

[FR Doc. 2024-25080 Filed 10-28-24; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[NRC-2024-0187]

Monthly Notice; Applications and Amendments to Facility Operating Licenses and Combined Licenses Involving No Significant Hazards Considerations

AGENCY: Nuclear Regulatory Commission.

ACTION: Monthly notice.

SUMMARY: Pursuant to section 189a.(2) of the Atomic Energy Act of 1954, as amended (the Act), the U.S. Nuclear Regulatory Commission (NRC) is publishing this regular monthly notice. The Act requires the Commission to publish notice of any amendments issued, or proposed to be issued, and grants the Commission the authority to issue and make immediately effective any amendment to an operating license or combined license, as applicable, upon a determination by the Commission that such amendment involves no significant hazards consideration (NSHC), notwithstanding the pendency before the Commission of a request for a hearing from any person.

DATES: Comments must be filed by November 29, 2024. A request for a hearing or petitions for leave to intervene must be filed by December 30, 2024. This monthly notice includes all amendments issued, or proposed to be issued, from September 13, 2024, to October 10, 2024. The last monthly notice was published on October 1, 2024.

ADDRESSES: You may submit comments by any of the following methods; however, the NRC encourages electronic comment submission through the Federal rulemaking website.

- *Federal rulemaking website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0187. Address questions about Docket IDs in *Regulations.gov* to Stacy Schumann; telephone: 301-415-0624; email: Stacy.Schumann@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION**

CONTACT section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments,

see “Obtaining Information and Submitting Comments” in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Susan Lent, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-1365; email: Susan.Lent@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2024-0187, facility name, unit number(s), docket number(s), application date, and subject when contacting the NRC about the availability of information for this action. You may obtain publicly available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2024-0187.
- *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, at 301-415-4737, or by email to PDR.Resource@nrc.gov. For the convenience of the reader, instructions about obtaining materials referenced in this document are provided in the “Availability of Documents” section.

- *NRC’s PDR:* The PDR, where you may examine and order copies of publicly available documents, is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

B. Submitting Comments

The NRC encourages electronic comment submission through the Federal rulemaking website (<https://www.regulations.gov>). Please include Docket ID NRC-2024-0187, facility name, unit number(s), docket number(s), application date, and subject, in your comment submission.

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 <https://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 into ADAMS.

II. Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Combined Licenses and Proposed No Significant Hazards Consideration Determination

For the facility-specific amendment requests shown in this notice, the Commission finds that the licensees’ analyses provided, consistent with section 50.91 of title 10 of the *Code of Federal Regulations* (10 CFR) “Notice for public comment; State consultation,” are sufficient to support the proposed determinations that these amendment requests involve NSHC. Under the Commission’s regulations in 10 CFR 50.92, operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The Commission is seeking public comments on these proposed determinations. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determinations.

Normally, the Commission will not issue the amendments until the expiration of 60 days after the date of publication of this notice. The Commission may issue any of these license amendments before expiration of the 60-day period provided that its final determination is that the amendment involves NSHC. In addition, the Commission may issue any of these amendments prior to the expiration of the 30-day comment period if circumstances change during the 30-day comment period such that failure to act in a timely way would result, for example in derating or shutdown of the

facility. If the Commission takes action on any of these amendments prior to the expiration of either the comment period or the notice period, it will publish in the **Federal Register** a notice of issuance. If the Commission makes a final NSHC determination for any of these amendments, any hearing will take place after issuance. The Commission expects that the need to take action on any amendment before 60 days have elapsed will occur very infrequently.

A. Opportunity To Request a Hearing and Petition for Leave To Intervene

Within 60 days after the date of publication of this notice, any person (petitioner) whose interest may be affected by any of these actions may file a request for a hearing and petition for leave to intervene (petition) with respect to that action. Petitions shall be filed in accordance with the Commission's "Agency Rules of Practice and Procedure" in 10 CFR part 2. Interested persons should consult a current copy of 10 CFR 2.309. If a petition is filed, the Commission or a presiding officer will rule on the petition and, if appropriate, a notice of a hearing will be issued.

Petitions must be filed no later than 60 days from the date of publication of this notice in accordance with the filing instructions in the "Electronic Submissions (E-Filing)" section of this document. Petitions and motions for leave to file new or amended contentions that are filed after the deadline will not be entertained absent a determination by the presiding officer that the filing demonstrates good cause by satisfying the three factors in 10 CFR 2.309(c)(1)(i) through (iii).

If a hearing is requested, and the Commission has not made a final determination on the issue of no significant hazards consideration, the Commission will make a final determination on the issue of no significant hazards consideration, which will serve to establish when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, then any hearing held would take place before the issuance of the amendment unless the Commission finds an imminent danger to the health or safety of the public, in which case it will issue

an appropriate order or rule under 10 CFR part 2.

A State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof, may submit a petition to the Commission to participate as a party under 10 CFR 2.309(h) no later than 60 days from the date of publication of this notice. Alternatively, a State, local governmental body, Federally recognized Indian Tribe, or agency thereof may participate as a non-party under 10 CFR 2.315(c).

For information about filing a petition and about participation by a person not a party under 10 CFR 2.315, see ADAMS Accession No. ML20340A053 (<https://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber=ML20340A053>) and on the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing.html#participate>.

B. Electronic Submissions (E-Filing)

All documents filed in NRC adjudicatory proceedings, including documents filed by an interested State, local governmental body, Federally recognized Indian Tribe, or designated agency thereof that requests to participate under 10 CFR 2.315(c), must be filed in accordance with 10 CFR 2.302. The E-Filing process requires participants to submit and serve all adjudicatory documents over the internet, or in some cases, to mail copies on electronic storage media, unless an exemption permitting an alternative filing method, as further discussed, is granted. Detailed guidance on electronic submissions is located in the "Guidance for Electronic Submissions to the NRC" (ADAMS Accession No. ML13031A056) and on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>.

To comply with the procedural requirements of E-Filing, at least 10 days prior to the filing deadline, the participant should contact the Office of the Secretary by email at Hearing.Docket@nrc.gov, or by telephone at 301-415-1677, to (1) request a digital identification (ID) certificate, which allows the participant (or its counsel or representative) to digitally sign submissions and access the E-Filing system for any proceeding in which it is participating; and (2) advise the Secretary that the participant will be submitting a petition or other adjudicatory document (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 proceeding if the Secretary has not already established an electronic docket.

Information about applying for a digital ID certificate is available on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals/getting-started.html>. After a digital ID certificate is obtained and a docket created, the participant must submit adjudicatory documents in Portable Document Format. Guidance on submissions is available on the NRC's public website at <https://www.nrc.gov/site-help/electronic-sub-ref-mat.html>. A filing is considered complete at the time the document is submitted through the NRC's E-Filing system. To be timely, an electronic filing must be submitted to the E-Filing system no later than 11:59 p.m. ET on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an email confirming receipt of the document. The E-Filing system also distributes an email that provides access to the document to the NRC's 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 document on those participants separately. Therefore, applicants and other participants (or their counsel or representative) must apply for and receive a digital ID certificate before adjudicatory documents are filed to obtain access to the documents via the E-Filing system.

A person filing electronically using the NRC's adjudicatory E-Filing system may seek assistance by contacting the NRC's Electronic Filing Help Desk through the "Contact Us" link located on the NRC's public website at <https://www.nrc.gov/site-help/e-submittals.html>, by email to MSHD.Resource@nrc.gov, or by a toll-free call at 1-866-672-7640. The NRC Electronic Filing Help Desk is available between 9 a.m. and 6 p.m., ET, Monday through Friday, except Federal holidays.

Participants who believe that they have good cause for not submitting documents electronically must file an exemption request, in accordance with 10 CFR 2.302(g), with their initial paper filing stating why there is good cause for not filing electronically and requesting authorization to continue to submit documents in paper format. Such filings must be submitted in accordance with 10 CFR 2.302(b)-(d). Participants filing adjudicatory documents in this manner are responsible for serving their documents on all other participants. Participants granted an exemption under 10 CFR 2.302(g)(2) must still meet the electronic formatting requirement in

10 CFR 2.302(g)(1), unless the participant also seeks and is granted an exemption from 10 CFR 2.302(g)(1).

Documents submitted in adjudicatory proceedings will appear in the NRC's electronic hearing docket, which is publicly available at <https://adams.nrc.gov/ehd>, unless excluded pursuant to an order of the presiding officer. If you do not have an NRC-issued digital ID certificate as previously described, click "cancel" when the link requests certificates and you will be automatically directed to the NRC's electronic hearing docket where you will be able to access any publicly

available documents in a particular hearing docket. Participants are requested not to include personal privacy information such as social security numbers, home addresses, or personal phone numbers in their filings unless an NRC regulation or other law requires 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 should not include copyrighted materials in their submission.

The following table provides the plant name, docket number, date of application, ADAMS accession number, and location in the application of the licensees' proposed NSHC determinations. For further details with respect to these license amendment applications, see the applications for amendment, which are available for public inspection in ADAMS. For additional direction on accessing information related to this document, see the "Obtaining Information and Submitting Comments" section of this document.

LICENSE AMENDMENT REQUESTS

Florida Power & Light Company, et al.; St. Lucie Plant, Unit 2; St. Lucie County, FL

Docket No	50-389.
Application date	September 11, 2024.
ADAMS Accession No	ML24255A118.
Location in Application of NSHC	Pages 8-9 of Enclosure 1.
Brief Description of Amendment	The proposed license amendment would revise St. Lucie Plant, Unit 2, Technical Specification (TS) 5.6.3, "Core Operating Limits Report," by updating the listing of NRC-approved analytical methods used to determine the core operating limits. Specifically, changes to the fuel thermal-mechanics, core thermal-hydraulics, emergency core cooling, nuclear design, and select design basis event analyses are proposed using NRC-approved advanced codes and methods in support of a St. Lucie Plant, Unit 2, transition to 24-month fuel cycles.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	James Petro, Managing Attorney—Nuclear, Florida Power & Light Company, 700 Universe Boulevard, MS LAW/JB, Juno Beach, FL 33408-0420.
NRC Project Manager, Telephone Number	Natreon Jordan, 301-415-7410.

Southern Nuclear Operating Company, Inc.; Edwin I. Hatch Nuclear Plant, Units 1 and 2; Appling County, GA

Docket Nos	50-321, 50-366.
Application date	September 11, 2024.
ADAMS Accession No	ML24255A892.
Location in Application of NSHC	Pages E-1 to E-3 of the Enclosure.
Brief Description of Amendments	The proposed amendments would modify the Edwin I. Hatch Nuclear Plant, Units 1 and 2, technical specifications (TS) to adopt Technical Specifications Task Force (TSTF)-591, "Revise Risk Informed Completion Time (RICT) Program." TSTF-591 revises TS Section 5.5 Program, "Risk Informed Completion Time Program," to reference Regulatory Guide 1.200, Revision 3 (instead of Revision 2) and to make other changes. Also, a new report would be added to TS Section 5.6, "Reporting Requirements," to inform the NRC of newly developed methods used to calculate a RICT.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201-1295.
NRC Project Manager, Telephone Number	Dawnmathews Kalathiveettil, 301-415-5905.

Southern Nuclear Operating Company, Inc.; Joseph M. Farley Nuclear Plant, Units 1 and 2; Houston County, AL

Docket Nos	50-348, 50-364.
Application date	September 4, 2024.
ADAMS Accession No	ML24248A273.
Location in Application of NSHC	Pages E-6 through E-8 of the Enclosure.
Brief Description of Amendments	The proposed amendments would revise Technical Specification (TS) 3.4.14, "[Reactor Coolant System] Pressure Isolation Valve (PIV) Leakage," Surveillance Requirement (SR) 3.4.14.3 Acceptance Criteria, remove obsolete requirements found in TS 3.4.14, TS SR 3.4.14.2, and TS 3.3.5, "Loss of Power [LOP] Diesel Generator (DG) Start Instrumentation," in addition to making editorial corrections resulting from these changes.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Millicent Ronnlund, Vice President and General Counsel, Southern Nuclear Operating Co., Inc., P.O. Box 1295, Birmingham, AL 35201-1295.
NRC Project Manager, Telephone Number	Zachary Turner 415-6303.

Tennessee Valley Authority; Sequoyah Nuclear Plant, Units 1 and 2; Hamilton County, TN

Docket Nos	50-327, 50-328.
Application date	August 28, 2024.

LICENSE AMENDMENT REQUESTS—Continued

ADAMS Accession No	ML24247A185 (Package).
Location in Application of NSHC	Pages E1–11–E1–13 of Enclosure 1.
Brief Description of Amendments	The proposed amendments would revise the Sequoyah Nuclear Plant, Units 1 and 2, fuel handling accident analysis, delete Technical Specification (TS) 3.9.4, “Containment Penetrations,” and modify TS 3.3.6, “Containment Ventilation Isolation Instrumentation.”
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	David Fountain, Executive VP and General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, WT 6A–K, Knoxville, TN 37902.
NRC Project Manager, Telephone Number	Perry Buckberg, 301–415–1383.

Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS

Docket No	50–482.
Application date	August 14, 2024.
ADAMS Accession No	ML24227A556.
Location in Application of NSHC	Pages 3–4 of Attachment I.
Brief Description of Amendment	The proposed amendment would adopt Technical Specifications Task Force (TSTF) Traveler TSTF–569–A, Revision 2, “Revise Response Time Testing Definition.” The proposed changes would revise the technical specification definitions for engineered safety feature and reactor trip system response times.
Proposed Determination	NSHC.
Name of Attorney for Licensee, Mailing Address	Chris Johnson, Corporate Counsel Director, Evergy, One Kansas City Place, 1KC–Missouri HQ 16, 1200 Main Street, Kansas City, MO 64105.
NRC Project Manager, Telephone Number	Samson Lee, 301–415–3168.

III. Notice of Issuance of Amendments to Facility Operating Licenses and Combined Licenses

During the period since publication of the last monthly notice, the Commission has issued the following amendments. The Commission has determined for each of these amendments that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission’s rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission’s rules and regulations in 10 CFR chapter I, which are set forth in the license amendment.

A notice of consideration of issuance of amendment to facility operating

license or combined license, as applicable, proposed NSHC determination, and opportunity for a hearing in connection with these actions, were published in the **Federal Register** as indicated in the safety evaluation for each amendment.

Unless otherwise indicated, the Commission has determined that these amendments satisfy the criteria for categorical exclusion in accordance with 10 CFR 51.22. Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared for these amendments. If the Commission has prepared an environmental assessment under the special circumstances provision in 10 CFR 51.22(b) and has

made a determination based on that assessment, it is so indicated in the safety evaluation for the amendment.

For further details with respect to each action, see the amendment and associated documents such as the Commission’s letter and safety evaluation, which may be obtained using the ADAMS accession numbers indicated in the following table. The safety evaluation will provide the ADAMS accession numbers for the application for amendment and the **Federal Register** citation for any environmental assessment. All of these items can be accessed as described in the “Obtaining Information and Submitting Comments” section of this document.

LICENSE AMENDMENT ISSUANCES

Constellation FitzPatrick, LLC and Constellation Energy Generation, LLC; James A. FitzPatrick Nuclear Power Plant; Oswego County, NY

Docket No	50–333.
Amendment Date	September 4, 2024.
ADAMS Accession No	ML24165A038.
Amendment No	356.
Brief Description of Amendment	The amendment revised the technical specifications to change the fuel handling accident analyses in support of the transition from the refuel bridge mast NF–400 (<i>i.e.</i> , triangular mast) to the new NF–500 mast.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Entergy Operations, Inc.; Arkansas Nuclear One, Unit 2; Pope County, AR

Docket No	50–368.
Amendment Date	October 4, 2024.
ADAMS Accession No	ML24185A260.
Amendment No	335.
Brief Description of Amendment	The amendment corrected three typographical errors to Arkansas Nuclear One, Unit 2 (ANO–2) Technical Specification (TS) 6.5.18, “Surveillance Frequency Control Program,” and TS 6.6.8, “Specific Activity,” which were inadvertently introduced into the ANO–2 TSs by License Amendments Nos. 315 (ML19063B948) and 326 (ML21313A008).

LICENSE AMENDMENT ISSUANCES—Continued

Public Comments Received as to Proposed NSHC (Yes/No).	No.
Nebraska Public Power District; Cooper Nuclear Station; Nemaha County, NE	
Docket No	50–298.
Amendment Date	October 8, 2024.
ADAMS Accession No	ML24250A205.
Amendment No	278.
Brief Description of Amendment	The amendment revised Technical Specification (TS) Table 3.3.2.1–1, “Control Rod Block Instrumentation,” to reference the core operating limits report and added a reference to TS 5.6.5, “Core Operating Limits Report (COLR).”
Public Comments Received as to Proposed NSHC (Yes/No).	No.
NextEra Energy Seabrook, LLC; Seabrook Station, Unit No. 1; Rockingham County, NH	
Docket No	50–443.
Amendment Date	September 20, 2024.
ADAMS Accession No	ML24239A538.
Amendment No	175.
Brief Description of Amendment	The amendment modified technical specification limiting condition for operation (LCO) 3.8.1.1, “A.C. Sources—Operating,” by increasing the allowed outage time for an inoperable offsite circuit from 72 hours (3 days) to 240 hours (10 days). The change allowed Seabrook Station, Unit No. 1, to change plant modes from Cold Shutdown (MODE 5) to Startup (MODE 2) to support the replacement of the main generator breaker and outage startup activities while one independent circuit between the offsite transmission network and the onsite Class 1E Distribution System is out of service.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Nine Mile Point Nuclear Station, LLC and Constellation Energy Generation, LLC; Nine Mile Point Nuclear Station, Units 1 and 2; Oswego County, NY	
Docket Nos	50–220, 50–410.
Amendment Date	September 26, 2024.
ADAMS Accession No	ML24190A001.
Amendment Nos	252 (Unit 1), 197 (Unit 2).
Brief Description of Amendments	The amendments removed the Nine Mile Point 3 Nuclear Project, LLC, (NMP3) designation from the NMP1 and NMP2 technical specifications (TSs) which is not applicable to the current design features of the NMP site. Specifically, Section 5.0, “Design Features,” (Section 5.1, “Site” and Figure 5.1–1) in the NMP1 Technical Specifications (TSs) and Section 4.0, “Design Features,” (Figure 4.1–1) in the NMP2 TS is revised to reflect as the TSs were at the time Constellation Energy Nuclear Group, LLC, the previous owners of NMP1 and NMP2, were pursuing a combined license for NMP3. Additionally, the name “Entergy Nuclear FitzPatrick, LLC” is revised in NMP1 TS Figure 5.1–1 and NMP2 TS Figure 4.1–1 to “Constellation FitzPatrick, LLC,” to reflect the current owner for the James A. FitzPatrick nuclear power plant site.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Northern States Power Company; Monticello Nuclear Generating Plant; Wright County, MN	
Docket No	50–263.
Amendment Date	October 1, 2024.
ADAMS Accession No	ML24199A175.
Amendment No	212.
Brief Description of Amendment	The amendment revised Technical Specification 3.8.6, “Battery Parameters,” Surveillance Requirement 3.8.6.6, acceptance criteria for the capacity of the 125-volt direct current batteries.
Public Comments Received as to Proposed NSHC (Yes/No).	No.
Northern States Power Company; Prairie Island Nuclear Generating Plant, Units 1 and 2; Goodhue County, MN	
Docket Nos	50–282, 50–306.
Amendment Date	September 27, 2024.
ADAMS Accession No	ML24221A362.
Amendment Nos	245 (Unit 1), 233 (Unit 2).
Brief Description of Amendments	The amendments revised Technical Specification 3.8.1, AC [Alternating Current] Sources—Operating and Surveillance Requirement 3.8.1.2, Note 3, to remove details of a modified diesel generator start and reference to manufacturer’s recommendations.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

LICENSE AMENDMENT ISSUANCES—Continued

Wolf Creek Nuclear Operating Corporation; Wolf Creek Generating Station, Unit 1; Coffey County, KS

Docket No	50-482.
Amendment Date	September 17, 2024.
ADAMS Accession No	ML24199A171.
Amendment No	241.
Brief Description of Amendment	The amendment revised Technical Specification 5.5.11.b for the Ventilation Filter Testing Program by changing the testing requirements for the in place test of the charcoal absorber penetration and system bypass.
Public Comments Received as to Proposed NSHC (Yes/No).	No.

Dated: October 22, 2024.

For the Nuclear Regulatory Commission.

Jamie Pelton,

Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 2024-24963 Filed 10-28-24; 8:45 am]

BILLING CODE 7590-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-101420; File No. SR-CboeBYX-2024-034]

Self-Regulatory Organizations; Cboe BYX Exchange, Inc.; Notice of Filing of a Proposed Rule Change With Respect to Amendments to the Seventh Amended and Restated Bylaws (the “CGM Bylaws”) of Its Parent Corporation, Cboe Global Markets, Inc. (“Cboe” or “Corporation”)

October 23, 2024.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on October 11, 2024, Cboe BYX Exchange, Inc. (the “Exchange” or “BYX”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

Cboe BYX Exchange, Inc. (the “Exchange” or “BYX”) is filing with the Securities and Exchange Commission (the “Commission”) a proposed rule change with respect to amendments to the Seventh Amended and Restated Bylaws (the “CGM Bylaws”) of its parent corporation, Cboe Global Markets, Inc. (“Cboe” or “Corporation”).

The text of the proposed rule change is provided in Exhibit 5.

The text of the proposed rule change is also available on the Exchange’s website (http://markets.cboe.com/us/equities/regulation/rule_filings/byx/), at the Exchange’s Office of the Secretary, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

At Cboe’s annual meeting held on May 16, 2024, Cboe’s stockholders considered two advisory proposals that would provide Cboe stockholders with the right to call a special meeting of the stockholders provided that a certain threshold percentage of stockholders propose to call such a meeting. The two proposals were submitted separately. One of the proposals was submitted by an individual stockholder (“Stockholder Proposal”). The other proposal was submitted by Cboe Management (“Management Proposal”). The Stockholder Proposal, which did not pass but received 45% of the votes cast, requested that the CGM Board take steps to enable stockholders having at least 10% of Cboe’s voting power to call a special meeting of the stockholders. The Management Proposal, which passed with 65% of the votes cast, requested

that the CGM Board take steps to enable stockholders having at least 25% of Cboe’s voting power to call a special meeting of the stockholders.

The Nominating & Governance Committee of the CGM Board reviewed the voting results of the Stockholder Proposal and the Management Proposal and discussed the stockholder voting standards and rights contemplated by the CGM Bylaws. Following this review, the Nominating & Governance Committee recommended to the CGM Board, and the CGM Board approved, certain changes to the CGM Bylaws to implement the Management Proposal. The CGM Board also approved amending the CGM Bylaws to improve the governance processes of Cboe, to make certain provisions more consistent with Delaware General Corporation Law (“DGCL”), and to make clarifying and cleanup changes to the CGM Bylaws. The proposed rule change amends the CGM Bylaws to implement the changes approved by the CGM Board.

Proposed Changes to Article 2—Stockholders

Current Section 2.3 (Special Meeting) of the CGM Bylaws provides that only the Chair of the Board, the Chief Executive Officer or the CGM Board may call a special meeting of the stockholders. To respond to feedback from its stockholders, as discussed above, Cboe proposes to delete portions of this provision and add language that will provide Cboe stockholders with the right to call special stockholder meetings (a “Stockholder Requested Special Meeting”) after following particular procedures.

In defining the procedural requirements, Cboe’s goals are to ensure timely notice of a meeting request and to gather sufficient information about the proposing stockholder(s) and the proposed business itself. Among other things, this information will help ensure that Cboe is able to comply with its disclosure and other requirements under applicable law and that Cboe, the CGM Board and its stockholders are able to adequately assess proposed business

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.