

meeting site is accessible to individuals with disabilities.

Individuals who wish to attend the Commission meeting must RSVP by 12 noon EST, Wednesday, December 4, 2013, to [WHIEEH@ed.gov](mailto:WHIEEH@ed.gov).

An opportunity for public comment will be available on Wednesday, December 11, 2013, from 10 a.m. to 3 p.m., EST. Individuals who wish to provide comments will be allowed three minutes to speak. Those members of the public interested in submitting written comments may do so by submitting them to the attention of Emmanuel Caudillo, White House Initiative on Educational Excellence for Hispanics, U.S. Department of Education, 400 Maryland Ave. SW., Room 4W108, Washington, DC 20202, by Wednesday, December 4, 2013 or via email at [WHIEEH@ed.gov](mailto:WHIEEH@ed.gov).

Records are kept of all Commission proceedings and are available for public inspection at the office of the White House Initiative on Educational Excellence for Hispanics, U.S. Department of Education, 400 Maryland Ave. SW., Room 4W108, Washington, DC, 20202, Monday through Friday (excluding Federal holidays) during the hours of 9 a.m. to 5 p.m.

Electronic Access to the Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at: [www.ed.gov/fedregister/index.html](http://www.ed.gov/fedregister/index.html). To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. For questions about using PDF, call the U.S. Government Printing Office (GPO), toll free at 1-866-512-1830; or in the Washington, DC, area at 202-512-0000.

**Martha Kanter,**

*Under Secretary, U.S. Department of Education.*

[FR Doc. 2013-28739 Filed 11-29-13; 8:45 am]

BILLING CODE 4000-01-P

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## DEPARTMENT OF ENERGY

### Notice of Availability: Application Requirements for the American Assured Fuel Supply

**AGENCY:** U.S. Department of Energy.

**ACTION:** Notice of availability.

**SUMMARY:** Through this notice, the Department of Energy announces the availability of application requirements to access the American Assured Fuel Supply.

**FOR FURTHER INFORMATION CONTACT:** Rich Goorevich, Senior Policy Advisor, Office of Nonproliferation and International Security, National Nuclear Security Administration, U.S. Department of Energy, 1000 Independence Ave. SW., Washington DC 20585, Tel: 202-586-0589, Fax: 202-586-1348.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In August 2011, the Department of Energy (DOE) published a Notice of Availability announcing the Assured Fuel Supply (AFS), a backup supply of low-enriched uranium (LEU) available to domestic and foreign end-users in the event of a supply disruption in the nuclear fuel market. 76 FR 51357 (Aug. 18, 2011). The LEU that recipients will purchase from the AFS will be in the form of uranium hexafluoride at a specific assay (4.95% U-235). The U.S. Government will make no assurances about the material in the AFS beyond ensuring that Westinghouse, the private company storing the AFS LEU for DOE, can certify that the AFS LEU meets the ASTM International Standard Specification C996-04<sub>E1</sub>.

As part of the AFS program implementation, DOE is publishing this notice to provide guidance on the information it will consider in evaluating the requests of potential applicants for access to the AFS.

##### II. Policy and Process for Accessing AFS Material

The DOE requests that persons or companies that seek to purchase low enriched uranium (LEU) from the U.S. Department of Energy's American Assured Fuel Supply (AFS) provide information sufficient to evaluate the request to the Office of Nonproliferation and International Security, National Nuclear Security Administration 1000 Independence Ave. SW., Washington, DC 20585, Tel: 202-586-0589, Fax: 202-586-1348.

DOE will require the following information from the requester to evaluate a request:

1. Provide name and contact information for end-user of desired LEU.
2. If end-user is not in the United States, provide country and name of end-user.
3. Is there any other logistical information that DOE should be made aware of?
4. Is the foreign recipient requesting LEU from the AFS experiencing a fuel supply disruption for which LEU cannot be obtained through normal market conditions? If yes, please provide facts that demonstrate that LEU is

unavailable in the timeframe that it is needed.

5.a. For all U.S. end-users, is a Nuclear Regulatory Commission license authorizing possession and use in place?

5.b. If end-user is not in the United States, describe steps to be taken to obtain the necessary Nuclear Regulatory Commission export license.

5.c. If end-user is not in the United States, does the country have any outstanding issues with the International Atomic Energy Agency over their comprehensive safeguards agreement? If yes, please describe the nature of these issues.

6. What is the desired quantity of LEU and when is anticipated fueling into reactor? Please note that the LEU will be in the form of uranium hexafluoride at a specific assay (4.95% U-235). The U.S. Government does not assume responsibility or make any warranty, express or implied beyond assuring that Westinghouse, the company storing AFS LEU, can certify that the AFS LEU meets the ASTM International Standard Specification C996-04<sub>E1</sub>.

7. When does requester want to take title of LEU from DOE?

8. Please provide evidence that requester can make all necessary and required arrangements to accept custody and take possession of the LEU from the place of storage, (Westinghouse's Columbia, South Carolina site) once title is transferred.

DOE reserves the right to request additional information or clarification of required information as deemed necessary to process the request.

##### III. Paperwork Reduction Act

###### A. OMB Control Number

OMB has reviewed and approved this collection and issued the OMB control number 1910-5173; the OMB control number expires on July 29, 2016.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

###### B. Burden Disclosure Statement

Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data

needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Office of the Chief Information Officer, Records Management Division, IM-23, Paperwork Reduction Project (1910-5173), U.S. Department of Energy, 1000 Independence Ave. SW., Washington, DC 20585-1290; and to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs (OIRA), Paperwork Reduction Project (1910-5173), Washington, DC 20503.

Issued in Washington, DC, on November 22, 2013.

**Anne Harrington,**

*Deputy Administrator for Defense Nuclear Nonproliferation.*

[FR Doc. 2013-28770 Filed 11-29-13; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Proposed Subsequent Arrangement

**AGENCY:** Office of Nonproliferation and International Security, Department of Energy.

**ACTION:** Proposed subsequent arrangement.

**SUMMARY:** This notice is being issued under the authority of section 131a. of the Atomic Energy Act of 1954, as amended. The Department is providing notice of a proposed subsequent arrangement under Article X paragraph 3 of the Agreement for Cooperation Between the Government of the United States of America and the Government of the Republic of Korea Concerning Civil Uses of Atomic Energy and the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy Between the United States of America and the European Atomic Energy Community.

**DATES:** This subsequent arrangement will take effect no sooner than December 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** Mr. Sean Oehlbert, Office of Nonproliferation and International Security, National Nuclear Security Administration, Department of Energy. Telephone: 202-586-3806 or email: [Sean.Oehlbert@nnsa.doe.gov](mailto:Sean.Oehlbert@nnsa.doe.gov).

**SUPPLEMENTARY INFORMATION:** This subsequent arrangement concerns the retransfer of 1,860 g of U.S.-origin atomized low-enriched uranium-7wt. % molybdenum powder, containing 365.638 g in the isotope uranium-235, 19.658 percent enrichment, from the

Korea Atomic Energy Research Institute (KAERI) in Daejeon, South Korea, to the Belgian Nuclear Research Centre (SCK•CEN) in Mol, Belgium. The material, which is located at and was prepared by KAERI, will be used for the irradiation test of full-size fuel plates in the BR-2 research reactor by SCK•CEN in cooperation with the Global Threat Reduction Initiative program. KAERI originally obtained the material from the U.S. Department of Energy/National Nuclear Security Administration Y-12 National Security Complex pursuant to export license XSNM3613.

In accordance with section 131a. of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement concerning the retransfer of nuclear material of United States origin will not be inimical to the common defense and security of the United States.

Dated: November 12, 2013.

For the Department of Energy.

**Anne M. Harrington,**

*Deputy Administrator, Defense Nuclear Nonproliferation.*

[FR Doc. 2013-28769 Filed 11-29-13; 8:45 am]

**BILLING CODE 6450-01-P**

## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Case No. CR-003]

#### Decision and Order Granting a Waiver to Hussmann From the Department of Energy Commercial Refrigerator, Freezer and Refrigerator-Freezer Test Procedure

**AGENCY:** Office of Energy Efficiency and Renewable Energy, Department of Energy.

**ACTION:** Decision and order.

**SUMMARY:** The U.S. Department of Energy (DOE) gives notice of the decision and order (Case No. CR-003) that grants to Hussmann Corporation (Hussmann) a waiver from the U.S. Department of Energy (DOE) test procedure for determining the energy consumption of its commercial freezers for the basic models set forth in its petition for waiver (petition). Hussmann claims in its petition that the specified basic models cannot be tested in accordance with the DOE test procedure for commercial refrigeration equipment because the equipment cannot operate at the specified integrated average product temperature of 0 °F ± 2 °F. Under today's decision and order, Hussmann shall be required to test and

rate the commercial freezers specified in the petition at their lowest integrated average temperature of 8 ± 2 °F, which DOE confirmed is the lowest temperature at which those models can operate and which is consistent with the lowest application product temperature provision in the DOE test procedure.

**DATES:** This Decision and Order is effective December 2, 2013.

**FOR FURTHER INFORMATION CONTACT:** Mr. Bryan Berringer, U.S. Department of Energy, Building Technologies Program, Mail Stop EE-2J, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0121. Telephone: (202) 586-0371. Email: [Bryan.Berringer@ee.doe.gov](mailto:Bryan.Berringer@ee.doe.gov).

Ms. Jennifer Tiedeman, U.S. Department of Energy, Office of the General Counsel, Mail Stop GC-71, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585-0103. Telephone: (202) 287-6111. Email: [mailto:Jennifer.Tiedeman@hq.doe.gov](mailto:mailto:Jennifer.Tiedeman@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** DOE issues notice of this Decision and Order in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 431.401(f)(4). In this Decision and Order, DOE grants Hussmann a waiver for the commercial refrigerators specified in its petition submitted on January 12, 2012. Hussmann must test and rate this equipment at the lowest integrated average temperature at which the commercial refrigerators can operate, which is consistent with the lowest application product temperature provision in the DOE test procedure at 10 CFR 431.64(b)(3)(A).

Today's decision requires Hussmann to make representations concerning the energy efficiency of this equipment consistent with the provisions and restrictions of the alternate test procedure in the Decision and Order below, and the representations must fairly disclose the test results. (42 U.S.C. 6314(d)) The same standard applies to distributors, retailers, and private labelers when making representations of the energy efficiency of this equipment.

Issued in Washington, DC, on November 25, 2013.

**Kathleen B. Hogan,**

*Deputy Assistant Secretary for Energy Efficiency, Energy Efficiency and Renewable Energy.*

### Decision and Order

*In the Matter of:* Hussmann Corporation (Hussmann) (Case No. CR-003).