

determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment

Assistance, at the address shown below, not later than January 14, 2013.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than January 14, 2013.

The petitions filed in this case are available for inspection at the Office of

the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room N-5428, 200 Constitution Avenue NW., Washington, DC 20210.

Signed at Washington, DC, this 19th day of December 2012.

Del Min Amy Chen,

Certifying Officer, Office of Trade Adjustment Assistance.

APPENDIX

[30 TAA petitions instituted between 12/10/12 and 12/14/12]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
82228	Hostess Brands Inc. (State/One-Stop)	East Windsor, CT	12/10/12	12/07/12
82229	Designer Blinds (State/One-Stop)	Omaha, NE	12/10/12	12/07/12
82230	YP Holdings LLC (Workers)	Dallas, TX	12/10/12	12/07/12
82231	PepsiCo (Workers)	Bradenton, FL	12/10/12	12/07/12
82232	EEP Quality Group, Inc. (State/One-Stop)	East Syracuse, NY	12/11/12	12/10/12
82233	Hostess Brands/Interstate Brands Corp. (Workers)	Cheswick, PA	12/11/12	12/11/12
82234	Hostess Cake IBC (State/One-Stop)	Los Angeles, CA	12/11/12	12/10/12
82235	SP Fiber Technologies LLC (Union)	Newberg, OR	12/11/12	12/07/12
82236	Champlain Valley Physicians Hospital (State/One-Stop)	Plattsburgh, NY	12/11/12	12/11/12
82237	State Street Bank and Trust Company (Workers)	North Quincy, MA	12/11/12	11/16/12
82238	Dolby Laboratories, Inc. (State/One-Stop)	Brisbane, CA	12/11/12	12/10/12
82239	Universal Music Group (State/One-Stop)	Santa Monica, CA	12/11/12	12/10/12
82240	Allesee Orthodontic Appliances (Company)	Calexico, CA	12/12/12	12/11/12
82241	Alcoa Automotive, Indiana Assembly & Fabricating Center, Inc. (Company)	Auburn, IN	12/12/12	12/11/12
82242	Burroughs Inc. (Union)	Plymouth, MI	12/12/12	12/11/12
82243	Leach International, Esterline Corporation (Company)	Buena Park, CA	12/12/12	12/11/12
82244	Philips Lighting (Company)	Wilmington, MA	12/12/12	12/10/12
82245	Filmtec (State/One-Stop)	Edina, MN	12/12/12	12/11/12
82246	Itron (State/One-Stop)	Waseca, MN	12/12/12	12/11/12
82247	Kincaid Furniture (Workers)	Hudson, NC	12/12/12	12/07/12
82248	Hostess Brands (Workers)	Lafayette, IN	12/12/12	12/11/12
82249	United Health Group (State/One-Stop)	Coon Rapids, MN	12/12/12	12/11/12
82250	YP Holdings LLC (Workers)	Anaheim, CA	12/13/12	12/12/12
82251	Cooper Hosiery Mill, Inc. (Company)	Fort Payne, AL	12/13/12	12/12/12
82252	Heritage Footwear (Company)	Fort Payne, AL	12/14/12	12/12/12
82253	Cardinal Health (Workers)	Albuquerque, NM	12/14/12	12/13/12
82254	Invensys Systems Inc. (State/One-Stop)	Foxboro, MA	12/14/12	12/13/12
82255	Hostess Brands (Company)	Northwood, OH	12/14/12	12/13/12
82256	Verizon Business Network Services, Inc. (State/One-Stop)	San Antonio, TX	12/14/12	12/13/12
82257	Harley Davidson (State/One-Stop)	Milwaukee, WI	12/14/12	12/14/12

[FR Doc. 2012-31656 Filed 1-3-13; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-397; NRC-2012-0322]

Energy Northwest; Columbia Generating Station; Exemption

1.0 Background

Energy Northwest (the licensee) is the holder of Renewed Facility Operating License No. NPF-21, which authorizes operation of the Columbia Generating Station. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory

Commission (NRC, the Commission) now or hereafter in effect.

The facility consists of a boiling-water reactor located in Benton County in the state of Washington.

2.0 Request/Action

The regulations in paragraph 50.36a(a)(2) of Title 10 of the *Code of Federal Regulations* (10 CFR), require a radioactive effluent release report for each commercial nuclear power plant to be submitted annually such that the time between submission of any two reports is not longer than 12 months.

The licensee's Technical Specification (TS) 5.6.2, "Radioactive Effluent Release Report," requires the Annual Radioactive Effluent Release Report (ARERR) to be submitted in accordance with 10 CFR 50.36a as specified in the

licensee's Offsite Dose Calculation Manual (ODCM). The licensee's ODCM specifies the ARERR to be submitted within 60 days after January 1 of each calendar year. The licensee indicates this constitutes an undue administrative burden due to the compressed schedule for data collection, report preparation, and internal review following closure of the reporting period. As a result, the licensee wants to change the ODCM so that the report can be submitted prior to May 1 of each year. In order to implement this change to the ODCM, the licensee has requested a one-time exemption from the required 12-month reporting interval for the next required submittal of the ARERR for the Columbia Generating Station. This would result in a one-time allowance of an additional 2 months (i.e., a 14-month

interval) for the next required submittal of the ARERR. An exemption is needed because 10 CFR 50.36a(a)(2) specifies the interval between submittal of successive ARERRs must not exceed 12 months.

In summary, the end result of this exemption would be that the time interval between the 2011 and the 2012 ARERRs (generated in March 2012 and May 2013) would be 14 months. This is a one-time exemption, and subsequent ARERRs, generated in 2014 and beyond, would be subject to the 12-month interval specified in 10 CFR 50.36a(a)(2).

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50 when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. These circumstances include the special circumstances that would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulations.

Authorized by Law

This exemption would allow the time interval between the 2011 and the 2012 ARERRs (generated in March 2012 and May 2013 respectively) to be increased to 14 months. This is a one-time exemption, and subsequent ARERRs, generated in 2014 and beyond, would be subject to the 12-month interval specified in 10 CFR 50.36a(a)(2). As stated above, 10 CFR 50.12 allows the NRC to grant exemptions from the requirements of 10 CFR 50.36a(a)(2). The NRC staff has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

No Undue Risk to Public Health and Safety

The underlying purposes of 10 CFR 50.36a(a)(2) is to ensure that once each year, prior to a specified date, the licensee submits an ARERR to the NRC that specifies (1) the principal radionuclides released in liquid and gaseous effluents, (2) the amounts of each radionuclide released, and (3) other such information that may be required by the NRC to estimate doses to members of the public in the

unrestricted areas during the previous calendar year. The proposed exemption only changes the date the ARERR would be submitted to the NRC, but does not change any of the information presented in the ARERR.

Based on the above, no new accident precursors are created by extending the submittal date for the next ARERR (from prior to March 1) to prior to May 1, thus, the probability of postulated accidents is not increased. Also, based on the above, the consequences of postulated accidents are not increased. Therefore, there is no undue risk to public health and safety.

Consistent With Common Defense and Security

The proposed exemption would extend the time interval between the 2011 and the 2012 ARERRs (generated in March 2012 and May 2013, respectively) to 14 months. This is a one-time exemption, and subsequent ARERRs, generated in 2014 and beyond, would be subject to the 12-month interval specified in 10 CFR 50.36a(a)(2). This change to the date the ARERR is submitted to the NRC has no relation to security issues. Therefore, the common defense and security is not impacted by this exemption.

Special Circumstances

Special circumstances, in accordance with 10 CFR 50.12(a)(2)(v), are present whenever application of the regulation in the particular circumstances would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. The requested exemption asks for a one-time relaxation of the 12-month ARERR reporting requirement. Therefore, the relief is temporary. The licensee has submitted an annual report at the 12-month reporting interval every year since 1985. The NRC staff agrees submitting the report within 60 days of January 1 may present an undue administrative burden due to the necessary data collection, report preparation, and internal review. The licensee agrees to submit the report, in its entirety, within 2 months of the required 12-month reporting interval. In addition, ARERRs generated in 2014 and beyond, would be subject to the 12-month interval specified in 10 CFR 50.36a(a)(2) with ARERRs being submitted prior to May 1 of each year. As a result, the NRC staff concludes the licensee has made a good faith effort to comply with the regulation. Therefore, since the underlying purpose of 10 CFR 50.36a(a)(2) is achieved, the special circumstances required by 10 CFR 50.12(a)(2)(v) for the granting of an

exemption from 10 CFR 50.36a(a)(2) exist.

4.0 Environmental Consideration

This exemption authorizes a one-time exemption from the requirements of 10 CFR 50.36a(a)(2) for the CGS. The NRC staff has determined that this exemption involves no significant hazards considerations:

(1) The proposed exemption is limited to a one-time 2-month extension for submittal of the 2012 ARERR. The proposed exemption does not make any changes to the facility or operating procedures and does not alter the design, function or operation of any plant equipment. Therefore, issuance of this exemption does not increase the probability or consequences of an accident previously evaluated.

(2) The proposed exemption is limited to a one-time 2-month extension for submittal of the 2012 ARERR. The proposed exemption does not make any changes to the facility or operating procedures and would not create any new accident initiators. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not create the possibility of a new or different kind of accident from any accident previously evaluated.

(3) The proposed exemption is limited to a one-time 2-month extension for submittal of the 2012 ARERR. The proposed exemption does not alter the design, function or operation of any plant equipment. Therefore, this exemption does not involve a significant reduction in the margin of safety.

Based on the above, the NRC staff concludes that the proposed exemption does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and accordingly, a finding of "no significant hazards consideration" is justified.

The NRC staff has also determined that the exemption involves no significant increase in the amounts, and no significant change in the types, of any effluent that may be released offsite; there is no significant increase in individual or cumulative occupational radiation exposure; there is no significant construction impact; and there is no significant increase in the potential for or consequences from a radiological accident. Furthermore, the requirement from which the licensee will be exempted involves reporting requirements. Accordingly, the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment

needs to be prepared in connection with the issuance of this exemption.

5.0 Conclusion

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants Energy Northwest a one-time exemption from 10 CFR Part 50, Section 50.36a(a)(2) to submit the 2012 ARERR prior to May 1, 2013, for the Columbia Generating Station.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 21st day of December 2012.

For the Nuclear Regulatory Commission.

Michele G. Evans,

Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2012-31707 Filed 1-3-13; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293; NRC-2012-0311]

Entergy Nuclear Operations, Inc.; Pilgrim Nuclear Power Station; Exemption

1.0 Background

Entergy Nuclear Operations, Inc. (the licensee) is the holder of Renewed Facility Operating License No. DPR-35, which authorizes operation of the Pilgrim Nuclear Power Station (PNPS).

The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC, the Commission) now or hereafter in effect. The facility consists of a boiling-water reactor located in Plymouth, Massachusetts.

2.0 Request/Action

Title 10 of the Code of Federal Regulations (10 CFR), Part 50, Appendix E, Section IV.F.2.c, requires that "Offsite plans for each site shall be exercised biennially with full participation by each offsite authority having a role under the radiological response plan." By letter dated November 29, 2012, the licensee requested a one-time exemption from this requirement that would allow the licensee to delay conduct of the offsite portions of a biennial emergency preparedness (EP) exercise from November 7, 2012, to March 2013. The licensee's request states that on October 29, 2012, Hurricane Sandy passed through the East Coast of the United States, impacting Washington DC, the States of Maryland, New Jersey, New York, Connecticut, and Rhode Island, and the Commonwealth of Massachusetts, causing widespread devastation and flooding throughout the surrounding areas. This hurricane event resulted in a multi-agency emergency response, which included the Federal Emergency Management Agency (FEMA), the Massachusetts Emergency Management Agency (MEMA), and the local town officials in the Pilgrim Emergency Planning Zone (EPZ). The licensee further states that immediate and long-term resource commitments were needed to recover from the hurricane

event, and as a result, FEMA, MEMA, and local town resources did not participate in the previously planned and scheduled Pilgrim Biennial Exercise that was conducted on November 7, 2012. Consequently, the requirement of 10 CFR part 50, Appendix E, Section IV.F.2.c, for a full participation of offsite authorities during the biennial exercise was not satisfied.

Based on discussions with FEMA and MEMA representatives, the licensee does not consider it feasible to schedule and perform a full participation biennial exercise prior to the end of calendar year (CY) 2012. In an email from FEMA to the licensee dated November 26, 2012, FEMA Region I acknowledged agreement with the Commonwealth of Massachusetts that offsite portions of the Pilgrim biennial exercise can be scheduled for and conducted on March 21, 2013. The email was submitted as an attachment to the licensee's application dated November 29, 2012.

The onsite portion of the exercise was conducted as scheduled on November 7, 2012, and was inspected by the NRC under Inspection Procedure No. 71114.01. The NRC's inspection of the licensee's conduct and self-evaluation of the exercise identified no findings. Out-of-sequence demonstrations for various schools, daycare centers, special facilities, and camps were also conducted and evaluated during FEMA Region I staff visits between the months of July 2012 and September 2012, in accordance with the November 2012 biennial exercise objectives and extent of play. In addition, the following out-of-sequence demonstrations were evaluated by FEMA Region I since the previous PNPS Biennial Exercise conducted on November 16, 2010:

Radiological Emergency Worker Monitoring and Decontamination Center	August 23, 2011.
	August 7, 2012.
Quincy Medical Center Medical Service Drill	October 5, 2011.
KIDS Site Brockton High School	January 26, 2012.

3.0 Discussion

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 50, Appendix E, when: (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present.

Authorized by Law

This exemption would allow the licensee and offsite response

organizations to accommodate Hurricane Sandy's impact upon their resources by postponing the offsite portion of the exercise from the previously scheduled date of November 7, 2012, until March 2013.

As stated above, 10 CFR 50.12 allows the NRC to grant exemptions from the requirements of 10 CFR part 50, Appendix E. The NRC has determined that granting of the licensee's proposed exemption will not result in a violation of the Atomic Energy Act of 1954, as amended, or the Commission's regulations. Therefore, the exemption is authorized by law.

No Undue Risk to Public Health and Safety

The underlying purpose of 10 CFR part 50, Appendix E, Section IV.F.2.c, is to ensure that licensees test and maintain interfaces among themselves and affected State and local authorities during the intervals between biennial exercises by conducting emergency preparedness activities and interactions. In order to accommodate the scheduling of full participation exercises, the NRC has allowed licensees to schedule the exercises at any time during the calendar biennium. Conducting the remaining offsite portions of the PNPS