

From: Linton, Ron
Sent: Monday, September 20, 2010 11:18 AM
To: Arlen Shoyo (ashoyo@washakie.net); Conrad Fisher (conrad.fisher@cheyennenation.com); Darlene Conrad (narapahothpo_2009@ymail.com); Darrel Youpee (cultres@nemontel.net); Donna Rae Peterson (cpadmin@lakotanetwork.com); John Murray (John.murray@blackfeetplanning.org); Joyce Whiting (kevin@oglala.org); Perry Brady (pbrady@mhanation.com)
Cc: VonTill, Bill; Turtill, Richard; Saxton, John; McIntyre, David
Subject: Federal Register Notice: Irigaray & Christensen Ranch uranium ISR facility
Attachments: 2010 9-20 FRN Opp for Hearing U1- ARMZ.pdf

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Mr. Dale Old Horn
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(via USPS)

Interested Parties:

A "Notice of Application from Uranium One USA, Inc., for Consent to an Indirect Change of Control for Source Material License SUA-1341 to JSC Atomredmetzoloto, Opportunity to Provide Comments and to Request a Hearing" was published in the *Federal Register*, Vol. 75, No. 181, Monday, September 20, 2010 (attached). A link to the *Federal Register* Notice will also be published at <http://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing-license-applications.html> a few days after publication in the *Federal Register*. The NRC is notifying you of this action, as you may have an interest.

By letter to the U.S. Nuclear Regulatory Commission (NRC) dated July 20, 2010, Uranium One Inc. (Uranium One), a Canadian Corporation, and its subsidiary, Uranium One USA, Inc., holder of NRC Materials License SUA-1341, submitted an Application for Change of Control and Ownership for its Irigaray and Christensen Ranch uranium *in-situ* recovery project in Johnson and Campbell Counties, Wyoming, to JSC Atomredmetzoloto (ARMZ). Uranium One requested that NRC consent to the change in control and ownership as is required under 10 CFR 40.46. The Irigaray and Christensen Ranch facilities are located within the Powder River Basin of Wyoming, approximately 5 miles west of the Pumpkin Buttes.

On June 8, 2010, Uranium One entered into a Purchase and Subscription Agreement with ARMZ, and its wholly owned subsidiaries Effective Energy N.V. and Uranium Mining Corporation, wherein ARMZ will acquire not less than 51 percent of Uranium One's common shares. ARMZ is presently directly and indirectly owned by the State Atomic Energy Corporation Rosatom (Rosatom). Consummation of the transaction would result in the indirect change of control of the Applicant and license SUA-1341 from Uranium One, Inc. to Rosatom, through ARMZ.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this e-mail will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Please contact me if you have any questions related to this application.

Ron C. Linton

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White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852 or through the Internet from the NRC's Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room under Accession Number ML102450572. The ADAMS Public Electronic Reading Room is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>. Persons who do not have access to the Internet or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff at 1-800-397-4209, extension 4737, or by e-mail to pdr@nrc.gov.

A copy of the license renewal application for the DNBPS, Unit 1, is also available to local residents near the site at the Ida Rupp Public Library, 310 Madison Street, Port Clinton, OH 43452 and the Toledo-Lucas County Public Library, 325 North Michigan Street, Toledo, OH 43604.

Dated at Rockville, Maryland this 10th day of September 2010.

For the Nuclear Regulatory Commission:

Louise Lund,

(A) Deputy Director, Division of License Renewal, Office of Nuclear Reactor Regulation.

[FR Doc. 2010-23381 Filed 9-17-10; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 040-08502; NRC-2010-0300]

Notice of Application From Uranium One USA, Inc., for Consent to an Indirect Change of Control for Source Material License SUA-1341 to JSC Atomredmetzoloto, Opportunity To Provide Comments and To Request a Hearing

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of receipt of an application for indirect change of control and opportunity to request a hearing and provide written comments.

DATES: Requests for a hearing must be filed by October 12, 2010. Comments must be received by October 20, 2010.

ADDRESSES: You may submit comments by any one of the following methods. Please include Docket ID NRC-2010-0300 in the subject line of your comments. Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the

Federal rulemaking Web site <http://www.regulations.gov>. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for documents filed under Docket ID NRC-2010-0300. Address questions about NRC dockets to Carol Gallagher, telephone 301-492-3668; e-mail Carol.Gallagher@nrc.gov.

Mail comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Rulemakings and Adjudications Staff.

You can access publicly available documents related to this notice using the following methods:

NRC's Public Document Room (PDR): The public may examine and have copied for a fee publicly available documents at the NRC's PDR, Room O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland.

NRC's Agencywide Documents Access and Management System (ADAMS): Publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr.resource@nrc.gov.

Federal Rulemaking Web site: Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID: NRC-2010-0300.

FOR FURTHER INFORMATION CONTACT: Ron C. Linton, Project Manager, Uranium Recovery Licensing Branch, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415-7777;

fax number: (301) 415-5369; e-mail: ron.linton@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Nuclear Regulatory Commission (NRC) is considering an application dated July 20, 2010, by Uranium One USA, Inc. (the "Applicant"), requesting consent for an indirect change of control with respect to its NRC Materials License SUA-1341. Under this license, the Applicant operates the Irigaray and Christensen Ranch uranium *in situ* recovery milling facilities located in Johnson and Campbell Counties, Wyoming. The Applicant is a wholly owned subsidiary of Uranium One Exploration U.S.A., Inc. (a Delaware corporation), which is a wholly owned subsidiary of Uranium One Americas, Inc. (a Nevada corporation), which is a wholly owned subsidiary of Uranium One Investments, Inc. (a Canadian corporation), which is a wholly owned subsidiary of Uranium One, Inc. (a Canadian corporation). On June 8, 2010, Uranium One, Inc. entered into a Purchase and Subscription Agreement with JSC Atomredmetzoloto (ARMZ) (a Russian corporation) and its wholly owned subsidiaries Effective Energy N.V. (a Dutch limited liability company) and Uranium Mining Company (a Russian corporation), wherein ARMZ will acquire no less than 51 percent of Uranium One, Inc.'s common shares. ARMZ is presently directly and indirectly owned by the State Atomic Energy Corporation Rosatom (Rosatom). Rosatom's activities are regulated by Russian Federal Law No. 317-EZ and by regulatory legal acts of the President of the Russian Federation and the Government of the Russian Federation adopted in accordance with Russian Federal Law. Consummation of the transaction would result in the indirect change of control of the Applicant and license SUA-1341 from Uranium One, Inc. to Rosatom, through ARMZ. The Applicant is requesting that the NRC consent to this change of control.

The application states that there would be no change to the Applicant's operations, its key operating personnel, or its licensed activities as a result of the transaction. After closing of the transaction, and if the indirect change of control is approved by the NRC, the Applicant would continue to be the holder of license SUA-1341. The Applicant would remain technically and financially qualified as the licensee and would continue to fulfill all responsibilities as the licensee. An administrative license amendment would be necessary to reflect a change

in the financial surety mechanism for license SUA-1341.

Pursuant to section 184 of the Atomic Energy Act of 1954, as amended (AEA) and Title 10 of the Code of Federal Regulation (CFR), section 40.46, no Part 40 license shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the 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. An Environmental Assessment (EA) will not be performed for this proposed action because it is categorically excluded from the requirement to perform an EA under 10 CFR 51.22(c)(21).

Consent to the indirect change of control is contingent upon receipt of the fully executed financial assurance instruments that meet NRC requirements and are accepted by NRC. Upon receipt of such instruments and a satisfactory completion of a safety review, the NRC staff plans to consent to the July 20, 2010, application by issuing the necessary order, along with a supporting safety evaluation report. The Applicant may be required to obtain regulatory approvals by other Federal and State agencies or departments, independent of NRC review and approval.

II. Opportunity To Request a Hearing

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC E-Filing rule (72-FR 49139, August 28, 2007). The E-Filing rule requires participants to submit and serve all adjudicatory documents over the Internet, or in some cases to mail copies on electronic storage media. Participants may not submit paper copies of their filings unless they seek an exemption in accordance with the procedures described below.

To comply with the procedural requirements of E-Filing, at least ten (10) days prior to the filing deadline, the participant should contact the Office of the Secretary by e-mail at hearing.docket@nrc.govmailto, or by telephone at (301) 415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or

representative) to digitally sign documents and access the E-Submittal server for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a request or petition for hearing (even in instances in which the participant, or its counsel or representative, already holds an NRC-issued digital ID certificate). Based upon this information, the Secretary will establish an electronic docket for the hearing in this proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>. System requirements for accessing the E-Submittal server are detailed in NRC's "Guidance for Electronic Submission," which is available on the agency's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. Participants may attempt to use other software not listed on the Web site, but should note that the NRC's E-Filing system does not support unlisted software, and the NRC Meta System Help Desk will not be able to offer assistance in using unlisted software.

If a participant is electronically submitting a document to the NRC in accordance with the E-Filing rule, the participant must file the document using the NRC's online, Web-based submission form. In order to serve documents through EIE, users will be required to install a Web browser plug-in from the NRC Web site. Further information on the Web-based submission form, including the installation of the Web browser plug-in, is available on the NRC's public Web site at <http://www.nrc.gov/site-help/e-submittals.html>.

Once a participant has obtained a digital ID certificate and a docket has been created, the participant can then submit a request for hearing or petition for leave to intervene. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public Web site at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the filer submits its documents through EIE. To be timely, an electronic filing must be submitted to the EIE system no later than 11:59 p.m. Eastern Standard Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the

document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the documents on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before a hearing request/petition to intervene is filed so that they can obtain access to the document via the E-Filing system.

A person filing electronically using the agency's adjudicatory E-Filing system may seek assistance by contacting the NRC Meta System Help through the "Contact Us" link located on the NRC Web site at <http://www.nrc.gov/site-help/e-submittals.html>, by e-mail at MSHD.Resource@nrc.gov, or by a toll-free call at (866) 672-7640. The Meta System Help Desk is available between 8 a.m. and 8 p.m., Eastern Time, Monday through Friday, excluding government holidays.

Participants who believe that they have a good cause for not submitting documents electronically must file a motion, in accordance with 10 CFR 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by: (1) First class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville, Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service. A presiding officer, having granted an exemption request from using E-Filing, may require a participant or party to use E-Filing if the presiding officer subsequently determines that the reason for granting the exemption from use of E-Filing no longer exists.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at http://ehd.nrc.gov/EHD_Proceeding/home.asp, unless excluded pursuant to an order of the Commission, or the presiding

officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings, unless an NRC regulation or other law required submission of such information. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, participants are requested not to include copyrighted materials in their submission.

Petitions for leave to intervene must be filed no later than October 12, 2010. Non-timely filings will not be entertained absent a determination by the presiding officer that the petition or request should be granted or the contentions should be admitted, based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)–(viii).

III. Opportunity To Provide Written Comments

In accordance with 10 CFR 2.1305(a), as an alternative to requests for hearings and petitions to intervene, persons may submit written comments regarding this action. Written comments must be submitted no later than October 20, 2010. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted as described in the ADDRESSES section of this document. Comments received after 30 days will be considered if practicable to do so, but only those comments received on or before the due date can be assured consideration.

IV. Further Information

Documents related to this action, including the application for the proposed action, are available electronically through the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, you can access the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession numbers for the documents related to this notice are: June 21, 2010, letter from Uranium One re: Pending Transaction (ML101810535); and the July 20, 2010, Notice of Change of Control and Ownership Information and License Amendment Application (ADAMS ML102090404). If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference

staff at 1–800–397–4209, 301–415–4737 or by e-mail to pdr.resource@nrc.gov. These documents may also be viewed electronically on the public computers located at the NRC's PDR, O1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland this 8th day of September, 2010.

For the Nuclear Regulatory Commission.

Keith I. McConnell,

Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.

[FR Doc. 2010–23383 Filed 9–17–10; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Public Meeting

In accordance with the purposes of Sections 29 and 182b of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards (ACRS) will hold a meeting on October 7–9, 2010, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Monday, October 14, 2009, (74 FR 52829–52830).

Thursday, October 7, 2010, Conference Room T2–B1, Two White Flint North, Rockville, Maryland

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–10:30 a.m.: Final Safety Evaluation Report Associated with the Economic Simplified Boiling Water Reactor (ESBWR) Design Certification Application (Open/Closed)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff, General Electric—Hitachi (GEH), and Entergy Operations, Inc. regarding the final Safety Evaluation Report associated with the ESBWR design certification application. [Note: A portion of this session may be closed in order to discuss and protect information designated as proprietary by GEH pursuant to 5 U.S.C. 552b(c)(4)]

10:45 a.m.–12:15 p.m.: Final Safety Evaluation Report Associated with

the License Renewal Application for the Cooper Nuclear Station (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and the Nebraska Public Power District regarding the license renewal application and final Safety Evaluation Report for the Cooper Nuclear Station.

1:15 p.m.–2:45 p.m.: Final Safety Evaluation Report Associated with the License Renewal Application and for the Duane Arnold Energy Center (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and FPL Energy Duane Arnold, LLC regarding the license renewal application and final Safety Evaluation Report for the Duane Arnold Energy Center.

3 p.m.–5 p.m.: Draft Final Rule for Risk-Informed Changes to Loss-of-Coolant Accident (LOCA) Technical Requirements (10 CFR 50.46a) (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the draft final rule for risk-informed changes to LOCA technical requirements (10 CFR 50.46a).

5:15 p.m.–7 p.m.: Preparation of ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on matters discussed during this meeting.

Friday, October 8, 2010, Conference Room T2–B1, Two White Flint North, Rockville, Maryland

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–10:30 a.m.: Digital I&C Interim Staff Guidance on Licensing Process (ISG–6) (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff and Nuclear Energy Institute (NEI) regarding Digital I&C Interim Staff Guidance on Licensing Process (ISG–6).

10:45 a.m.–12:15 p.m.: Staff Efforts to Address Containment Liner Corrosion (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding staff efforts to address containment liner corrosion.

1:15 p.m.–2:45 p.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee (Open/Closed)—The Committee

E-mail Properties

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Subject: Federal Register Notice: Irigaray & Christensen Ranch uranium ISR facility
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Received Date: 09/20/2010 11:18:00 AM
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