

New Hampshire  
New Jersey  
New Mexico  
New York  
North Carolina  
North Dakota  
Ohio  
Oklahoma  
Oregon  
Pennsylvania  
Puerto Rico  
Rhode Island  
South Carolina  
South Dakota  
Tennessee  
Texas  
Utah  
Vermont  
Virginia  
Virgin Islands  
Washington  
West Virginia  
Wisconsin  
Wyoming

This certification is for the maximum normal credit allowable under Section 3302(a) of the Code.

Signed at Washington, DC, on October 31, 2012.

HILDA L. SOLIS  
Secretary of Labor

**UNITED STATES DEPARTMENT OF  
LABOR OFFICE OF THE SECRETARY  
WASHINGTON, DC**

**CERTIFICATION OF STATE  
UNEMPLOYMENT COMPENSATION LAWS  
TO THE SECRETARY OF THE TREASURY  
PURSUANT TO SECTION 3303(b)(1) OF  
THE INTERNAL REVENUE CODE OF 1986**

In accordance with the provisions of paragraph (1) of Section 3303(b) of the Internal Revenue Code of 1986 (26 U.S.C. 3303(b)(1)), I hereby certify the unemployment compensation laws of the following named states, which heretofore have been certified pursuant to paragraph (3) of Section 3303(b) of the Code, to the Secretary of the Treasury for the 12-month period ending on October 31, 2012:

Alabama  
Alaska  
Arizona  
Arkansas  
California  
Colorado  
Connecticut  
Delaware  
District of Columbia  
Florida  
Georgia  
Hawaii  
Idaho  
Illinois  
Indiana  
Iowa  
Kansas  
Kentucky  
Louisiana  
Maine  
Maryland  
Massachusetts  
Michigan  
Minnesota  
Mississippi

Missouri  
Montana  
Nebraska  
Nevada  
New Hampshire  
New Jersey  
New Mexico  
New York  
North Carolina  
North Dakota  
Ohio  
Oklahoma  
Oregon  
Pennsylvania  
Puerto Rico  
Rhode Island  
South Carolina  
South Dakota  
Tennessee  
Texas  
Utah  
Vermont  
Virginia  
Virgin Islands  
Washington  
West Virginia  
Wisconsin  
Wyoming

This certification is for the maximum additional credit allowable under Section 3302(b) of the Code, subject to the limitations of Section 3302(c) of the Code.

Signed at Washington, DC, on October 31, 2012.

Hilda L. Solis  
Secretary of Labor  
[FR Doc. 2012-26944 Filed 11-2-12; 8:45 am]

**BILLING CODE 4510-30-P**

**NATIONAL CAPITAL PLANNING  
COMMISSION**

**Public Comment on the Draft Federal  
Urban Design Element and the Draft  
Update to the Federal Preservation and  
Historic Features Element of the  
Comprehensive Plan for the National  
Capital: Federal Elements**

**AGENCY:** National Capital Planning Commission.

**ACTION:** Notice of 90-day public comment period.

**SUMMARY:** The National Capital Planning Commission (NCPC), the Planning Commission for the Federal Government within the National Capital Region, intends to release for public comment a draft new Federal Urban Design Element and draft revisions to the Preservation and Historic Features Element of the Comprehensive Plan for the National Capital: Federal Elements. The Comprehensive Plan for the National Capital: Federal Elements addresses matters relating to Federal Properties and Federal Interests in the National Capital Region, and provides a decision-making framework for actions the NCPC takes on specific plans and proposals

submitted by Federal government agencies for the NCPC review required by law. The new Federal Urban Design Element provides policies that will guide the design and management of federal buildings and properties so as to enhance their adjacent public realm. It will also provide a framework for federal actions related to enhancing the overall character of the District of Columbia and the National Capital Region. The Federal Preservation and Historic Features Element articulates policies that guide federal actions preserving Washington's historic character and providing better stewardship of historic resources. All interested parties are invited to submit written comment. The draft Federal Urban Design Element and draft revised Federal Preservation and Historic Features Element will be available online at <http://www.ncpc.gov/compplan> not later than November 5, 2012. Printed copies are available upon request from the contact person noted below.

**Dates and Time:** The public comment period begins on November 5, 2012 and closes on Monday, February 4, 2012.

**ADDRESSES:** Mail written comments or hand deliver comments on the draft revisions to Comprehensive Plan Public Comment, National Capital Planning Commission, 401 9th Street NW., Suite 500, Washington, DC 20004.

**FOR FURTHER INFORMATION CONTACT:** David Zaidain at (202) 482-7230 or [david.zaidain@ncpc.gov](mailto:david.zaidain@ncpc.gov).

**SUPPLEMENTARY INFORMATION:**

**Electronic Access and Filing Addresses**

You may submit comments electronically at the public comment portal at <http://www.ncpc.gov/compplan>.

**Authority:** (40 U.S.C. 8721(e)(2)).

Dated: October 31, 2012.

Anne R. Schuyler,  
General Counsel.

[FR Doc. 2012-26976 Filed 11-2-12; 8:45 am]

**BILLING CODE 7502-02-P**

**NATIONAL LABOR RELATIONS  
BOARD**

**Sunshine Act Meetings: November  
2012**

**TIME AND DATES:** All meetings are held at 2:30 p.m.

Thursday, November 1;  
Tuesday, November 6;  
Wednesday, November 7;  
Thursday, November 8;  
Tuesday, November 13;

Wednesday, November 14;  
Thursday, November 15;  
Tuesday, November 20;  
Wednesday, November 21;  
Tuesday, November 27;  
Wednesday, November 28;  
Thursday, November 29.

**PLACE:** Board Agenda Room, No. 11820, 1099 14th St. NW., Washington, DC 20570.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Pursuant to § 102.139(a) of the Board's Rules and Regulations, the Board or a panel thereof will consider "the issuance of a subpoena, the Board's participation in a civil action or proceeding or an arbitration, or the initiation, conduct, or disposition \* \* \* of particular representation or unfair labor practice proceedings under section 8, 9, or 10 of the [National Labor Relations] Act, or any court proceedings collateral or ancillary thereto." See also 5 U.S.C. 552b(c)(10).

**CONTACT PERSON FOR MORE INFORMATION:** Lester A. Heltzer, Executive Secretary, (202) 273-1067.

Dated: November 1, 2012.

**Lester A. Heltzer,**  
*Executive Secretary.*

[FR Doc. 2012-27044 Filed 11-1-12; 4:15 pm]

**BILLING CODE 7545-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos.: 50-354, 50-272 and 50-311; NRC-2012-0264]

### PSEG Nuclear LLC; Hope Creek Generating Station and Salem Generating Station, Units 1 and 2 Exemption

#### 1.0 Background

PSEG Nuclear LLC (PSEG or the licensee) is the holder of Facility Operating License Nos. NPF-57, DPR-70, and DPR-75, which authorize operation of the Hope Creek Generating Station (HCGS), and Salem Nuclear Generating Station, Units 1 and 2 (Salem), respectively. The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect.

The facilities consist of one boiling-water reactor, HCGS, and two pressurized-water reactors, Salem Units 1 and 2, all located in Salem County, New Jersey.

#### 2.0 Request/Action

Part 26 of Title 10 of the Code of Federal Regulations (10 CFR), Subpart I requires licensees to establish a policy for the management of fatigue for all individuals who are subject to the licensee's Fitness-for-Duty program. Regulatory Guide 5.73, "Fatigue Management for Nuclear Power Plant Personnel," endorses the Nuclear Energy Institute (NEI) report, NEI 06-11, Revision 1, "Managing Personnel Fatigue at Nuclear Power Plants," with clarifications, additions and exceptions. The NRC staff has endorsed this guidance for use during a plant emergency.

After exiting the emergency, the licensee is immediately subject to the scheduling requirements of 10 CFR 26.205(c) and the work hour/rest break/minimum day off requirements of 10 CFR 26.205(d). All time worked during the emergency must be tracked to help ensure that individuals are not fatigued on the first day of reinstated work hour controls, per 10 CFR 26.205(b)(3). On June 2, 2010, during a public meeting that was held to discuss lessons-learned from Part 26, Subpart I exemption request submissions and work hour controls during periods of severe winds such as a tropical storm or hurricane, the NRC staff indicated that it found NEI report 06-11, Section 7.5, "Reset from Deviations," to be an acceptable method for resuming work hour controls after the recovery period.

Section 26.205(b) contains the requirement to count work hours and days worked; and (b)(2) was reviewed to understand if the licensee had provided a reasonable opportunity and accommodations for restorative sleep.

Salem and HCGS are located along the eastern shore of the Delaware River and can be impacted by tropical storms and hurricanes during the hurricane season and severe winter precipitation conditions during the months of January and February. By letter dated November 30, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML113350245), as supplemented by letters dated June 4, 2012, and August 30, 2012 (ADAMS Accession Nos. ML12157A061 and ML12244A055, respectively), the licensee requested an exemption from the requirements of 10 CFR 26.205(c) and (d) for meeting work hour rule controls during declarations of severe weather conditions involving tropical storm or hurricane force winds or severe winter precipitation. According to the application, adherence to work hour control requirements could impede the ability to respond to

an emergency condition at the site when travel to and from the site may be impeded. Specifically, the exemption would allow Salem and HCGS to sequester sufficient individuals to establish a 12-hour duty schedule comprised of 2 shifts to maintain safe and secure operation during severe weather conditions.

#### 3.0 Discussion

Pursuant to 10 CFR 26.9, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR part 26, when the exemptions are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest.

##### 3.1 Exemption From Sections 26.205(c) and (d)

Pursuant to 10 CFR 26.207(d), licensees need not meet the requirements of Section 26.205(c) and (d) during declared emergencies, as defined in the licensee's emergency plan. The hurricane-related entry condition for the Salem and HCGS declaration of an Unusual Event is a sustained wind speed greater than 75 miles per hour (mph). The criteria for sequestering essential personnel include travel conditions forecasted to be hazardous for employee commutes to and from the site, such as sustained wind speeds greater than 40 mph, as determined by the National Weather Service. Therefore, the exemption request covers a period which precedes the declared emergency, as individuals need to be sequestered before the severe weather conditions. Similarly, the severe winter weather-related entry conditions are based on forecasts issued by the National Weather Service. The entry conditions include the issuance of a winter storm watch, a blizzard warning or an ice storm warning by the National Weather Service. A winter storm watch is issued by the National Weather Service when there is a potential for heavy snow or significant ice accumulations, usually 24 to 36 hours in advance. A winter storm warning is issued by the National Weather Service when a winter storm is producing or is forecasted to produce heavy snow or significant ice accumulations. Blizzard warnings are issued for winter storms with sustained or frequent winds of 35 mph or higher with considerable falling and/or blowing snow that frequently reduces visibility to ¼ mile or less. An example of the severity of a winter storm that would likely rise to the level of a winter storm warning or watch for the area