

*Code of Federal Regulations* (10 CFR). The revisions to these SRP sections reflect no changes in staff position; rather they clarify the original intent of these SRP sections using plain language throughout in accordance with the NRC's Plain Writing Action Plan. Additionally, these revisions reflect operating experience, lessons learned, and updated guidance since the last

revision, and address the applicability of regulatory treatment of non-safety systems where appropriate.

Following NRC staff's evaluation of submitted comments, the NRC intends to finalize the proposed revisions of SRP Sections 3.2.1, 3.2.2, 3.6.2, 3.9.1, 3.10, 5.2.1.1, 5.2.1.2, and BTP 3–4 in ADAMS and post them on the NRC's public Web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr0800/>.

### III. Availability of Documents

The ADAMS accession numbers for the current revisions, proposed draft revisions, and redline strikeouts comparing current revisions and the proposed revisions of individual sections are available in ADAMS under the following accession numbers:

SRP Section	Current revision ADAMS accession No.	Proposed revision ADAMS accession No.	Redline ADAMS accession No.
Section 3.2.1, "Seismic Classification" .....	Revision 2 (ML063190002) ...	Revision 3 (ML14227A643) ...	ML14198A162
Section 3.2.2, "System Quality Group Classification" .....	Revision 2 (ML063190003) ...	Revision 3 (ML14227A641) ...	ML14198A145
Section 3.6.2, "Determination of Rupture Locations and Dynamic Effects Associated with the Postulated Rupture of Piping" .....	Revision 2 (ML070660494) ...	Revision 3 (ML14230A035) ...	ML14198A166
Section 3.9.1, "Special Topics for Mechanical Components" .....	Revision 3 (ML070430402) ...	Revision 4 (ML14227A637) ...	ML14198A150
Section 3.10, "Seismic and Dynamic Qualification of Mechanical and Electrical Equipment" .....	Revision 3 (ML070720037) ...	Revision 4 (ML14227A631) ...	ML14198A171
Section 5.2.1.1, "Compliance with the Codes and Standards Rule, 10 CFR 50.55a" .....	Revision 3 (ML070040003) ...	Revision 4 (ML14227A623) ...	ML14198A155
Section 5.2.1.2, "Applicable Code Cases" .....	Revision 3 (ML070040004) ...	Revision 4 (ML14227A659) ...	ML14198A172
Branch Technical Position 3–4, "Applicable Code Cases" .....	Revision 2 (ML070800008) ...	Revision 3 (ML14227A646) ...	ML14198A126

### IV. Backfitting and Issue Finality

Issuance of these draft SRP sections does not constitute backfitting as defined in 10 CFR 50.109, nor is it inconsistent with any of the issue finality provisions in 10 CFR part 52. These draft SRP sections do not contain any new requirements for COL applicants or holders under 10 CFR part 52, or for licensees of existing operating units licensed under 10 CFR part 50. Rather, it contains additional draft guidance and clarification on staff review of Preliminary Amendment Requests.

The NRC staff does not intend to impose or apply the positions described in the draft SRP to existing licenses and regulatory approvals. Hence, the issuance of a final SRP—even if considered guidance within the purview of the issue finality provisions in 10 CFR part 52—would not need to be evaluated as if it were a backfit or as being inconsistent with issue finality provisions. If, in the future, the NRC staff seeks to impose a position in the SRP on holders of already issued licenses in a manner that does not provide issue finality as described in the applicable issue finality provision, then the staff must make the showing as set forth in the Backfit Rule or address the criteria for avoiding issue finality as described in the applicable issue finality provision.

The NRC staff does not, at this time, intend to impose the positions represented in the draft SRP sections in a manner that is inconsistent with any

issue finality provisions. If, in the future, the staff seeks to impose a position in the draft SRP 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.

Dated at Rockville, Maryland, this 14th day of August, 2015.

For the Nuclear Regulatory Commission.

**Joseph Colaccino,**

*Chief, New Reactor Rulemaking and Guidance Branch, Division of Advanced Reactors and Rulemaking, Office of New Reactors.*

[FR Doc. 2015–21074 Filed 8–24–15; 8:45 am]

**BILLING CODE 7590–01–P**

### SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–75739; File No. SR–NASDAQ–2015–101]**

#### **Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Chapter XV, Section 3 Entitled "NASDAQ Options Market—Access Services"**

August 19, 2015.

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>

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

<sup>2</sup> 17 CFR 240.19b–4.

notice is hereby given that, on August 13, 2015, The NASDAQ Stock Market LLC ("NASDAQ" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the 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 proposes to waive SQF Port<sup>3</sup> Fees under certain circumstances for NASDAQ members using the NASDAQ Options Market ("NOM"), NASDAQ's facility for executing and routing standardized equity and index options.

The text of the proposed rule change is available on the Exchange's Web site at <http://nasdaq.cchwallstreet.com>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

<sup>3</sup> SQF ports are ports that receive inbound quotes at any time within that month. The SQF Port allows a NOM Participant to access information such as execution reports and other relevant data through a single feed. For example, this data would show which symbols are trading on NOM and the current state of an options symbol (*i.e.*, open for trading, trading, halted or closed). Auction notifications and execution reports are also available. NOM Market Makers rely on data available through the SQF Port to provide them the necessary information to perform market making activities.

## 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 offer NOM Participants that transition from OTTO Ports to SQF Ports<sup>4</sup> an SQF Port Fee waiver for that given month. Today, the Exchange assesses a \$750.00 per port, per month, per mnemonic fee for OTTO Ports and SQF Ports. The Exchange is proposing to amend chapter XV, section 3(b) to provide, "NOM Participants will not be assessed an SQF Port Fee in the month in which the NOM Participant has canceled an OTTO Port and transitioned to an SQF Port. In order to receive the waiver, the Participant is required to provide the Exchange with written notification of the transition."

The Exchange seeks to incentivize NOM Market Makers to transition from OTTO to SQF Ports by providing a waiver of the SQF Port Fee in the month in which such transition occurs.<sup>5</sup> The NOM Participant must provide the Exchange with written notification to receive the waiver. By way of example, if a NOM Market Maker has 5 OTTO Ports as of August 1, 2015 and decides to cancel the 5 OTTO Ports on August 20, 2015 and acquire 5 SQF Ports, provided written notice of such transition was received by the Exchange, the NOM Participant will be invoiced \$3,750 for the 5 OTTO Ports (5 x \$750) and \$0 for the 5 new SQF Ports for the month of August 2015.

NOM Market Makers utilize OTTO and SQF ports for their market making business, which require a greater

throughput as compared to the other ports. The Exchange believes that by offering this SQF Port Fee waiver a greater number of NOM Market Makers will transition to SQF Ports, which offers a more robust protocol.

#### 2. Statutory Basis

NASDAQ believes that the proposed rule change is consistent with the provisions of section 6 of the Act,<sup>6</sup> in general, and with section 6(b)(4) and 6(b)(5) of the Act,<sup>7</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which NASDAQ operates or controls, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Exchange's proposal to incentivize NOM Participants to transition from OTTO Ports to SQF Ports by offering a waiver of the SQF Port Fee is reasonable because the Exchange believes that SQF Ports provides NOM Market Makers greater benefits in performing their market making functions by offering more robust protocols. Also, NOM Participants will benefit from the ability to make this transition without incurring SQF and OTTO Port fees in a single month; they will only incur OTTO Port Fees, provided the proper notice is provided to the Exchange.

The Exchange's proposal to incentivize NOM Participants to transition from OTTO Ports to SQF Ports by offering a waiver of the SQF Port Fee is equitable and not unfairly discriminatory because the Exchange is offering all NOM Market Makers the opportunity to transition from OTTO Ports to SQF Ports without incurring an SQF Port Fee, provided the proper written notification is provided to the Exchange. NOM Market Makers are valuable market participants that provide liquidity in the marketplace and incur costs unlike other market participants because NOM Market Makers add value through continuous quoting<sup>8</sup> and the commitment of

capital. NOM Market Makers provide a critical liquidity function across thousands of individual option puts and option calls, a function no other market participants are obligated to perform. The Exchange believes that offering the SQF Port Fee waiver to NOM Market Makers is equitable and not unfairly discriminatory because of the obligations<sup>9</sup> borne by NOM Market Makers as compared to other market participants. Encouraging NOM Market Makers to transition to the more robust SQF Port benefits all market participants because NOM Market Makers provide a critical liquidity function which adds greater liquidity benefits for all NOM Participants in the quality of order interaction and enhanced execution quality.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Offering NOM Market Makers the opportunity to transition from OTTO Ports to SQF Ports, at no additional cost, does not impose any undue burden on intra-market competition because NOM Market Makers have obligations<sup>10</sup> to the market which are not borne by other market participants. NOM Market Makers provide a critical liquidity function across thousands of individual option puts and option calls, a function no other market participants are obligated to perform. The Exchange does not believe that offering NOM Market Makers the opportunity to transition from OTTO Ports to SQF Ports at no additional cost imposes an undue burden on inter-market competition because other options exchanges similarly offer NOM Market Makers the ability to obtain the necessary information to perform market making activities.<sup>11</sup>

The Exchange operates in a highly competitive market in which many sophisticated and knowledgeable market participants can readily and do send order flow to competing exchanges if they deem fee levels or rebate incentives at a particular exchange to be excessive or inadequate. These market forces ensure that the Exchange's fees and rebates remain competitive with the fee structures at other trading platforms.

<sup>9</sup> See note 8.

<sup>10</sup> See note 8.

<sup>11</sup> NASDAQ OMX PHLX LLC ("Phlx") and NASDAQ OMX BX, Inc. ("BX") offer SQF Ports to its market makers. See Phlx's Pricing Schedule and BX Rules at Chapter XV, Section 3.

<sup>6</sup> 15 U.S.C. 78f.

<sup>7</sup> 15 U.S.C. 78f(b)(4) and (5).

<sup>8</sup> Pursuant to Chapter VII (Market Participants), Section 5 (Obligations of Market Makers), in registering as a market maker, an Options Participant commits himself to various obligations. Transactions of a Market Maker in its market making capacity must constitute a course of dealings reasonably calculated to contribute to the maintenance of a fair and orderly market, and Market Makers should not make bids or offers or enter into transactions that are inconsistent with such course of dealings. Further, all Market Makers are designated as specialists on NOM for all purposes under the Act or rules thereunder. See Chapter VII, Section 5.

<sup>4</sup> OTTO provides a method for subscribers to send orders and receive status updates on those orders. OTTO accepts limit orders from system subscribers, and if there is a matching order, the orders will execute. Non-matching orders are added to the limit order book, a database of available limit orders, where they are matched in price-time priority.

<sup>5</sup> OTTO Ports fees will still apply for the month in which the NOM Participant transitions to SQF Ports.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were either solicited or received.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to section 19(b)(3)(A)(ii) of the Act.<sup>12</sup> At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NASDAQ-2015-101 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.
- All submissions should refer to File Number SR-NASDAQ-2015-101. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASDAQ-2015-101 and should be submitted on or before September 15, 2015.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 2015-20933 Filed 8-24-15; 8:45 am]

**BILLING CODE 8011-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

**Sunshine Act Meeting**

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold a Closed Meeting on Thursday, August 27, 2015 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or her designee, has certified that, in her opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), (9)(ii) and (10), permit consideration of the scheduled matter at the Closed Meeting. Commissioner Aguilar, as duty officer, voted to consider the items listed for the Closed Meeting in closed session.

The subject matter of the Closed Meeting will be:

- Institution and settlement of injunctive actions;
- Institution and settlement of administrative proceedings;
- Resolution of litigation claims;

Adjudicatory matters; and  
Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551-5400.

Dated: August 20, 2015.

**Robert W. Errett,**

*Deputy Secretary.*

[FR Doc. 2015-21079 Filed 8-21-15; 11:15 am]

**BILLING CODE 8011-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-75740; File No. SR-NYSE-2015-36]

**Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing of Proposed Rule Change Amending Section 907.00 of the Listed Company Manual (the "Manual") To (i) Amend the Suite of Complimentary Products and Services That Are Offered to Certain Current and Newly Listed Companies, (ii) Update the Value of Complimentary Products and Services Offered to Listed Companies, and (iii) Provide That Complimentary Products and Services Would Also Be Offered to Companies that Transfer Their Listing to the Exchange From Another National Securities Exchange**

August 19, 2015.

Pursuant to Section 19(b)(1) <sup>1</sup> of the Securities Exchange Act of 1934 (the "Act") <sup>2</sup> and Rule 19b-4 thereunder, <sup>3</sup> notice is hereby given that, on August 11, 2015, New York Stock Exchange LLC ("NYSE" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. 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 proposes to amend section 907.00 of the listed company manual (the "manual") [sic] to (i)

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

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>13</sup> 17 CFR 200.30-3(a)(12).