radiological and non-radiological impacts. This FONSI incorporates by reference the EA in Section II of this notice. Therefore, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

The related environmental document is NUREG-0884, “Final Environmental Statement Related to the Operation of Perry Nuclear Power Plant, Units 1 and 2,” which provides the latest description of environmental conditions at Perry Nuclear Power Plant, Unit No. 1.

### **IV. Availability of Documents**

The documents identified in the following table are available to interested persons through one or more of the following methods, as indicated.

Document	ADAMS accession No.
FirstEnergy Nuclear Operating Company; Exemption Request for a Physical Barrier Requirement; Dated July 19, 2017.	ML17200D139.
FirstEnergy Nuclear Operating Company; Response to Request For Additional Information Regarding Exemption Request for a Physical Barrier Requirement; Dated March 16, 2018.	ML18078A033.
FirstEnergy Nuclear Operating Company; Response to Request For Additional Information Regarding Exemption Request for a Physical Barrier Requirement; Dated May 2, 2018.	ML18122A133.
NUREG-0884; Final Environmental Statement Related to the Operation of Perry Nuclear Power Plant, Units 1 and 2; Dated August 1982.	ML15134A060.

Dated at Rockville, Maryland, this 29th day of August 2018.

For the Nuclear Regulatory Commission.

**Bhalchandra K. Vaidya,**

*Project Manager, Plant Licensing Branch III,  
Division of Operating Reactor Licensing,  
Office of Nuclear Reactor Regulation.*

[FR Doc. 2018-19122 Filed 8-31-18; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-83975; File No. SR-MIAX-2018-14]

### Self-Regulatory Organizations; Miami International Securities Exchange LLC; Notice of Designation of Longer Period for Commission Action on Proposed Rule Change To List and Trade Options on the SPIKES™ Index

August 28, 2018.

On June 28, 2018, Miami International Securities Exchange, LLC (“MIAX Options” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to permit the listing and trading of options on the SPIKES™ Index, which measures expected 30-day volatility of the SPDR S&P 500 ETF Trust. The proposed rule change was published for comment in the **Federal Register** on July 16, 2018.<sup>3</sup> The Commission has received no comments on the proposal.

Section 19(b)(2) of the Act<sup>4</sup> provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the

proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is August 30, 2018.

The Commission is extending the 45-day time period for Commission action on the proposed rule change. The Commission finds that it is appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change.

Accordingly, pursuant to Section 19(b)(2) of the Act<sup>5</sup> and for the reasons stated above, the Commission designates October 14, 2018, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-MIAX-2018-14).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>6</sup>

**Eduardo A. Aleman,**

*Assistant Secretary.*

[FR Doc. 2018-19057 Filed 8-31-18; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-83970; File No. SR-FICC-2017-022]

### Self-Regulatory Organizations; Fixed Income Clearing Corporation; Order Approving a Proposed Rule Change, as Modified by Amendment No. 1, To Amend the Loss Allocation Rules and Make Other Changes

August 28, 2018.

On December 18, 2017, Fixed Income Clearing Corporation (“FICC”) filed with the Securities and Exchange Commission (“Commission”) proposed rule change SR-FICC-2017-022 pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b-4 thereunder <sup>2</sup> to

amend its loss allocation rules and make other conforming and technical changes.<sup>3</sup> The proposed rule change was published for comment in the **Federal**

<sup>3</sup> On December 18, 2017, FICC filed the proposed rule change as advance notice SR-FICC-2017-806 with the Commission pursuant to Section 806(e)(1) of Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act entitled the Payment, Clearing, and Settlement Supervision Act of 2010 (“Clearing Supervision Act”) and Rule 19b-4(n)(1)(i) of the Act (“Advance Notice”). 12 U.S.C. 5465(e)(1) and 17 CFR 240.19b-4(n)(1)(i), respectively. The Advance Notice was published for comment in the **Federal Register** on January 30, 2018. In that publication, the Commission also extended the review period of the Advance Notice for an additional 60 days, pursuant to Section 806(e)(1)(H) of the Clearing Supervision Act. 12 U.S.C. 5465(e)(1)(H); Securities Exchange Act Release No. 82583 (January 24, 2018), 83 FR 4358 (January 30, 2018) (SR-FICC-2017-806). On April 10, 2018, the Commission required additional information from FICC pursuant to Section 806(e)(1)(D) of the Clearing Supervision Act, which tolled the Commission’s period of review of the Advance Notice until 60 days from the date the information required by the Commission was received by the Commission. 12 U.S.C. 5465(e)(1)(D); see 12 U.S.C. 5465(e)(1)(E)(ii) and (G)(ii); see Memorandum from the Office of Clearance and Settlement Supervision, Division of Trading and Markets, titled “Commission’s Request for Additional Information,” available at <https://www.sec.gov/rules/sro/ficc-an.htm>. On June 28, 2018, FICC filed Amendment No. 1 to the Advance Notice to amend and replace in its entirety the Advance Notice as originally filed on December 18, 2017, which was published in the **Federal Register** on August 6, 2018. Securities Exchange Act Release No. 83747 (July 31, 2018), 83 FR 38393 (August 6, 2018) (SR-FICC-2017-806). FICC submitted a courtesy copy of Amendment No. 1 to the Advance Notice through the Commission’s electronic public comment letter mechanism. Accordingly, Amendment No. 1 to the Advance Notice has been publicly available on the Commission’s website at <https://www.sec.gov/rules/sro/ficc-an.htm> since June 29, 2018. On July 6, 2018, the Commission received a response to its request for additional information in consideration of the Advance Notice, which, in turn, added a further 60 days to the review period pursuant to Section 806(e)(1)(E) and (G) of the Clearing Supervision Act. 12 U.S.C. 5465(e)(1)(E) and (G); see Memorandum from the Office of Clearance and Settlement Supervision, Division of Trading and Markets, titled “Response to the Commission’s Request for Additional Information,” available at <https://www.sec.gov/rules/sro/ficc-an.htm>. The Commission did not receive any comments. The proposal, as set forth in both the Advance Notice and the proposed rule change, each as modified by Amendments No. 1, shall not take effect until all required regulatory actions are completed.

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

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

<sup>3</sup> See Securities Exchange Act Release No. 83619 (July 11, 2018), 83 FR 32932.

<sup>4</sup> 15 U.S.C. 78s(b)(2).

<sup>5</sup> 15 U.S.C. 78s(b)(2).

<sup>6</sup> 17 CFR 200.30-3(a)(31).

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

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