

## FINDING OF NO SIGNIFICANT IMPACT—Continued

**Federal Register** notice. Final Rule “Decommissioning Planning.” June 17, 2011 (76 FR 35512).

**Federal Register** notice. Environmental Assessment and Finding of No Significant Impact of Independent Spent Fuel Storage Facilities Decommissioning Funding Plans. April 30, 2021 (86 FR 22978).

U.S. Nuclear Regulatory Commission. 2003/08/31—NUREG—1748, “Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report.” August 2003. ADAMS Accession No. ML032540811.

U.S. Nuclear Regulatory Commission. “Environmental Assessment for Final Rule—Decommissioning Planning” (10 CFR Parts 20, 30, 40, 50, 70, and 72; RIN 3150—A155). February 2009. ADAMS Accession No. ML090500648.

U.S. Nuclear Regulatory Commission. Request for Additional Information for Review of the Decommissioning Funding Plans for Duke Energy Independent Spent Fuel Storage Installations, dated August 1, 2013. ADAMS Accession No. ML13214A228.

U.S. Nuclear Regulatory Commission. Review of the Draft Environmental Assessment for the H.B. Robinson Steam Electric Plant, Unit 2, Independent Spent Fuel Storage Installation Decommissioning Funding Plan, dated August 10, 2015. ADAMS Accession No. ML15224B295.

U.S. Nuclear Regulatory Commission. ESA Section 7 No Effect Determination for ISFSI DFP Reviews (Note to File), dated May 15, 2017. ADAMS Accession No. ML17135A062.

U.S. Nuclear Regulatory Commission. Request for Additional Information for Review of Duke Energy’s Decommissioning Funding Plan Update for H.B. Robinson Steam Electric Plant, Unit 2; Brunswick Steam Electric Plant; Catawba Nuclear Station; McGuire Nuclear Station; and Oconee Nuclear Station Independent Spent Fuel Storage Installations, dated February 23, 2018. ADAMS Accession No. ML18057A216.

U.S. Nuclear Regulatory Commission. Review of the Draft Environmental Assessment and Finding of No Significant Impact for Brunswick Steam Electric Plant, McGuire Nuclear Station, and H.B. Robinson Steam Electric Plant, Unit 2, Independent Spent Fuel Storage Installations Decommissioning Funding Plans, dated March 15, 2021. ADAMS Package Accession No. ML21071A069.

U.S. Nuclear Regulatory Commission. Final Environmental Assessment and Finding of No Significant Impact for Duke Energy’s Initial and Updated Decommissioning Funding Plans Submitted in Accordance With 10 CFR 72.30(b) and (c) for H.B. Robinson Steam Electric Plant, Unit 2, Independent Spent Fuel Storage Installation, dated April 22, 2021. ADAMS Package Accession No. ML21056A261.

U.S. Nuclear Regulatory Commission. U.S. Nuclear Regulatory Commission Analysis of Duke Energy’s Initial and Updated Decommissioning Funding Plans for Independent Spent Fuel Storage Installations at H.B. Robinson Steam Electric Plant, Unit 2, Brunswick Steam Electric Plant, Catawba Nuclear Station, McGuire Nuclear Station, and Oconee Nuclear Station, dated April 30, 2021. ADAMS Accession No. ML21078A497.

U.S. Nuclear Regulatory Commission. Review of the Draft Environmental Assessment and Finding of No Significant Impact for Catawba Nuclear Station, H.B. Robinson Steam Electric Plant, and Oconee Nuclear Station Independent Spent Fuel Storage Installations Decommissioning Funding Plans, dated September 1, 2022. ADAMS Accession No. ML22231B136.

Duke Energy. Decommissioning Funding Plan for Interim Spent Fuel Storage Installations, dated December 13, 2012. ADAMS Accession No. ML12353A033.

Duke Energy. Response to NRC Request for Additional Information Dated August 1, 2013, Regarding the Decommissioning Funding Status Report for the Independent Spent Fuel Storage Installations, dated September 30, 2013. ADAMS Accession No. ML13275A203.

Duke Energy. Decommissioning Funding Plan for Independent Spent Fuel Storage Installations (ISFSIs), dated March 30, 2015. ADAMS Accession No. ML15089A394.

Duke Energy. Decommissioning Funding Plan for Independent Spent Fuel Storage Installations (ISFSIs), dated March 29, 2017. ADAMS Accession No. ML17088A701.

Duke Energy. Response to Request for Additional Information Regarding Duke Energy’s Decommissioning Funding Plan Update for Independent Spent Fuel Storage Installations, dated March 28, 2018. ADAMS Accession No. ML18101A058.

Duke Energy. Decommissioning Funding Plan for Independent Spent Fuel Storage Installations (ISFSIs), dated April 1, 2019. ADAMS Accession No. ML19091A079.

Duke Energy. Decommissioning Funding Plan for Independent Spent Fuel Storage Installations (ISFSIs), dated March 30, 2021. ADAMS Accession No. ML21089A271.

Dated: January 25, 2023.

For the Nuclear Regulatory Commission.

**Yoira K. Diaz-Sanabria,**

*Chief, Storage and Transportation Licensing Branch, Division of Fuel Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2023–01921 Filed 1–30–23; 8:45 am]

**BILLING CODE 7590–01–P**

**NUCLEAR REGULATORY COMMISSION**

[Docket No. 50–263; NRC–2023–0031]

**Northern States Power Company—Minnesota; Xcel Energy; Monticello Nuclear Generating Plant, Unit 1**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Subsequent license renewal application; receipt.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received an application for the subsequent renewal of Renewed Facility Operating License No. DPR–22, which authorizes Northern States Power Company, a Minnesota corporation (NSPM or the applicant),

doing business as Xcel Energy, to operate Monticello Nuclear Generating Plant (MNGP), Unit 1. The subsequent renewed license would authorize the applicant to operate MNGP for an additional 20 years beyond the period specified in the current license. The current operating license for MNGP expires September 8, 2030.

**DATES:** The subsequent license renewal application referenced in this document was available as of January 9, 2023.

**ADDRESSES:** Please refer to Docket ID NRC-2023-0031 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2023-0031. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: [Stacy.Schumann@nrc.gov](mailto:Stacy.Schumann@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, 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 Monticello Nuclear Generating Plant Docket No. 50-263, Renewal License Number DPR-22 Application for Subsequent Renewal Operating License, is available in ADAMS under Accession No. ML23009A354.

- *Public Library:* A copy of the license renewal application for MNGP can be accessed at the following public library: Monticello Great River Regional Library, 200 W 6th St, Monticello, MN 55362.

- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. Eastern Time (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jessica Hammock, Office of Nuclear

Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001; telephone: 301-415-0740; email: [Jessica.Hammock@nrc.gov](mailto:Jessica.Hammock@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The NRC has received an application from NSPM, dated January 9, 2023, filed pursuant to section 103 of the Atomic Energy Act of 1954, as amended, and part 54 of title 10 of the *Code of Federal Regulations*, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," to renew the operating license for MNGP. The current operating license was previously renewed on November 8, 2006. Subsequent renewal of the license would authorize the applicant to operate the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for MNGP expires September 8, 2030. The MNGP is a Boiling Water Reactor located in Monticello, Minnesota. The acceptability of the tendered application for docketing, and other matters, including an opportunity to request a hearing, will be the subject of subsequent **Federal Register** notices.

Dated: January 26, 2023.

For the Nuclear Regulatory Commission.

**Lauren K. Gibson,**

*Chief, License Renewal Project Branch, Division of New and Renewed Licenses, Office of Nuclear Reactor Regulation.*

[FR Doc. 2023-01993 Filed 1-30-23; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-96751; File No. SR-CboeBZX-2022-031]

### Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Order Disapproving a Proposed Rule Change to List and Trade Shares of the ARK 21Shares Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares

January 26, 2023.

#### I. Introduction

On May 13, 2022, Cboe BZX Exchange, Inc. ("BZX" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to list and trade shares ("Shares") of the ARK 21Shares Bitcoin ETF ("Trust") under BZX Rule

14.11(e)(4), Commodity-Based Trust Shares. The proposed rule change was published for comment in the **Federal Register** on June 1, 2022.<sup>3</sup>

On July 12, 2022, pursuant to Section 19(b)(2) of the Exchange Act,<sup>4</sup> the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to disapprove the proposed rule change.<sup>5</sup> On August 29, 2022, the Commission instituted proceedings under Section 19(b)(2)(B) of the Exchange Act<sup>6</sup> to determine whether to approve or disapprove the proposed rule change,<sup>7</sup> and on November 15, 2022, the Commission designated a longer period for Commission action on the proposed rule change.<sup>8</sup>

This order disapproves the proposed rule change. The Commission concludes that BZX has not met its burden under the Exchange Act and the Commission's Rules of Practice to demonstrate that its proposal is consistent with the requirements of Exchange Act Section 6(b)(5), which requires, in relevant part, that the rules of a national securities exchange be "designed to prevent fraudulent and manipulative acts and practices" and "to protect investors and the public interest."<sup>9</sup>

When considering whether BZX's proposal to list and trade the Shares is designed to prevent fraudulent and manipulative acts and practices, the Commission applies the same analytical framework used in its orders considering previous proposals to list bitcoin<sup>10</sup>-based commodity trusts and

<sup>3</sup> See Securities Exchange Act Release No. 94982 (May 25, 2022), 87 FR 33250 ("Notice"). BZX previously filed, and the Commission disapproved, a substantially similar proposal to list and trade the Shares of the Trust. See Notice of Filing of Amendment No. 1 to a Proposed Rule Change To List and Trade Shares of the ARK 21Shares Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares, Securities Exchange Act Release No. 93822 (Dec. 17, 2021), 86 FR 73360 (Dec. 27, 2021) ("Previous ARK Filing"); Order Disapproving a Proposed Rule Change, as Modified by Amendment No. 1, To List and Trade Shares of the ARK 21Shares Bitcoin ETF Under BZX Rule 14.11(e)(4), Commodity-Based Trust Shares, Securities Exchange Act Release No. 94571 (Mar. 31, 2022), 87 FR 20014 (Apr. 6, 2022) (SR-CboeBZX-2021-051) ("ARK 21Shares Order").

<sup>4</sup> 15 U.S.C. 78s(b)(2).

<sup>5</sup> See Securities Exchange Act Release No. 95257, 87 FR 42530 (July 15, 2022).

<sup>6</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>7</sup> See Securities Exchange Act Release No. 95622, 87 FR 54270 (Sept. 2, 2022).

<sup>8</sup> See Securities Exchange Act Release No. 96312, 87 FR 70886 (Nov. 21, 2022).

<sup>9</sup> 15 U.S.C. 78f(b)(5).

<sup>10</sup> Bitcoins are digital assets that are issued and transferred via a decentralized, open-source protocol used by a peer-to-peer computer network through which transactions are recorded on a

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.