

**NUCLEAR REGULATORY COMMISSION****[Docket No. 030-38594; NRC-2013-0250]****CSMI, LLC****AGENCY:** Nuclear Regulatory Commission.**ACTION:** Director's Decision; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is giving notice that the Director of the Office of Federal and State Materials and Environmental Management Programs (FSME) has issued a Director's Decision with regard to a petition dated August 10, 2013, filed by George Walther-Meade (the petitioner).

**DATES:** *Effective date:* May 27, 2014.

**ADDRESSES:** Please refer to Docket ID NRC-2013-0250 when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and is publicly available, using the following methods:

- *Federal Rulemaking Web site:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2013-0250. Address questions about NRC dockets to Carol Gallagher; telephone: 301-287-3422; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- *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 notice (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:** Hector Rodriguez-Luccioni, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-001; telephone: 301-415-6004; email: [Hector.Rodriguez-Luccioni@nrc.gov](mailto:Hector.Rodriguez-Luccioni@nrc.gov).

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Director, Office of Federal and State Materials and

Environmental Management Programs, has issued a Director's Decision with regard to a petition dated August 10, 2013 (ADAMS Accession No. ML13226A020), filed by George Walther-Meade.

The petition requested immediate enforcement action by issuing an order to revoke CSMI's License No. 20-35022-01. The petitioner also requested that a public meeting be held to discuss this matter in the Washington, DC area.

As the basis for this request, the petitioner stated that the Licensee has committed willful violations involving falsification of information that are of particular concern because the NRC's regulatory program is based on licensees acting with integrity and communicating with candor.

The petition of August 10, 2013, raises concerns about potential misrepresentation made by the licensee, which form the basis for the petition, can be summarized as follow:

- In the cover letter to its license application dated December 3, 2012, CSMI stated that they have provided installation, transportation, and maintenance services related to the radiological safety of SAIC Vehicle and Cargo Inspection System (VACIS) for 10 years as a subcontractor. However, according to the petitioner, SAIC, has only been operating the VACIS system for the U.S. Government since 2006 (a period of less than 10 Years).

- Three of the petitioner's concerns involved training that CSMI stated their employees had received from SAIC. CSMI stated that Mr. Roberto Bhaday, their Radiation Safety Officer (RSO), received 40 hours of SAIC Field Service Representative radiation safety training in January 2005 in San Diego, California. Additionally, CSMI stated that their staff attended 80 hours of Initial Field Service Representative technical training in January 2005, at SAIC's facility in Rancho San Bernardo, California. However, the petitioner stated that SAIC did not provide training to Mr. Bhaday or any CSMI staff.

- Two of the petitioner's concerns involved communication with SAIC for maintenance and emergency support. CSMI stated that their service personnel will adhere to the strict guidelines provided by SAIC (e.g., maintenance procedure) and that SAIC will be consulted immediately in the case of an emergency. However, the petitioner stated that the licensee does not have access to current guidelines and procedures nor is there any vehicle to consult SAIC in case of an emergency.

- CSMI stated that radiation safety training is supervised by an RSO-

qualified representative of the system manufacturer and that all radiation safety training materials are provided by the system manufacturer. However, the petitioner stated that no such agreement exists, nor is there evidence to support this claim.

- CSMI stated that leak analysis will be the responsibility of the manufacturer. However, the petitioner stated that no such agreement exists, nor is there evidence to support the licensee's claim.

- In telephone conversations with the NRC, CSMI stated that Mr. Michael Hartnett would be named RSO with Mr. Bhaday as back-up and that Mr. Hartnett was scheduled for RSO training in mid-February. However, the petitioner stated that Mr. Bhaday is no longer with CSMI and Mr. Christopher Knox has since been appointed RSO.

- The petitioner stated that Messrs. Knox, Hartnett, and Bhaday have not received training by the petitioner as implied in the license application and correspondence.

On September 10, 2013, the petitioner and the licensee met with the staff's petition review board during a public meeting. The meeting gave the petitioner and the licensee an opportunity to provide additional information and to clarify issues raised in the petition. The transcript of this meeting was treated as a supplement to the petition (ADAMS Accession No. ML13263A388).

The NRC sent a copy of the proposed Director's Decision to the petitioner and to CSMI for comment on February 28, 2014. The petitioner responded with comments on April 4, 2014 (ADAMS Accession No. ML14101A127) and CSMI responded with no comments on March 26, 2014. The comments and the NRC staff's response to them are included in the Director's Decision.

The Director of FSME has determined that the request, to revoke CSMI License Number 20-35022-01, be denied. The reasons for this decision are explained in the Director's Decision pursuant to Title 10 of *Code of Federal Regulations* (10 CFR) 2.206 (DD-14-04, ADAMS Accession No. ML14128A277).

The NRC staff has not substantiated the petitioner's concern that CSMI has committed a willful violation involving falsification of information. Additionally the staff has not identified any safety basis for revoking or suspending CSMI's license.

A copy of the Director's Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206 of the Commission's regulations. As provided for by this regulation, the

Director's Decision will constitute the final action of the Commission 25 days after the date of the Decision, unless the Commission, on its own motion, institutes a review of the Director's Decision in that time.

Dated at Rockville, Maryland, this 27th day of May 2014.

For the Nuclear Regulatory Commission.

**Brian E. Holian,**

*Acting Director, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2014-13360 Filed 6-6-14; 8:45 am]

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## OVERSEAS PRIVATE INVESTMENT CORPORATION

### Sunshine Act Cancellation Notice—OPIC June 5, 2014 Public Hearing

OPIC's Sunshine Act notice of its Public Hearing in Conjunction with each Board meeting was published in the **Federal Register** (Volume 79, Number 105, Page 31350) on June 2, 2014. No requests were received to provide testimony or submit written statements for the record; therefore, OPIC's public hearing scheduled for 2 p.m., June 4, 2014 in conjunction with OPIC's June 12, 2014 Board of Directors meeting has been cancelled.

#### CONTACT PERSON FOR INFORMATION:

Information on the hearing cancellation may be obtained from Connie M. Downs at (202) 336-8438, or via email at [Connie.Downs@opic.gov](mailto:Connie.Downs@opic.gov).

Dated: June 4, 2014.

**Connie M. Downs,**

*OPIC Corporate Secretary.*

[FR Doc. 2014-13485 Filed 6-5-14; 4:15 pm]

BILLING CODE 3210-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 31070; 813-382]

### Kohlberg Kravis Roberts & Co. L.P., et al.; Notice of Application

June 3, 2014.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of application for an order under sections 6(b) and 6(e) of the Investment Company Act of 1940 (the "Act") granting an exemption from all provisions of the Act and the rules and regulations thereunder, except sections 9, 17, 30, and 36 through 53 of the Act, and the rules and regulations thereunder (the "Rules and

Regulations"). With respect to sections 17(a), (d), (f), (g) and (j) and 30(a), (b), (e), and (h) of the Act, and the Rules and Regulations, and rule 38a-1 under the Act, the exemption is limited as set forth in the application.

#### SUMMARY: Summary of Application:

Applicants request an order to exempt certain limited partnerships and other entities ("Partnerships") formed for the benefit of eligible employees of Kohlberg Kravis Roberts & Co. L.P. ("KKR LP") and its affiliates from certain provisions of the Act. Each Partnership will be an "employees' securities company" within the meaning of section 2(a)(13) of the Act.

*Applicants:* KKR LP; KKR North America Fund XI ESC L.P. ("NAXI ESC"), KKR Asian Fund II ESC L.P. ("Asia II ESC"), KKR Energy Income and Growth Fund I ESC L.P. ("EIGF I ESC"), KKR Real Estate Partners Americas ESC L.P. ("REPA ESC," and with NAXI ESC, Asia II ESC, and EIGF I ESC, collectively, the "Initial Partnerships"); and KKR North America XI Limited ("NAXI ESC GP"), the General Partner (defined below) of NAXI ESC, KKR Asia II Limited ("Asia II ESC GP"), the General Partner of Asia II ESC, KKR EIGF LLC ("EIGF I ESC GP"), the General Partner of EIGF I ESC, and KKR REPA GP LLC ("REPA ESC GP," and with NAXI ESC GP, Asia II ESC GP, and EIGF I ESC GP, collectively, the "Initial General Partners"), the General Partner of REPA ESC.

**DATES: Filing Dates:** The application was filed on September 20, 2012 and amended on May 6, 2013, December 31, 2013 and May 29, 2014.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on June 30, 2014, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants: 9 West 57th Street, Suite 4200, New York, New York 10019.

#### FOR FURTHER INFORMATION CONTACT:

David J. Marcinkus, Senior Counsel, at (202) 551-6882, or David P. Bartels, Branch Chief, at (202) 551-6821 (Division of Investment Management, Chief Counsel's Office).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

#### Applicants' Representations

1. KKR LP is a Delaware limited partnership, and together with its "affiliates," as defined in rule 12b-2 under the Securities Exchange Act of 1934 (the "Exchange Act") (collectively, "KKR," and each, a "KKR entity"), it has organized, and will in the future organize, limited partnerships, limited liability companies, business trusts or other entities (each a "Partnership" and, collectively, the "Partnerships") as "employees' securities companies," as defined in section 2(a)(13) of the Act.

2. A Partnership may be organized under the laws of the state of Delaware, another state, or of a jurisdiction outside the United States. KKR may also form parallel Partnerships organized under the laws of various jurisdictions in order to create the same investment opportunities for Eligible Employees (as defined below) in other jurisdictions. Interests in a Partnership ("Interests") may be issued in one or more series, each of which corresponds to particular Partnership investments (each, a "Series"). Each Series will be an "employees' securities company" within the meaning of section 2(a)(13) of the Act. Each Partnership will operate as a closed-end management investment company, and a particular Partnership may operate as a diversified or non-diversified vehicle within the meaning of the Act. The Partnerships are intended to provide investment opportunities for Eligible Employees that are competitive with those at other investment management and financial services firms and to facilitate the recruitment and retention of high caliber professionals. KKR will control each Partnership within the meaning of section 2(a)(9) of the Act.

3. KKR formed NAXI ESC in June 2012 under the laws of the Cayman Islands. NAXI ESC invests concurrently with KKR North America Fund XI L.P. ("NAXI") and other investors organized or managed by KKR or its designees that generally co-invest with NAXI in various investment opportunities, as