

*Contact Person:* Dr. Gail Dodge, Program Director for Nuclear Physics; National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 292-8958.

*Purpose of Meeting:* Annual Site Visit as per the terms of the Laboratory's Five-year Cooperative Agreement.

#### Agenda

June 18, 2013

8:00 a.m.–10:15 a.m. Closed—Executive Session, Laboratory, Operations, Upgrades and Commissioning Overview  
 10:15 a.m.–11:15 a.m. Open—Accelerator Physics Research, and Research, Education and Mentoring Overview  
 11:15 a.m.–11:45 a.m. Closed—Executive Session  
 12:00 p.m.–12:45 p.m. Open—Meet with President and Provost  
 12:45 p.m.–1:00 p.m. Closed—Executive Session  
 1:00 p.m.–3:00 p.m. Open—ReA3, Astrophysics, GRETINA, MoNA Decay Studies, BECOLA, and LEBIT  
 3:00 p.m.–3:40 p.m. Open—Meet with Students and Postdocs  
 3:40 p.m.–5:00 p.m. Open—Tour  
 5:00 p.m.–6:00 p.m. Closed—Executive Session

June 19, 2013

8:30 a.m.–1:00 p.m. Closed—Executive Session and Report Writing

*Reason for Closing:* The work being reviewed includes information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under (4) and (6) of 5 U.S.C. 552b(c), the Government in the Sunshine Act.

Dated: May 15, 2013.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2013-11996 Filed 5-20-13; 8:45 am]

**BILLING CODE 7555-01-P**

## NATIONAL TRANSPORTATION SAFETY BOARD

### Sunshine Act Meeting

**TIME AND DATE:** 9:30 a.m., Tuesday, June 4, 2013

**PLACE:** NTSB Conference Center, 429 L'Enfant Plaza SW., Washington, DC 20594.

**STATUS:** The one item is open to the public.

#### MATTERS TO BE CONSIDERED:

8492 *Safety Study—Characteristics of Single-Unit Truck Accidents Resulting in Injuries and Deaths*  
*News Media Contact: Telephone: (202) 314-6100.*

The press and public may enter the NTSB Conference Center one hour prior to the meeting for set up and seating.

Individuals requesting reasonable accommodations should contact Rochelle Hall at (202) 314-6305 or by email at [Rochelle.Hall@ntsb.gov](mailto:Rochelle.Hall@ntsb.gov) by Friday, May 31, 2013.

The public may view the meeting via a live or archived webcast by accessing a link under "News & Events" on the NTSB home page at [www.nts.gov](http://www.nts.gov).

Schedule updates including weather-related cancellations are also available at [www.nts.gov](http://www.nts.gov).

**FOR MORE INFORMATION CONTACT:** Candi Bing, (202) 314-6403 or by email at [bingc@ntsb.gov](mailto:bingc@ntsb.gov).

**FOR MEDIA INFORMATION CONTACT:** Keith Holloway, at (202) 314-6100 or by email at [hollowk@ntsb.gov](mailto:hollowk@ntsb.gov).

Dated: Friday, May 17, 2013.

**Candi R. Bing,**

*Federal Register Liaison Officer.*

[FR Doc. 2013-12194 Filed 5-17-13; 4:15 pm]

**BILLING CODE 7533-01-P**

## NUCLEAR REGULATORY COMMISSION

### Atomic Safety and Licensing Board

**[Docket No. 52-033-COL; ASLBP No. 09-880-05-COL-BD01]**

**Before Administrative Judges: Ronald M. Spritzer, Chairman, Dr. Anthony J. Baratta, Dr. Randall J. Charbeneau; In the Matter of Detroit Edison Company (Fermi Nuclear Power Plant, Unit 3); Notice of Hearing (Notice of Evidentiary Hearing and Opportunity To Provide Oral and Written Limited Appearance Statements)**

May 15, 2013.

Pursuant to 10 CFR 2.312, the Atomic Safety and Licensing Board hereby provides notice that it will convene an evidentiary session to receive testimony and exhibits in the contested portion of this proceeding. In addition, the Board gives notice that, in accordance with 10 CFR 2.315(a), it will entertain oral and written limited appearance statements from members of the public in connection with this proceeding.

#### A. Matters To Be Considered

This combined license ("COL") contested proceeding involves the application of DTE Electric Company (formerly the Detroit Edison Company) ("Applicant") under 10 CFR part 52, Subpart C, to construct and to operate a GE-Hitachi Economic Simplified Boiling Water Reactor ("ESBWR"), designated Unit 3, on its existing Fermi

nuclear facility site in Monroe County, Michigan.<sup>1</sup>

This evidentiary hearing will consider two contentions.

#### i. Contention 8

Contention 8, as restated by the Board, alleges that

the ER fails to adequately assess [Fermi Unit 3]'s impacts on the eastern fox snake and to consider alternatives that would reduce or eliminate those impacts.<sup>2</sup>

#### ii. Contention 15 (Including Subparts A & B)

Contention 15, as restated by the Board, alleges that

Detroit Edison (DTE) failed to comply with Appendix B to 10 C.F.R Part 50 to establish and implement its own quality assurance (QA) program when it entered into a contract with Black and Veatch (B&V) for the conduct of safety-related combined license (COL) application activities and to retain overall control of safety-related activities performed by B&V. This violation began in March 2007 and continued through at least February 2008. Further, DTE failed to complete internal audits of QA programmatic areas implemented for the Fermi 3 COL Application, and DTE also has failed to document trending of corrective actions to identify recurring conditions adverse to quality since the beginning of the Fermi Unit 3 project in March 2007.

#### Contention 15A:

These deficiencies adversely impact the quality of the safety related design information in the FSAR that is based on B&V's tests, investigations, or other safety-related activities. Because the NRC may base its licensing decision on safety-related design information in the FSAR only if it has reasonable assurance of the quality of that information, it may not lawfully issue the COL until the deficiencies have been adequately corrected by the Applicant, or until the Applicant demonstrates that the deficiencies do not affect the quality of safety-related design information in the FSAR.

#### Contention 15B:

Although DTE claims that in February 2008 it adopted a QA program that conforms to Appendix B, DTE has failed to implement that program in the manner required to properly oversee the safety-related design activities of B&V. This demonstrates an ongoing lack of commitment on the part of DTE's management to compliance with NRC QA regulations. The NRC cannot support a finding of reasonable assurance that the plant, as built, can and will be operated

<sup>1</sup> Letter from Jack M. Davis, DTE, to NRC, Detroit Edison Company Submittal of a Combined License Application for Fermi 3 (NRC Project No. 757) (Sept. 18, 2008) (ADAMS Accession No. ML082730763).

<sup>2</sup> See *Detroit Edison Co.* (Fermi Nuclear Power Plant, Unit 3), LBP-09-16, 70 NRC 227, 286 *aff'd*, CLI-09-22, 70 NRC 932 (2009).

without endangering the public health and safety until DTE provides satisfactory proof of a fully-implemented QA program that will govern the design, construction, and operation of Fermi Unit 3 in conformity with all relevant NRC regulations.<sup>3</sup>

#### **B. Date, Time, and Location for Evidentiary Hearing**

The evidentiary hearing will commence at 9:30 a.m., Eastern Daylight Time (EDT) on Wednesday, October 30, 2013, and continue through Friday, November 1, 2013, if necessary, in the Monroe County Courthouse's Board Meeting Room, 125 East Second Street, Monroe, MI 48161.

Members of the public and representatives of the media are welcome to attend and observe this evidentiary hearing. However, signs, banners, posters, and displays are prohibited in accordance with NRC policy.<sup>4</sup>

All individuals attending the evidentiary hearing are advised that security measures will be employed at the entrance to the facility. As such, all individuals attending the evidentiary hearing should bring at least one form of government issued photo identification, refrain from bringing any unnecessary hand-carried items that might need to be examined individually, and allow sufficient time for security screening.

#### **C. Date, Time, and Location of Oral Limited Appearance Statement Sessions**

Two oral limited appearance statement sessions regarding this evidentiary hearing proceeding will be held Tuesday, October 29, 2013, from 1:00 p.m. to 3:00 p.m. EDT (first limited appearance session), and from 7:00 p.m. to 8:30 p.m. (second limited appearance session) at Monroe County Community College, La-Z-Boy Center, Meyer Theater, 1555 S. Raisinville Road, Monroe, MI 48161.

Members of the public and representatives of the media are welcome to attend, observe, and participate in these oral limited appearance statement sessions, as outlined below. As required by NRC policy, signs, banners, posters, and displays not larger than 18" x 18" will be permitted at the oral limited appearance statement session, but may not be waved or held over one's head. Any sign, banner, poster or display

affixed to a stick, or similar device, will not be permitted at the oral limited appearance statement sessions.<sup>5</sup>

All individuals attending the oral limited appearance statement sessions are advised that security measures will be employed at the entrance to the facility. As such, all individuals attending the oral limited appearance statement sessions should bring at least one form of government issued photo identification, refrain from bringing any unnecessary hand-carried items that might need to be examined individually, and allow sufficient time for security screening.

#### **D. Participation Guidelines for Oral Limited Appearance Statements**

Any person not a party, or representative of a party, to this evidentiary hearing will be permitted to make an oral statement in regards to his or her position on a matter of concern relating to the proceeding. Though these statements do not constitute testimony or evidence, they nonetheless may aid the Board and/or the parties in their consideration of the issues involved in this evidentiary hearing.

Oral limited appearance statements will be entertained during the hours specified above. In the event that all scheduled and unscheduled speakers present at the session have made a presentation, the Board reserves the right to terminate the sessions prior to the ending time listed above.

The time allotted for each limited appearance statement will be five minutes, but may be further limited depending on the number of written requests to make an oral statement that are submitted in accordance with section E below and/or the number or persons present at the designated time, so as to ensure that everyone will have an opportunity to speak.

#### **E. Submitting a Request To Make an Oral Limited Appearance Statement**

Although a request to make an oral limited appearance statement may be submitted either prior to or at the limited appearance sessions, those who have submitted timely written requests prior to the limited appearance sessions will be given priority over those who have not filed such requests. To be considered timely, a written request to make an oral statement must either be mailed, faxed, or sent by email so as to be received by 5:00 p.m. EDT on Friday, October 18, 2013.

Written requests to make an oral statement should be submitted to:

*Mail:* Administrative Judge Ronald M. Spritzer, Atomic Safety and Licensing Board Panel, Mail Stop T-3F23, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

*Fax:* (301) 415-5599.

*Email:* [onika.williams@nrc.gov](mailto:onika.williams@nrc.gov) and [ronald.spritzer@nrc.gov](mailto:ronald.spritzer@nrc.gov).

#### **F. Submitting Written Limited Appearance Statements**

As provided in 10 CFR 2.315(a), any person not a party, or a representative of a party, to the proceeding may submit a written statement setting forth his or her position on matters of concern relating to this proceeding. Although these statements do not constitute testimony or evidence, they nonetheless may assist the Board or the parties in their consideration of the issues in this proceeding.

A written limited appearance statement may be submitted at any time and should be sent to the Office of the Secretary using one of the methods prescribed below:

*Mail:* Office of the Secretary, Rulemaking and Adjudications Staff, U.S. Nuclear Regulatory Commission, Washington, DC 20444-0001.

*Fax:* (301) 415-1101.

*Email:* [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

In addition, using the same method of service, a copy of the written limited appearance statement should be sent to the Chairman of this Licensing Board as follows:

*Mail:* Administrative Judge Ronald M. Spritzer, Atomic Safety and Licensing Board Panel, Mail Stop T-3F23, U.S. Nuclear Regulatory Commission.

*Fax:* (301) 415-5599.

*Email:* [ronald.spritzer@nrc.gov](mailto:ronald.spritzer@nrc.gov).

#### **G. Availability of Documentary Information Regarding the Proceeding**

Applicant's application, and various NRC Staff documents relating to the application, are available on the NRC Web site at <http://www.nrc.gov/reactors/new-reactors/col/fermi.html>. These and other documents relating to this proceeding are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852 or electronically from the publicly-available records component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).<sup>6</sup> Persons who do not

<sup>3</sup> See *Detroit Edison Co.* (Fermi Nuclear Power Plant, Unit 3), LBP-10-9, 71 NRC 493, 510-11 (2010).

<sup>4</sup> See Procedures for Providing Security Support for NRC Public Meetings/Hearings, 66 Fed. Reg. 31,719 (June 12, 2001) [hereinafter Meeting Security Guidelines].

<sup>5</sup> See Meeting Security Guidelines.

<sup>6</sup> Some documents determined by the NRC Staff to contain "sensitive" information are publicly available only in redacted form; non-sensitive

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 (800) 397-4209 or (301) 415-4737 (available between 8:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday except federal holidays), or by email to [pdr@nrc.gov](mailto:pdr@nrc.gov).

#### H. Conference Call

The Board intends on holding a conference call with the parties in early October 2013 to discuss further administrative details regarding this evidentiary hearing.

It is so ordered.

Dated: May 15, 2013, Rockville, Maryland.

For the Atomic Safety and Licensing Board.

**Ronald M. Spritzer,**

*Chairman, Administrative Judge.*

[FR Doc. 2013-12073 Filed 5-20-13; 8:45 am]

BILLING CODE 7590-01-P

#### NUCLEAR REGULATORY COMMISSION

[Docket Nos.: 50-275 and 50-323; NRC-2013-0100]

#### Diablo Canyon Power Plant, Units 1 and 2; Application for Amendment to Facility Operating License

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** License amendment application; withdrawal.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has granted the request of the Pacific Gas and Electric Company (the licensee) to withdraw its application dated December 29, 2009, as supplemented by letter dated November 22, 2011 (ADAMS Accession Nos. ML100040087 and ML113270063, respectively), for a proposed amendment to Facility Operating License Nos. DPR-80 and DPR-82 for the Diablo Canyon Power Plant, Units 1 and 2, located in San Luis Obispo County, California.

**ADDRESSES:** Please refer to Docket ID NRC-2013-0100 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly available, using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search

documents are publicly available in their complete form. In addition, some documents that may contain proprietary information may be publicly available only in redacted form.

for Docket ID NRC-2013-0100. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individual(s) listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *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 notice (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.

#### FOR FURTHER INFORMATION CONTACT:

James T. Polickoski, Project Manager, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555; telephone: 301-415-5430; email: [james.polickoski@nrc.gov](mailto:james.polickoski@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The proposed amendment would revise the licensing basis as described in the Final Safety Analysis Report Update to discuss the conformance of the delayed access offsite power circuit (the 500-kV delayed access circuit) to the General Design Criterion 17 requirement that each of the offsite power circuits be designed to be available in sufficient time following a loss of all onsite alternating current power supplies and the other offsite electric power circuit, to assure that specified acceptable fuel design limits and design conditions of the reactor coolant pressure boundary are not exceeded.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on March 23, 2010 (75 FR 13790). However, by letter dated March 14, 2013, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated December 29, 2009, as supplemented by letter dated November 22, 2011, and the licensee's letter dated March 14, 2013, which

withdrew the application for license amendment (ADAMS Accession No. ML13074A092).

Dated at Rockville, Maryland, this 13th day of May 2013.

For the Nuclear Regulatory Commission.

**Joseph M. Sebrosky,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2013-12070 Filed 5-20-13; 8:45 am]

BILLING CODE 7590-01-P

#### NUCLEAR REGULATORY COMMISSION

#### Advisory Committee on Reactor Safeguards (ACRS); Meeting of the ACRS Subcommittee on Plant License Renewal; Cancellation of the May 22, 2013, ACRS Subcommittee Meeting

The ACRS Plant License Renewal Subcommittee meeting scheduled for May 22, 2013 has been cancelled.

The notice of this meeting was previously published in the **Federal Register** on Friday, May 10, 2013, (78 FR 27442).

Information regarding this meeting can be obtained by contacting Kent Howard, Designated Federal Official (DFO) (Telephone 301-415-2989 or Email: [Kent.Howard@nrc.gov](mailto:Kent.Howard@nrc.gov)) between 7:30 a.m. and 5:15 p.m. (EST)).

Dated: May 15, 2013.

**Cayetano Santos,**

*Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.*

[FR Doc. 2013-12072 Filed 5-20-13; 8:45 am]

BILLING CODE 7590-01-P

#### NUCLEAR REGULATORY COMMISSION

[NRC-2013-0001]

#### Sunshine Act Meetings

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission

**DATE:** Weeks of May 20, 27, June 3, 10, 17, 24, 2013

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland

**STATUS:** Public and Closed

#### Week of May 20, 2013

*Monday, May 20, 2013*

9:30 a.m. Briefing on Human Capital and Equal Employment Opportunity (EEO) (Public Meeting) (Contact: Kristin Davis, 301-287-0707)