

excursions, kayaking, camping, cross country skiing, ice climbing and mountaineering, and downhill skiing in the Antarctic Peninsula region. Mitigation measures are in place to reduce the risk of non-native species introductions and the risk of spills.

Now the applicant proposes a modification to his permit to allow for the conduct of waste management activities associated with conducting ice swimming and remote controlled camera copter activities.

Ice swimming activities would be sanctioned by the International Ice swimming Association. The ice swimming activity would consist of up to seven passengers completing a one mile swim between the tour ship and land (Detaille Island, Stonington Island, or Horseshoe Island). Quark staff would maintain a watch for leopard seals and killer whales and abort the swim if these animals are sighted. Swimmers would be accompanied by Quark staff in kayaks and zodiacs in case of emergency. Mitigation measures would be in place to reduce the risk of non-native species introductions and the risk of spills ashore.

The applicants wish to fly a small, battery operated, remotely controlled copter equipped with a camera to take scenic photos of the Antarctic. The copter would not be flown over concentrations of birds or mammals or over Antarctic Specially Protected Areas. Several measures would be taken to prevent against loss of the copter including painting the copter a highly visible color, only flying it when the wind is calm, flying the copter for short periods of time that last less than half a battery charge, equipping the copter with floatation so that it could be recovered from the sea, allowing only trained operators to fly the copter and ensuring that the separation between the operator and copter does not exceed its "operational range" of 500 meters. The copter itself has safety features programmed into such as returning to its take off location if connection is lost with the remote control device. The applicants are seeking a modification to their waste Permit to cover any accidental releases that may result from flying the copter.

*Location:* Antarctic Peninsula Region.

*Dates:* (That the mod would be valid) January 7, 2014–March 31, 2017.

**Nadene G. Kennedy,**  
*Polar Coordination Specialist, Division of Polar Programs.*

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BILLING CODE 7555–01–P

## NUCLEAR REGULATORY COMMISSION

[Docket No. 5200026; NRC–2008–0252]

### Vogtle Unit 4 Combined License

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Determination of inspections, tests, analyses, and acceptance criteria (ITAAC).

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) staff has determined that the inspections, tests, and analyses have been successfully completed, and that the specified acceptance criteria are met for ITAAC E.3.8.05.01.01, for the Vogtle Unit 4 Combined License.

**ADDRESSES:** Please refer to Docket ID NRC–2008–0252 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC–2008–0252. Address questions about NRC dockets to Carol Gallagher; telephone: 301–287–3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov). For technical questions, contact the individuals 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 document (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:** David Jaffe, Office of New Reactors, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; telephone: 301–415–1439, email: [David.Jaffe@nrc.gov](mailto:David.Jaffe@nrc.gov).

**SUPPLEMENTARY INFORMATION:**

## Licensee Notification of Completion of ITAAC

On October 1, 2013, Southern Nuclear Operating Company Inc., (the licensee) submitted an ITAAC closure notification (ICN) under § 52.99(c)(1) of Title 10 of the *Code of Federal Regulations* (10 CFR) informing the NRC that the licensee has successfully performed the required inspections, tests, and analyses for ITAAC E.3.8.05.01.01, and that the specified acceptance criteria are met for Vogtle Unit 4 Combined License (ADAMS Accession No. ML13275A108). This ITAAC was approved as part of the issuance of the combined license, NPF–92, for this facility.

### NRC Staff Determination of Completion of ITAAC

The NRC staff has determined that the inspections, tests, and analyses have been successfully completed, and that the specified acceptance criteria are met for Vogtle Unit 4 Combined License, ITAAC E.3.8.05.01.01. This notice fulfills the staff's obligations under 10 CFR 52.99(e)(1) to publish a notice in the **Federal Register** of the NRC staff's determination of the successful completion of inspections, tests and analyses.

The documentation of the NRC staff's determination is in the ITAAC Closure Verification Evaluation Form (VEF), dated November 12, 2013 (ADAMS Accession Number ML13319A141). The VEF is a form that represents the NRC staff's structured process for reviewing ICNs. The ICN presents a narrative description of how the ITAAC was completed, and the NRC's ICN review process involves a determination on whether, among other things, (1) the ICN provides sufficient information, including a summary of the methodology used to perform the ITAAC, to demonstrate that the inspections, tests, and analyses have been successfully completed; (2) the ICN provides sufficient information to demonstrate that the acceptance criteria are met; and (3) any inspections for the ITAAC have been completed and any ITAAC findings associated with the ITAAC have been closed.

The NRC staff's determination of the successful completion of this ITAAC is based on information available at this time and is subject to the licensee's ability to maintain the condition that the acceptance criteria are met. If new information disputes the NRC staff's determination, this ITAAC will be reopened as necessary. The NRC staff's determination will be used to support a subsequent finding, pursuant to 10 CFR

52.103(g), at the end of construction that all acceptance criteria in the combined license are met. The ITAAC closure process is not finalized for this ITAAC until the NRC makes an affirmative finding under 10 CFR 52.103(g). Any future updates to the status of this ITAAC will be reflected on the NRC's Web site at <http://www.nrc.gov/reactors/new-reactors/oversight/itaac.html>.

Dated at Rockville, Maryland, this 2nd day of December 2013.

For the Nuclear Regulatory Commission.

**David Jaffe,**

Senior Project Manager, Licensing Branch 4, Division of New Reactor Licensing, Office of New Reactors.

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## NUCLEAR REGULATORY COMMISSION

[NRC-2011-0260, License No. SMB-911, Docket No. 40-7580, EA-13-183]

### In the Matter of FMRI, Inc., Muskogee, Oklahoma Facility

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Order modifying license.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has issued a license amendment to FMRI authorizing indirect transfer of control, in accordance with its regulations. This Order is being issued, because the licensee informed the NRC that the transfer did not occur.

**ADDRESSES:** Please refer to Docket ID NRC-2011-0260 when contacting the NRC about the availability of information regarding this document. You may access publicly-available information related to this action by the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2011-0260. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; 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 document (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:** J.C. Shepherd, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6712; email: [James.Shepherd@nrc.gov](mailto:James.Shepherd@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I.

Pursuant to Section 2.106 of Title 10 of the *Code of Federal Regulations* (10 CFR), the NRC is providing notice in the matter of FMRI Order Modifying License

##### II.

FMRI (or Licensee) is the holder of the NRC License No. SMB-911 (License) issued by the NRC pursuant to 10 CFR Part 40. The License authorizes FMRI to possess natural uranium and thorium and to conduct remediation of the FMRI site, 10 Tantalum Place, Muskogee, Oklahoma. The License was issued on January 27, 1967, expired on September 2, 2002, was most recently amended on October 2, 2012, and remains in effect.

##### III.

On June 21, 2011, FMRI and its parent company, Fansteel, requested authority for an indirect change of control of FMRI from Fansteel to Green Lantern Acquisitions 1, LLC (GLA-1). On October 2, 2012, the NRC issued Amendment 14 to License No. SMB-911 authorizing the change of control to GLA-1 and modifying certain activity schedules and reporting dates to reflect GLA-1 plans for site remediation activities.

##### IV.

By email dated March 22, 2013 (ML13231A122), Fansteel and FMRI informed the NRC that: (1) The planned sale agreement with GLA-1 did not occur; (2) other changes related to the transfer will not occur; and (3) FMRI will pursue the possibility of resuming remediation on its own. Therefore, FMRI's current license does not accurately reflect ownership of and activities at the site.

##### V.

Accordingly, pursuant to Sections 81 and 161b of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 40, *it is hereby ordered that License No. SMB-911 is modified as follows:*

A. Amendment 14, which changed license conditions 1, 3, 10, 26, 29, 37, 50, 51, and 54, is null and void. This modification shall take effect twenty (20) days from the date of this order.

The Director, Office of Federal and State Materials and Environmental Management Programs, may, in writing, relax or rescind any of the above conditions upon demonstration by the Licensee of good cause.

##### VI.

In accordance with 10 CFR 2.202, FMRI must, and any other person adversely affected by this Order may, submit an answer to this Order within 20 days of its publication in the **Federal Register**. In addition, FMRI and any other person adversely affected by this Order may request a hearing on this Order within 20 days of its publication in the **Federal Register**. Where good cause is shown, consideration will be given to extending the time to answer or request a hearing. A request for extension of time must be made, in writing, to the Director, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and include a statement of good cause for the extension.

The answer may consent to this Order. If the answer includes a request for a hearing, it shall, under oath or affirmation, specifically set forth the matters of fact and law on which FMRI relies and the reasons that the Order should not have been issued. If a person other than FMRI requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d) and (f).

All documents filed in NRC adjudicatory proceedings, including a request for hearing, a petition for leave to intervene, any motion or other document filed in the proceeding prior to the submission of a request for hearing or petition to intervene, and documents filed by interested governmental entities participating under 10 CFR 2.315(c), must be filed in accordance with the NRC E-Filing rule (72 FR 49139; August 28, 2007). The E-Filing process requires participants to