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Participants who believe that they have a 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 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 the NRC's electronic hearing docket which is available to the public at <http://ehd1.nrc.gov/ehd/>, 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 requires submission of such information. However, a request to intervene will require including information on local residence in order to demonstrate a proximity assertion of interest in the proceeding. 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.

*Omaha Public Power District, Docket No. 50-285, Fort Calhoun Station, Unit 1, Washington County, Nebraska*

*Date of amendment request:* July 21, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13203A136), as supplemented by letter dated July 24, 2013 ADAMS Accession No. ML13206A042).

*Description of amendment request:* The amendment revised the Updated Safety Analysis Report (USAR) for the design basis tornado and tornado missiles to include Regulatory Guide 1.76, Revision 1, "Design-Basis Tornado and Tornado Missiles for Nuclear Power Plants," and Bechtel Power Corporation, Topical Report BC-TOP-9A, Revision 2, September 1974, "Design of Structures for Missile Impact." The changes revise the current licensing basis pertaining to protection from tornadoes and tornado-generated missiles. RG 1.76, Revision 1 provides guidance for licensees to use in selecting the DBT and DBT-generated missiles that a nuclear power plant should be designed to withstand to prevent undue risk to public health and safety. BC-TOP-9A, Revision 2 provides a methodology for evaluating the impact of tornado missiles. The changes provide a means to analyze and document that the plant will be able to withstand, without loss of the capability to protect the public, the additional forces that might be imposed by a tornado.

*Date of issuance:* July 26, 2013.

*Effective date:* As of its issuance date and shall be implemented upon approval.

*Amendment No.:* 272.

*Renewed Facility Operating License No. DPR-40:* The amendment revised the facility operating license.

*Public comments requested as to proposed no significant hazards consideration:* Yes (*Omaha-World Herald*, located in Omaha, Nebraska, on July 24 and 25, 2013). The notice provided an opportunity to submit comments on the Commission's proposed NSHC determination. One comment was received and evaluated.

The supplemental letter dated July 24, 2013, provided additional information that clarified the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the *Omaha-World Herald* on July 24 and 25, 2013.

The Commission's related evaluation of the amendment, finding of exigent circumstances, state consultation, and final NSHC determination (including the comment received on the NSHC) are contained in a safety evaluation dated July 26, 2013 (ADAMS Accession No. ML13203A070).

*Attorney for licensee:* David A. Repka, Esq., Winston & Strawn, 1700 K Street, NW., Washington, DC 20006-3817.

*NRC Branch Chief:* Michael T. Markley.

Dated at Rockville, Maryland, this 12th day of August 2013.

For the Nuclear Regulatory Commission.

**Michele G. Evans,**

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

[FR Doc. 2013-20154 Filed 8-19-13; 8:45 am]

**BILLING CODE 7590-01-P**

## **NUCLEAR REGULATORY COMMISSION**

### **Sunshine Act Meetings**

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission, NRC-2013-0001.

**DATES:** Weeks of August 19, 26, September 2, 9, 16, 23, 2013.

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

**STATUS:** Public and Closed.

### **Week of August 19, 2013**

There are no meetings scheduled for the week of August 19, 2013.

**Week of August 26, 2013—Tentative***Monday August 26, 2013*

2:00 p.m. Discussion of Management and Personnel Issues (Closed—Ex. 2 and 6).

*Tuesday, August 27, 2013*

9:00 a.m. Briefing on NRC's Construction Activities (Public Meeting); (Contact: Michelle Hayes, 301-415-8375).

This meeting will be webcast live at the Web address—<http://www.nrc.gov>.

3:00 p.m. Briefing on NRC International Activities (Closed—Ex. 1 & 9) (Contact: Karen Henderson, 301-415-0202).

**Week of September 2, 2013—Tentative**

There are no meetings scheduled for the week of September 2, 2013.

**Week of September 9, 2013—Tentative**

There are no meetings scheduled for the week of September 9, 2013.

**Week of September 16, 2013—Tentative**

There are no meetings scheduled for the week of September 16, 2013.

**Week of September 23, 2013—Tentative**

There are no meetings scheduled for the week of September 23, 2013.

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\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—301-415-1292. Contact person for more information: Rochelle Baval, 301-415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: <http://www.nrc.gov/public-involve/public-meetings/schedule.html>.

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The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g. braille, large print), please notify Kimberly Meyer, NRC Disability Program Manager, at 301-287-0727, or by email at [kimberly.meyer-chambers@nrc.gov](mailto:kimberly.meyer-chambers@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

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This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary,

Washington, DC 20555 (301-415-1969), or send an email to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: August 15, 2013.

**Rochelle C. Baval,**

*Policy Coordinator, Office of the Secretary.*

[FR Doc. 2013-20384 Filed 8-16-13; 4:15 pm]

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**SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-70197; File No. SR-BATS-2013-044]**

**Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Related to Fees for Use of BATS Exchange, Inc.**

August 14, 2013.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on August 7, 2013, BATS Exchange, Inc. (the “Exchange” or “BATS”) 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 Exchange has designated the proposed rule change as one establishing or changing a member due, fee, or other charge imposed by the Exchange under Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the proposed rule change effective upon filing with the Commission. 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 the Substance of the Proposed Rule Change**

The Exchange filed a proposal to amend the fee schedule applicable to Members<sup>5</sup> and non-members of the Exchange pursuant to BATS Rules 15.1(a) and (c). Changes to the fee schedule pursuant to this proposal will be effective upon filing.

The text of the proposed rule change is available at the Exchange's Web site at <http://www.batstrading.com>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

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

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

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

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

<sup>5</sup> A Member is any registered broker or dealer that has been admitted to membership in the Exchange.

**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 parts of such statements.

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

1. Purpose

The Exchange proposes to modify pricing applicable to the Exchange's options platform (“BATS Options”) with respect to orders routed away by the Exchange and executed at a new options exchange—an affiliate of the International Securities Exchange, LLC (“ISE”) that will be called “ISE Gemini.”<sup>6</sup> ISE Gemini commenced trading on August 5, 2013.

BATS Options currently charges certain flat rates for routing to other options exchanges that have been placed into groups based on the approximate cost of routing to such venues. The grouping of away options exchanges is based on the cost of transaction fees assessed by each venue as well as costs to the Exchange for routing (*i.e.*, clearing fees, connectivity and other infrastructure costs, membership fees, etc.) (collectively, “Routing Costs”). The Exchange did not have sufficient information to know what Routing Costs the Exchange would incur in connection with routing to ISE Gemini prior to its launch. Accordingly, the Exchange originally imposed the same pricing for all executions at ISE Gemini as are charged by the Exchange for orders routed to and executed at the NASDAQ Options Market (“NOM”) and NYSE Arca, Inc. (“ARCA”) in non-Penny Pilot Securities,<sup>7</sup> which is the

<sup>6</sup> The Commission notes that the entity referred to herein as “ISE Gemini” is Topaz Exchange, LLC d/b/a ISE Gemini.

<sup>7</sup> The Exchange currently charges different fees and provides different rebates depending on whether an options class is an options class that qualifies as a Penny Pilot Security pursuant to Exchange Rule 21.5, Interpretation and Policy .01 or is a non-penny options class. Certain other options exchanges also have different pricing for Penny Pilot Securities and non-Penny Pilot Securities. Accordingly, the Exchange's routing fees