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*Detroit Edison Company, Docket No. 50–341, Fermi 2, Monroe County, Michigan*

*Date of application for amendment:* November 13, 2012.

*Brief description of amendment:* The amendment revises surveillance requirements (SRs) which currently require operating the ventilation system for at least 10 continuous hours with the heaters operating every 31 days for SR 3.6.4.3.1 and 31 days on a staggered test basis for SR 3.7.3.1. The SRs would be changed to require at least 15 continuous minutes of ventilation system operation every 31 days and include technical specification (TS) bases changes that summarize and clarify the purpose of the TS in accordance with TS Task Force Traveler (TSTF) 522, “Revise Ventilation System Surveillance Requirements to operate for 10 Hours per Month.”

*Date of issuance:* May 13, 2013.

*Effective date:* As of the date of issuance and shall be implemented within 60 days.

*Amendment No.:* 192.

*Facility Operating License No. NPF–43:* Amendment revised the Technical Specifications and License.

*Date of initial notice in Federal Register:* January 22, 2013 (78 FR 4471).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 13, 2013.

*No significant hazards consideration comments received:* No.

*FirstEnergy Nuclear Operating Company (FENOC), et al., Docket No. 50–440, Perry Nuclear Power Plant, Unit 1 (PNPP), Lake County, Ohio*

*Date of amendment request:* September 5, 2012.

*Description of amendment request:* The proposed amendment would modify PNPP's Technical Specifications (TS) Table 3.3.5.1–1, “Emergency Core Cooling System (ECCS) Instrumentation,” footnote (a) to require ECCS instrumentation to be operable only when the associated ECCS

subsystems are required to be operable. This proposed change is consistent with Nuclear Regulatory Commission (NRC)-approved TS Task Force (TSTF) change traveler TSTF–275–A, Revision 0.

Additionally, the proposed amendment would add exceptions to the diesel generator (DG) surveillance requirements (SRs) for TS 3.8.2, “AC Sources—Shutdown,” to eliminate the requirement that the DG be capable of responding to ECCS initiation signals while the ECCS subsystems are not required to be operable. This proposed change is consistent with NRC-approved TSTF–300–A, Revision 0.

*Date of issuance:* May 6, 2013.

*Effective date:* As of the date of issuance and shall be implemented within 60 days.

*Amendment No.:* 163.

*Facility Operating License No. NPF–58:* This amendment revised the Technical Specifications and License.

*Date of initial notice in Federal Register:* January 8, 2013 (78 FR 1270).

The Commission's related evaluation of the amendment is contained in a Safety Evaluation dated May 6, 2013.

*No significant hazards consideration comments received:* No.

*Northern States Power Company—Minnesota, Docket Nos. 50–282 and 50–306, Prairie Island Nuclear Generating Plant (PINGP), Units 1 and 2, Goodhue County, Minnesota*

*Date of application for amendments:* August 11, 2011, as supplemented by letters dated February 21, 2012, July 9, 2012, October 4, 2012, February 8, 2013, and April 30, 2013.

*Brief description of amendments:* The amendments revise the PINGP licensing basis to address plant capability related to the diesel fuel oil supplies during a design basis accident with a loss of offsite power and a single failure. The amendments also revise the technical specification (TS) fuel oil storage volume requirements to reflect the new licensing basis, resolve non-conservative emergency diesel generator fuel oil supply volumes, incorporate portions of Technical Specification Task Force Traveler 501, “Relocate Stored Fuel Oil and Lube Oil Volume Values to Licensee Control,” and make other administrative changes to the TSs.

*Date of issuance:* May 9, 2013.

*Effective date:* As of the date of issuance and shall be implemented within 90 days.

*Amendment Nos.:* 207 and 194.

*Renewed Facility Operating License Nos. DPR–42 and DPR–60:* Amendments revised the Licenses and TSs.

*Date of initial notice in Federal Register:* December 13, 2011 (76 FR 77568).

The supplemental letters contained clarifying information and did not change the initial no significant hazards consideration determination, and did not expand the scope of the original **Federal Register** notice.

The Commission's related evaluation of the amendments is contained in a Safety Evaluation dated May 9, 2013.

No significant hazards consideration comments received: No.

Dated at Rockville, Maryland, this 17th day of May 2013.

For the Nuclear Regulatory Commission.

**Michele G. Evans,**

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

[FR Doc. 2013–12424 Filed 5–24–13; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 40–8943–MLA–2; ASLBP No. 13–926–01–MLA–BD01]

**Atomic Safety and Licensing Board Panel; Before the Licensing Board: G. Paul Bollwerk, III, Chairman, Dr. Richard E. Wardwell, Dr. Thomas J. Hirons; Crow Butte Resources, Inc. (Marsland Expansion Area); Memorandum and Order (Notice of Hearing)**

May 16, 2013.

This proceeding concerns the May 16, 2012 application of Crow Butte Resources, Inc., (CBR) to amend its 10 CFR part 40 source materials license that authorizes the operation of CBR's existing in situ uranium recovery (ISR) facility near Crawford, Nebraska. If issued by the Nuclear Regulatory Commission (NRC), the requested amendment would permit CBR to operate a satellite ISR facility, the Marsland Expansion Area (MEA) site, which is located in Dawes County, Nebraska, some eleven miles to the southeast of CBR's Crawford central processing facility. In response to a November 26, 2012 NRC hearing opportunity notice regarding this application, *see* [CBR], License SUA–1534, License Amendment to Construct and Operate [MEA], 77 FR 71,454 (Nov. 30, 2012), petitioner Oglala Sioux Tribe (OST) and petitioners Antonia Loretta Afraid of Bear Cook, Bruce McIntosh, Debra White Plume, Western Nebraska Resources Council, and Aligning for Responsible Mining, referred to jointly as the Consolidated Petitioners, filed timely requests for hearing/petitions for leave to intervene contesting the CBR ISR amendment application. On

February 6, 2013, this three-member Atomic Safety and Licensing Board was established to preside over this proceeding. See [CBR], Establishment of Atomic Safety and Licensing Board, 78 FR 9945 (Feb. 12, 2013). Thereafter, in a May 10, 2013 issuance, while concluding that none of the Consolidated Petitioners had established the requisite standing to intervene in this proceeding, the Board also found that OST had demonstrated its standing and had submitted two admissible contentions concerning the CBR application and so admitted OST as a party to this proceeding. See LBP-13-6, 77 NRC \_\_ (May 10, 2013).

In light of the foregoing, please take notice that a hearing will be conducted in this proceeding. The hearing will be governed by the simplified hearing procedures set forth in 10 CFR part 2, subparts C and L, 10 CFR 2.300-2.390, 2.1200-2.1213.

During the course of this proceeding, the Board may conduct an oral argument, as provided in 10 CFR 2.331; may hold additional prehearing conferences pursuant to 10 CFR 2.329; and may conduct evidentiary hearings in accordance with 10 CFR 2.327-2.328, 2.1206-2.1208. The public is invited to attend any oral argument, prehearing conference, or evidentiary hearing. Notices of those sessions will be published in the **Federal Register** and/or made available to the public at the NRC Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and through the NRC Web site, [www.nrc.gov](http://www.nrc.gov).

Additionally, as provided in 10 CFR 2.315(a), any person not a party to the proceeding may submit a written limited appearance statement. Limited appearance statements, which are placed in the docket for this proceeding, provide members of the public with an opportunity to make the Board and/or the participants aware of their concerns about any matters at issue in the proceeding, particularly any concerns associated with the admitted contentions. A written limited appearance statement can be submitted at any time and should be sent to the Office of the Secretary using one of the methods prescribed below:

*Mail to:* Office of the Secretary, Rulemakings and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax to:* (301) 415-1101 (verification (301) 415-1966).

*Email to:* [hearing.docket@nrc.gov](mailto:hearing.docket@nrc.gov).

In addition, a copy of the limited appearance statement should be sent to

the Licensing Board Chairman using the same method at the address below:

*Mail to:* Administrative Judge G. Paul Bollwerk, III, Atomic Safety and Licensing Board Panel, Mail Stop T-3F23, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax to:* (301) 415-5599 (verification (301) 415-7550).

*Email to:* [paul.bollwerk@nrc.gov](mailto:paul.bollwerk@nrc.gov).

Further, at a later date, the Board may conduct oral limited appearance sessions regarding this ISR proceeding at a location, or locations, in the vicinity of the MEA site. If one or more limited appearance sessions are scheduled, notice will be published in the **Federal Register** and/or made available to the public at the NRC PDR and on the NRC Web site, [www.nrc.gov](http://www.nrc.gov).

Documents relating to this proceeding are available for public inspection at the Commission's PDR or electronically from the publicly available records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS, including its adjudicatory proceeding-related Electronic Hearing Docket, is accessible from the NRC Web site at [www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html) (the Public Electronic Reading Room). Persons who do not have access to ADAMS, or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR reference staff by telephone at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

It is so ordered.

Dated: May 16, 2013, Rockville, Maryland.

For the Atomic Safety and Licensing Board.

**G. Paul Bollwerk, III,**

*Chairman, Administrative Judge.*

[FR Doc. 2013-12494 Filed 5-24-13; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

**[Docket Nos. 11005621, 11005896, 11005620, 11005897, 11006061, 11005840, 11005941; License Nos. IW017, IW029, XW010, XW018, XW020, XCOM1211, XSOU8825]**

### In the Matter of Energy Solutions Inc.; Order Approving Indirect Transfer of Import and Export Licenses

#### I

EnergySolutions Services, Inc. (ES Services), Duratek Services, Inc. (Duratek), and Manufacturing Sciences Corp. (MSC) hold import and export licenses and are subsidiaries of EnergySolutions, Inc. (ES, Inc.).

#### II

By letters dated January 18, 2013 and January 21, 2013, ES, Inc., on behalf of its subsidiaries ES Services, Duratek, and MSC, notified the U.S. Nuclear Regulatory Commission (NRC) of the proposed indirect transfer of control of import licenses IW017 (Duratek) and IW029 (ES Services), and export licenses XW010 (Duratek), XW018 (ES Services), XW020 (ES Services), XCOM1211 (MSC), and XSOU8825 (MSC), and, by letter dated April 17, 2013, submitted an application requesting that the NRC consent to the proposed indirect transfer of control of these import and export licenses.

The indirect transfer will occur as a result of a proposed transaction whereby ES, Inc., the current ultimate parent holding company of ES Services, Duratek, and MSC, would be directly acquired by Rockwell Holdco, Inc. (Rockwell), a Delaware corporation that was formed for the purpose of acquiring ES, Inc. and is held by certain investment fund entities organized by controlled affiliates of Energy Capital Partners II, LLC (ECP II). ES, Inc. represents that the indirect transfer will not result any change in the current technical and financial qualifications, or operations, of the NRC licensees for IW017, IW029, XW010, XW018, XW020, XCOM1211, and XSOU8825.

Approval of the indirect transfer of the licenses was requested pursuant to Section 184 of the Atomic Energy Act of 1954, as amended (AEA) (42 U.S.C. 2234). The letters from ES, Inc. dated January 18, 2013, January 21, 2013, and April 17, 2013, were made publicly available in ADAMS at ML13101A277, ML13101A287, and ML13122A113, respectively. No requests for hearing or comments were received.

Pursuant to Section 184 of the AEA, no license granted under 10 CFR part 110, shall be transferred, assigned, or in any manner disposed of, directly or indirectly, through transfer of control of any license to any person unless the Commission, after securing full information, finds that the transfer is in accordance with the provisions of the AEA, and gives its consent in writing.

Upon review of the information received from ES, Inc., and other information before the Commission, and relying upon the representations and agreements contained in the Transfer Application, the NRC staff finds that: (1) The qualifications of ES Services, Duratek, and MSC regarding the proposed indirect transfer of control of IW017, IW029, XW010, XW018, XW020, XCOM1211, and XSOU8825 are not changed, and (2) the proposed indirect