

evaluations models that are acceptable to the NRC. Therefore, the underlying purpose of the regulations in 10 CFR 50.46 and 10 CFR part 50, appendix K, part I, would continue to be achieved with the exemption, and the special circumstances in 10 CFR 50.12(a)(ii) for the granting of an exemption exist.

#### IV. Environmental Considerations

The exemption changes a requirement with respect to installation or use of facility components located within the restricted area as defined in 10 CFR part 20. With respect to its impact on the quality of the human environment, the NRC has determined, as described below, that the issuance of the exemption meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). The regulation in 10 CFR 51.22(c)(9) states:

Issuance of an amendment to a permit or license for a reactor under part 50 or part 52 of this chapter that changes a requirement or issuance of an exemption from a requirement, with respect to installation or use of a facility component located within the restricted area, as defined in part 20 of this chapter; or the issuance of an amendment to a permit or license for a reactor under part 50 or part 52 of this chapter that changes an inspection or a surveillance requirement; provided that: (i) The amendment or exemption involves no significant hazards consideration; (ii) There is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite; and (iii) There is no significant increase in individual or cumulative occupational radiation exposure.

The criteria for determining whether an action involves a significant hazards consideration are found in 10 CFR 50.92, "Issuance of amendment." The proposed action is to permit the use of Optimized ZIRLO™ fuel rod cladding in Salem, Unit Nos. 1 and 2. The exemption is a prerequisite for the NRC staff to issue license amendments for the Salem units, which will complete the proposed action. The NRC staff's review of the exemption and license amendment requests are being performed concurrently. The Commission has previously issued a proposed finding that the associated license amendments involve no significant hazards consideration, and there has been no public comment on such finding (89 FR 79971; October 1, 2024). Therefore, the NRC staff has determined that the proposed action involves no significant hazards consideration. The NRC staff has also determined that the proposed action involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure because Optimized ZIRLO™ has similar properties and performance characteristics as the currently licensed cladding.

Based on the above, the NRC staff concludes that the proposed exemption meets the eligibility criteria for the categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR

51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the exemption.

#### V. Conclusions

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Also, special circumstances are present. Therefore, the Commission hereby grants PSEG an exemption from 10 CFR 50.46 and 10 CFR part 50, appendix K, paragraph I.A.5, to support the use of Optimized ZIRLO™ fuel rod cladding material in Salem, Unit Nos. 1 and 2. This exemption relates solely to the limitations on cladding material in these regulations.

Dated at Rockville, Maryland, this 24th day of April 2025.

For the Nuclear Regulatory Commission.

**Aida Rivera-Varona,**

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

[FR Doc. 2025-07737 Filed 5-2-25; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-09; NRC-2025-0075]

### Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation; License Amendment Application

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of docketing.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has received and docketed a license amendment application from the Department of Energy (DOE or the licensee) for amendment of Materials License No. SNM-2504, for the Fort St. Vrain (FSV) independent spent fuel storage installation (ISFSI) located in Platteville, Colorado. The requested amendment would revise certain license conditions and technical specifications (TS) by adjusting references to relevant organizational components of DOE, correcting prior clerical drafting errors, and changing the description of a DOE official who is responsible for the operation and nuclear safety of the FSV ISFSI and for ensuring its compliance with certain conditions and requirements of the license and applicable regulations. The NRC will process the application in accordance with NRC regulations, as further explained in the **SUPPLEMENTARY INFORMATION** section of this notice.

**DATES:** May 5, 2025.

**ADDRESSES:** Please refer to Docket ID NRC-2025-0075 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-2025-0075. Address questions about Docket IDs in *Regulations.gov* to Bridget Curran; telephone: 301-415-1003; email: [Bridget.Curran@nrc.gov](mailto:Bridget.Curran@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, at 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto: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](mailto: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.

**FOR FURTHER INFORMATION CONTACT:** Daneira Meléndez-Colón, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7295; email: [Daneira.Melendez-Colon@nrc.gov](mailto:Daneira.Melendez-Colon@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

By letter dated November 14, 2024, DOE submitted to the NRC an application to amend the license conditions and TS for the Fort St. Vrain ISFSI, located in Platteville, Colorado. Materials License No. SNM-2504 authorizes the licensee to receive, possess, store, and transfer spent nuclear fuel from the decommissioned FSV Nuclear Generating Station. The proposed amendment would revise TS 5.1.1 and 5.2.1.1 so that they explicitly designate the Manager for the Idaho

Cleanup Project (ICP) as the DOE official who is responsible for the operation and nuclear safety of the FSV ISFSI and for ensuring its compliance with NRC license conditions and regulatory requirements. TS 5.1.1 currently designates the Deputy Manager for the ICP as the DOE official who is responsible for the operation of the FSV ISFSI and for ensuring its compliance with NRC license conditions and regulatory requirements. The proposed amendment would also revise TS 5.6.1 so that it identifies the Manager for the ICP, rather than the Deputy Manager, as one of the two DOE officials who are responsible for submitting certain reports that are required in connection with the license. Additionally, the proposed amendment would correct clerical drafting errors in TS 3.3.1 and 5.5.2.6 so that those technical specifications accurately reflect changes that were previously approved and included in License Amendment 10 but

were inadvertently omitted from License Amendment 11. The proposed amendment would also correct an erroneous regulatory citation in TS 5.5.1.d, correct a typographical error in TS 5.5.2.5, and adjust references to relevant organizational components of DOE in License Condition 14 and in TS 5.1.5, 5.4.2, and 5.5.2.7.

In a letter to DOE dated March 21, 2025, the NRC notified DOE that the application was acceptable to begin a technical review. The NRC's Office of Nuclear Material Safety and Safeguards has docketed this application under Docket No. 72-09, and the NRC is issuing this notice of docketing as authorized and required by 10 CFR 72.16(e). The NRC will approve the license amendment if it finds that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the NRC's regulations, and the NRC will make findings consistent with the National

Environmental Policy Act and part 51 of title 10 of the *Code of Federal Regulations* (10 CFR). These findings will be documented in a safety evaluation report. The NRC may issue either a notice of hearing or a notice of proposed action and opportunity for hearing in accordance with 10 CFR 72.46(b)(1) or, if a determination is made that the amendment does not present a genuine issue as to whether the health and safety of the public will be significantly affected, take immediate action on the amendment in accordance with 10 CFR 72.46(b)(2) and then promptly provide notice of the action taken and an opportunity for interested persons to request a hearing on whether the action should be rescinded or modified.

## II. Availability of Documents

The documents identified in this notice are available to interested persons through ADAMS.

Document description	ADAMS accession No.
DOE Letter—License Amendment Request to Update the Licensee Designation of Authority Title for the Fort St. Vrain Independent Spent Fuel Storage Installation, Docket 72 0009, Materials License No. SNM-2504 (CLN250095), dated November 14, 2024.	ML24324A062 (Package).
NRC Letter—Issuance of Amendment No. 10 to Renewed Materials License No. SNM-2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation (TAC No. L24994), dated March 17, 2016.	ML15258A217 (Package).
NRC Letter—Amendment No. 11 to Materials License No. SNM-2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation, dated June 6, 2017.	ML17151A387 (Package).
NRC Letter—Application for License Amendment Request—Amendment No. 12 to Materials License No. 2504 for the Fort St. Vrain Independent Spent Fuel Storage Installation—Accepted for Review (CAC/EPID Nos. 001028/L-2024-LLA-0161), dated March 21, 2025.	ML25073A130.

Dated: April 29, 2025.

For the Nuclear Regulatory Commission.

**Yoira Diaz-Sanabria,**

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

[FR Doc. 2025-07727 Filed 5-2-25; 8:45 am]

BILLING CODE 7590-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-102946; File No. SR-CboeBZX-2025-038]

### Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Designation of a Longer Period for Commission Action on a Proposed Rule Change To Amend the Rule Governing the Listing and Trading of Shares of the Fidelity Ethereum Fund To Permit Staking

April 29, 2025.

On March 11, 2025, Cboe BZX Exchange, Inc. (“Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant

to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to amend the rule governing the listing and trading of shares of the Fidelity Ethereum Fund to permit staking. The proposed rule change was published for comment in the **Federal Register** on March 18, 2025.<sup>3</sup>

Section 19(b)(2) of the Act <sup>4</sup> provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be

disapproved. The 45th day after publication of the notice for this proposed rule change is May 2, 2025. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider the proposed rule change and the issues raised therein. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,<sup>5</sup> designates June 16, 2025, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-CboeBZX-2025-038).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>6</sup>

**Sherry R. Haywood,**

*Assistant Secretary.*

[FR Doc. 2025-07696 Filed 5-2-25; 8:45 am]

BILLING CODE 8011-01-P

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

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

<sup>3</sup> See Securities Exchange Act Release No. 102643 (Mar. 12, 2025), 90 FR 12626. The Commission has received no comments on the proposed rule change.

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

<sup>5</sup> 15 U.S.C. 78s(b)(2).

<sup>6</sup> 17 CFR 200.30-3(a)(31).