

extended period of time, adherence to the DOT transportation requirements would also ensure that there would be no health and safety concerns regarding potential dose to the public.

Based on the history of low-level radioactive waste shipments from Oyster Creek and the lack of potential health and safety concerns associated with this material sitting in a switchyard for extended period of time, the need to investigate, trace, and report on low-level radioactive waste shipments that take longer than 90 days is therefore appropriate.

As indicated in the request for exemption, for rail and truck shipments from Oyster Creek, HDI will use a tracking system that allows daily monitoring of a shipments' progress to its destination and the Oyster Creek shipping procedures prescribe the expectations for tracking and communications during transit. The NRC staff believes these steps will allow for monitoring the progress of the shipments by the rail or truck carrier on a daily basis, if needed, in lieu of the 20-day requirement and will initiate an investigation as provided for in Section III.E of Appendix G to 10 CFR part 20 after 90 days. Because of the oversight and ability to monitor low-level radioactive waste shipments throughout the entire journey from Oyster Creek to a disposal or processing site as noted above, the NRC staff concludes that it is unlikely that a shipment could be lost, misdirected, or diverted without the knowledge of the carrier or HDI and there is no potential health and safety concern presented by the requested exemption. Furthermore, by extending the elapsed time for receipt acknowledgment to 90 days before requiring investigations, tracing, and reporting, a reasonable upper limit on shipment duration is maintained if a breakdown of normal tracking systems were to occur.

Consequently, the NRC staff finds that extending the receipt of notification period from 20 to 90 days after transfer of the low-level radioactive waste as described by HDI in its August 2, 2022, letter would not result in an undue hazard to life or property.

### *C. The Exemption is Subject to a Categorical Exclusion*

With respect to compliance with Section 102(2) of the National Environmental Policy Act, 42 U.S.C. 4332(2) (NEPA), the NRC staff has determined that the proposed action, the approval of the HDI exemption request, is within the scope of the categorical exclusion listed at 10 CFR 51.22(c)(25). The proposed action

presents (i) no significant hazards considerations; (ii) would not result in a significant change in the types or significant increase in the amounts of any effluents that may be released offsite; (iii) would not result in a significant increase in individual or cumulative public or occupational radiation exposure; (iv) has no significant construction impact; (v) does not present a significant increase in the potential for or consequences from radiological accidents. The requirements from which an exemption is sought involves reporting requirements under 10 CFR 51.22(c)(25)(vi)(B) as well as inspection or surveillance requirements under 10 CFR 51.22(c)(25)(vi)(C). Given the applicability of relevant categorical exclusions, no further analysis is required under NEPA.

### **IV. Conclusions**

Accordingly, the Commission has determined that, pursuant to 10 CFR 20.2301, the exemption is authorized by law and will not result in undue hazard to life or property. Therefore, effective immediately, the Commission hereby grants HDI an exemption from 10 CFR part 20, Appendix G, Section III.E to extend the receipt of notification period from 20 days to 90 days after transfer of low-level radioactive waste shipments from the Oyster Creek Nuclear Generating Station facility to a licensed land disposal or processing facility.

Dated this 15th day of December, 2022  
For the Nuclear Regulatory Commission,  
Jane E. Marshall, Director,  
Division of Decommissioning, Uranium  
Recovery, and Waste Programs,  
Office of Nuclear Material Safety and  
Safeguards.

[FR Doc. 2022-28115 Filed 12-23-22; 8:45 am]

**BILLING CODE 7590-01-P**

## **POSTAL REGULATORY COMMISSION**

**[Docket Nos. MC2023-94 and CP2023-95]**

### **New Postal Products**

**AGENCY:** Postal Regulatory Commission.

**ACTION:** Notice.

**SUMMARY:** The Commission is noticing a recent Postal Service filing for the Commission's consideration concerning a negotiated service agreement. This notice informs the public of the filing, invites public comment, and takes other administrative steps.

**DATES:** *Comments are due:* December 28, 2022.

**ADDRESSES:** Submit comments electronically via the Commission's

Filing Online system at <http://www.prc.gov>. Those who cannot submit comments electronically should contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section by telephone for advice on filing alternatives.

**FOR FURTHER INFORMATION CONTACT:** David A. Trissell, General Counsel, at 202-789-6820.

### **SUPPLEMENTARY INFORMATION:**

#### **Table of Contents**

- I. Introduction
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#### **I. Introduction**

The Commission gives notice that the Postal Service filed request(s) for the Commission to consider matters related to negotiated service agreement(s). The request(s) may propose the addition or removal of a negotiated service agreement from the Market Dominant or the Competitive product list, or the modification of an existing product currently appearing on the Market Dominant or the Competitive product list.

Section II identifies the docket number(s) associated with each Postal Service request, the title of each Postal Service request, the request's acceptance date, and the authority cited by the Postal Service for each request. For each request, the Commission appoints an officer of the Commission to represent the interests of the general public in the proceeding, pursuant to 39 U.S.C. 505 (Public Representative). Section II also establishes comment deadline(s) pertaining to each request.

The public portions of the Postal Service's request(s) can be accessed via the Commission's website (<http://www.prc.gov>). Non-public portions of the Postal Service's request(s), if any, can be accessed through compliance with the requirements of 39 CFR 3011.301.<sup>1</sup>

The Commission invites comments on whether the Postal Service's request(s) in the captioned docket(s) are consistent with the policies of title 39. For request(s) that the Postal Service states concern Market Dominant product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3622, 39 U.S.C. 3642, 39 CFR part 3030, and 39 CFR part 3040, subpart B. For request(s) that the Postal Service states concern Competitive product(s), applicable statutory and regulatory requirements include 39 U.S.C. 3632, 39 U.S.C. 3633,

<sup>1</sup> See Docket No. RM2018-3, Order Adopting Final Rules Relating to Non-Public Information, June 27, 2018, Attachment A at 19-22 (Order No. 4679).

39 U.S.C. 3642, 39 CFR part 3035, and 39 CFR part 3040, subpart B. Comment deadline(s) for each request appear in section II.

## II. Docketed Proceeding(s)

1. *Docket No(s)*: MC2023–94 and CP2023–95; *Filing Title*: USPS Request to Add Priority Mail Express, Priority Mail & First-Class Package Service Contract 80 to Competitive Product List and Notice of Filing Materials Filed Under Seal; *Filing Acceptance Date*: December 19, 2022; *Filing Authority*: 39 U.S.C. 3642, 39 CFR 3040.130 through 3040.135, and 39 CFR 3035.105; *Public Representative*: Christopher C. Mohr; *Comments Due*: December 28, 2022.

This Notice will be published in the **Federal Register**.

**Erica A. Barker**,

*Secretary*.

[FR Doc. 2022–28097 Filed 12–23–22; 8:45 am]

**BILLING CODE 7710–FW–P**

## RAILROAD RETIREMENT BOARD

### Civil Monetary Penalty Inflation Adjustment

**AGENCY**: Railroad Retirement Board.

**ACTION**: Notice announcing updated penalty inflation adjustments for civil monetary penalties for 2023.

**SUMMARY**: As required by the Bipartisan Budget Act of 2015, entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, the Railroad Retirement Board (Board) hereby publishes its 2023 annual adjustment of civil penalties for inflation.

**FOR FURTHER INFORMATION CONTACT**:

Peter J. Orłowicz, Senior Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611–1275, (312) 751–4922, TTD (312) 751–4701.

**SUPPLEMENTARY INFORMATION**: Section 701 of the Bipartisan Budget Act of 2015, Public Law 114–74 (Nov. 2, 2015), entitled the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (the 2015 Act), amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) (Inflation Adjustment Act) to require agencies to publish regulations adjusting the amount of civil monetary penalties provided by law within the jurisdiction of the agency not later than January 15th of every year.

For the 2023 annual adjustment for inflation of the maximum civil penalty under the Program Fraud Civil Remedies Act of 1986, the Board applies the formula provided by the 2015 Act and the Board’s regulations at title 20,

Code of Federal Regulations, part 356. In accordance with the 2015 Act, the amount of the adjustment is based on the percent increase between the Consumer Price Index (CPI–U) for the month of October preceding the date of the adjustment and the CPI–U for the October one year prior to the October immediately preceding the date of the adjustment. If there is no increase, there is no adjustment of civil penalties. The percent increase between the CPI–U for October 2022 and October 2023, as provided by Office of Management and Budget Memorandum M–23–05 (December 15, 2022) is 1.07745 percent. Therefore, the new maximum penalty under the Program Fraud Civil Remedies Act is \$13,508 (the 2022 maximum penalty of \$12,537 multiplied by 1.07745, rounded to the nearest dollar). The new minimum penalty under the False Claims Act is \$13,508 (the 2022 minimum penalty of \$12,537 multiplied by 1.07745, rounded to the nearest dollar), and the new maximum penalty is \$27,018 (the 2022 maximum penalty of \$25,076 multiplied by 1.07745, rounded to the nearest dollar). The adjustments in penalties will be effective December 27, 2022.

Dated: December 21, 2022.

By Authority of the Board.

**Stephanie Hillyard**,

*Secretary to the Board*.

[FR Doc. 2022–28113 Filed 12–23–22; 8:45 am]

**BILLING CODE P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–96546; File No. SR–PEARL–2022–59]

### Self-Regulatory Organizations; MIAX PEARL, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend the Exchange’s Fee Schedule To Establish a Monthly Membership Fee

December 20, 2022.

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> notice is hereby given that on December 9, 2022 MIAX PEARL, LLC (“MIAX Pearl” or the “Exchange”) filed with the Securities and Exchange Commission (“Commission”) a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit

comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is filing to amend the fee schedule (the “Fee Schedule”) applicable to MIAX Pearl Equities, an equities trading facility of the Exchange.

The text of the proposed rule change is available on the Exchange’s website at <http://www.miaxoptions.com/rule-filings/pearl>, at MIAX Pearl’s principal office, and at the Commission’s Public Reference Room.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange 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 IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to establish a \$200 monthly Membership Fee for Equity Members of the Exchange. The Exchange proposes to assess the monthly Membership Fee to each active Equity Member at the close of business on the first day of each month. The Exchange proposes to specify within the Fee Schedule that an active membership means any month the Equity Member is certified in the membership system and the Equity Member is credentialed to use one or more ports in the production environment. For example, the monthly Membership Fee for January 2023 will be assessed to all active Equity Members at the close of business on January 2, 2023, the first business day of the month. This filing and the proposed fee amount (\$200 per month per Equity Member) are identical to a recent monthly Membership fee adopted by MEMX, LLC (“MEMX”). The Exchange is not proposing anything different than what was adopted in the MEMX filing.

The Exchange also proposes that if an Equity Member is pending a voluntary termination of rights as a Member pursuant to Exchange Rule 206 prior to

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

<sup>2</sup> 17 CFR 240.19b–4.