

**NUCLEAR REGULATORY COMMISSION**

[NRC–2008–0581; Docket ID 52–038]

**Nine Mile Point 3 Nuclear Project, LLC and UniStar Nuclear Operating Services, LLC****AGENCY:** Nuclear Regulatory Commission.**ACTION:** Application for combined license; withdrawal.

**SUPPLEMENTARY INFORMATION:** By letter dated September 30, 2008, as supplemented by letter dated November 18, 2008, Nine Mile Point 3 Nuclear Project, LLC, and UniStar Nuclear Operating Services, LLC (UniStar), submitted an application to the U.S. Nuclear Regulatory Commission (NRC) for a combined license (COL) for a single unit of the U.S. Evolutionary Power Reactor (U.S. EPR) in accordance with the requirements contained in Title 10 of the *Code of Federal Regulations* (10 CFR) part 52, “Licenses, Certifications and Approvals for Nuclear Power Plants.” This reactor would be identified as Nine Mile Point 3 Nuclear Power Plant (NMP3NPP) and located adjacent to the current Nine Mile Point Nuclear Station, Unit 1 and Unit 2, in Oswego County, New York.

A notice of receipt and availability of this application was previously published in the **Federal Register** (73 FR 63998) on October 28, 2008. On December 19, 2008, a subsequent notice was published in the **Federal Register** (73 FR 77862) announcing the acceptance of the NMP3NPP COL application for docketing in accordance with 10 CFR part 2, “Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders,” and 10 CFR part 52. The docket number established for this application is 52–038.

By letter dated December 1, 2009, UniStar requested that the NRC temporarily suspend the COL application review, including any supporting reviews by external agencies, until further notice (Agencywide Documents Access and Management System (ADAMS) Accession No. ML093430638). The NRC granted the suspension. By letter dated November 26, 2013, UniStar requested the NRC to withdraw the NMP3NPP COL application, including the Safeguards/ Security Part of the application, from the docket (ADAMS Accession No. ML13333A287). Pursuant to the requirements in 10 CFR part 2, the Commission grants UniStar its request to withdraw the NMP3NPP COL application.

Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records are accessible electronically from the ADAMS Public Electronic Reading Room on the internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. 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, or 301–415–4737 or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov).

Dated at Rockville, Maryland, this 31st day of March 2014.

For the Nuclear Regulatory Commission,  
**Frank Akstulewicz**,  
*Director, Division of New Reactor Licensing,  
Office of New Reactors.*

[FR Doc. 2014–07580 Filed 4–3–14; 8:45 am]

**BILLING CODE 7590–01–P****NUCLEAR REGULATORY COMMISSION**

[NRC–2014–0071]

**Tornado Missile Protection****AGENCY:** Nuclear Regulatory Commission.**ACTION:** Draft regulatory issue summary; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is seeking public comment on a draft regulatory issue summary (RIS) that restates regulatory requirements and staff positions on protection from tornado missiles.

**DATES:** Submit comments by June 3, 2014. Comments received after this date will be considered if it is practical to do so, but the NRC is able to assure consideration only for comments received on or before this date.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2014–0071. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and

Directives Branch (RADB), Office of Administration, Mail Stop: 3WFN, 06–44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

For additional direction on accessing information and submitting comments, see “Accessing Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** James Keene, telephone: 301–415–1994, email: [James.Keene@nrc.gov](mailto:James.Keene@nrc.gov), or Thomas Alexion, telephone: 301–415–1326, email: [Thomas.Alexion@nrc.gov](mailto:Thomas.Alexion@nrc.gov), Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

**SUPPLEMENTARY INFORMATION:****I. Accessing Information and Submitting Comments****A. Accessing Information**

Please refer to Docket ID NRC–2014–0071 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2014–0071.

- *NRC’s Agencywide Documents Access and Management System (ADAMS):* You may access publicly available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select “ADAMS Public Documents” and then select “Begin Web-based ADAMS Search.” For problems with ADAMS, please contact the NRC’s Public Document Room (PDR) reference staff at 1–800–397–4209, 301–415–4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The draft RIS, “Tornado Missile Protection,” is available in ADAMS under Accession No. ML13094A421.

- *NRC’s PDR:* You may examine and purchase copies of public documents at the NRC’s PDR, Room O1–F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

**B. Submitting Comments**

Please include Docket ID NRC–2014–0071 in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov>.

[www.regulations.gov](http://www.regulations.gov) as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## II. Discussion

The NRC issues RISs to communicate with stakeholders on a broad range of regulatory matters. This may include communicating and restating staff positions on regulatory matters.

The NRC staff has developed draft RIS 201X-XX, "Tornado Missile Protection," to restate regulatory requirements and staff positions on protection from tornado missiles. The draft RIS is available electronically under ADAMS Accession No. ML13094A421.

Dated at Rockville, Maryland, this 31st day of March 2014.

For the Nuclear Regulatory Commission.

**Sheldon D. Stuchell,**

*Acting Chief, Generic Communications Branch, Division of Policy and Rulemaking, Office of Nuclear Reactor Regulation.*

[FR Doc. 2014-07576 Filed 4-3-14; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 040-06377; NRC-2014-0041]

### License Amendment Application for Department of the Army, U.S. Armament Research, Development and Engineering Center

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Decommissioning plan, license amendment request; opportunity to comment, request a hearing, and petition for leave to intervene.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received an application by the Department of the Army, U.S. Armament Research, Development and Engineering Center (ARDEC) for amendment of Materials License No. SUB-348, which authorizes use of radioactive byproduct material

for research and development. The amendment would allow ARDEC to begin remediation activities in Area 1222 of the Picatinny Arsenal site to confirm that Area 1222 would meet the requirements for release for unrestricted use. The area would remain a portion of the Picatinny Arsenal site.

**DATES:** Comments must be filed by June 3, 2014. A request for a hearing or petition for leave to intervene must be filed by June 3, 2014.

**ADDRESSES:** You may submit comments by any of the following methods (unless this document describes a different method for submitting comments on a specific subject):

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2014-0041. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: 3WFN-06-44M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on accessing information and submitting comments, see "Accessing Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Laurie A. Kauffman, Division of Nuclear Materials Safety, Region I, U.S. Nuclear Regulatory Commission, 2100 Renaissance Boulevard, Suite 100, King of Prussia, Pennsylvania 19406; telephone: 610-337-5323; fax number: 610-337-5269; email: [Laurie.Kauffman@nrc.gov](mailto:Laurie.Kauffman@nrc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Accessing Information and Submitting Comments**

###### *A. Accessing Information*

Please refer to Docket ID NRC-2014-0041 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document by any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2014-0041.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may access publicly

available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced in this document (if that document is available in ADAMS) is provided the first time that a document is referenced.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

###### *B. Submitting Comments*

Please include Docket ID **NRC-2014-0041** in the subject line of your comment submission, in order to ensure that the NRC is able to make your comment submission available to the public in this docket.

The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC posts all comment submissions at <http://www.regulations.gov> as well as entering the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment submissions to remove such information before making the comment submissions available to the public or entering the comment submissions into ADAMS.

## II. Introduction

The NRC has received, by letter dated July 23, 2013 (ADAMS Accession No. ML14078A564), a proposed decommissioning plan and license amendment request from the Department of the Army, ARDEC for approval of a decommissioning plan for a portion of its facility located in Picatinny, New Jersey. The amendment provides a decommissioning plan for the radiological survey and subsequent excavation, decontamination, and proper disposal of licensed radioactive material identified within a designated