

plant-specific Design Control Document Tier 2 information and involves changes to COL Appendix C. The proposed changes revise the COLs to remove the west walls of containment air filtration exhaust rooms A and B in the annex building to facilitate ease of access to equipment in the room during installation and maintenance.

Part of the justification for granting the exemption was provided by the review of the amendment. Because the exemption is necessary in order to issue the requested license amendment, the NRC granted the exemption and issued the amendment concurrently, rather than in sequence. This included issuing a combined safety evaluation containing the NRC staff's review of both the exemption request and the license amendment. The exemption met all applicable regulatory criteria set forth in §§ 50.12, 52.7, and section VIII.A.4 of appendix D to 10 CFR part 52. The license amendment was found to be acceptable as well. The combined safety evaluation is available in ADAMS under Accession No. ML17283A313.

Identical exemption documents (except for referenced unit numbers and license numbers) were issued to the licensee for VEGP Units 3 and 4 (COLs NPF-91 and NPF-92). The exemption documents for VEGP Units 3 and 4 can be found in ADAMS under Accession Nos. ML17283A316 and ML17283A317, respectively. The exemption is reproduced (with the exception of abbreviated titles and additional citations) in Section II of this document. The amendment documents for COLs NPF-91 and NPF-92 are available in ADAMS under Accession Nos. ML17283A314 and ML17283A315, respectively. A summary of the amendment documents is provided in Section III of this document.

## II. Exemption

Reproduced below is the exemption document issued to VEGP Units 3 and Unit 4. It makes reference to the combined safety evaluation that provides the reasoning for the findings made by the NRC (and listed under Item (1) in order to grant the exemption:

1. In a letter dated May 24, 2017, as supplemented by letter dated August 31, 2017, the licensee requested from the Commission an exemption to allow departures from Tier 1 information in the certified DCD incorporated by reference in 10 CFR part 52, appendix D, as part of license amendment request 17-017, "Containment Air Filtration Exhaust Rooms West Walls Removal."

For the reasons set forth in Section 3.1 of the NRC staff's Safety Evaluation, which can be found in ADAMS under

Accession No. ML17283A313, the Commission finds that:

- A. The exemption is authorized by law;
- B. the exemption presents no undue risk to public health and safety;
- C. the exemption is consistent with the common defense and security;
- D. special circumstances are present in that the application of the rule in this circumstance is not necessary to serve the underlying purpose of the rule;
- E. the special circumstances outweigh any decrease in safety that may result from the reduction in standardization caused by the exemption; and
- F. the exemption will not result in a significant decrease in the level of safety otherwise provided by the design.

2. Accordingly, the licensee is granted an exemption from the certified DCD Tier 1 information, with corresponding changes to Appendix C of the Facility Combined License as described in the request dated May 24, 2017, as supplemented by letter dated August 31, 2017. This exemption is related to, and necessary for the granting of License Amendment No. 98 (Unit 3) and 97 (Unit 4), which is being issued concurrently with this exemption.

3. As explained in Section 5.0 of the NRC staff's Safety Evaluation (ADAMS Accession No. ML17283A313), this exemption meets the eligibility criteria for 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 needs to be prepared in connection with the issuance of the exemption.

4. This exemption is effective as of the date of its issuance.

## III. License Amendment Request

By letter dated May 24, 2017 (ADAMS Accession No. ML17144A413), as supplemented by letter dated August 31, 2017 (ADAMS Accession No. ML17243A445), the licensee requested that the NRC amend the COLs for VEGP, Units 3 and 4, COLs NPF-91 and NPF-92. The proposed amendment is described in Section I of this **Federal Register** notice.

The Commission has determined for 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 COL, as applicable, proposed no significant hazards consideration

determination, and opportunity for a hearing in connection with these actions, was published in the **Federal Register** on August 8, 2017 (82 FR 37128). No comments were received during the 30-day comment period.

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.

## IV. Conclusion

Using the reasons set forth in the combined safety evaluation, the staff granted the exemptions and issued the amendments that the licensee requested on May 24, 2017, as supplemented by letter dated August 31, 2017.

The exemptions and amendments were issued on November 14, 2017, as part of a combined package to the licensee (ADAMS Accession No. ML17283A312).

Dated at Rockville, Maryland, this 22nd day of January, 2018.

For the Nuclear Regulatory Commission.  
**Jennifer L. Dixon-Herrity,**

*Chief, Licensing Branch 4, Division of New Reactor Licensing, Office of New Reactors.*

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-9091; NRC-2011-0148]

### Strata Energy, Inc.; Ross Uranium In Situ Recovery Facility; Source and Byproduct Materials License

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Final environmental assessment and finding of no significant impact; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is considering an amendment of Source and Byproduct Materials License SUA-1601 to modify a License Condition for the Strata Energy, Inc. (Strata) Ross In Situ Recovery (ISR) Project. Specifically, Strata is requesting that NRC approve a modification to License Condition 11.3(C) for Mine Units Nos. 1 and 2 (MU1 and MU2) that would reduce the number of monitoring wells placed in the underlying aquifer. The NRC has prepared a final environmental assessment (EA) and finding of no significant impact (FONSI) for this licensing action.

**DATES:** The final EA and FONSI referenced in this document were available on January 17, 2018.

**ADDRESSES:** Please refer to Docket ID NRC-2011-0148 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 <http://www.regulations.gov> and search for Docket ID NRC-2011-0148. Address questions about NRC dockets to Carol Gallagher; telephone: 301-415-3463; email: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@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 <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 via email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS accession number for each document referenced (if it is available in ADAMS) is provided the first time that it is mentioned in this document.

- *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:** Jessie Muir Quintero, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7476; email: [Jessie.Quintero@nrc.gov](mailto:Jessie.Quintero@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The NRC is considering amending License Condition 11.3(C) of License SUA-1601 issued to Strata. As required by part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), the NRC prepared a final EA (ADAMS Accession No. ML17360A222). Based on the results of the final EA, described as follows, the NRC has determined not to prepare an environmental impact statement (EIS) for the amendment, and is issuing a FONSI.

##### II. Environmental Assessment

###### *Description of the Proposed Action*

The proposed action would amend License Condition 11.3(C) of Strata's Ross license. Strata's amendment request (ADAMS Accession No. ML17103A262) would reduce the number of monitoring wells in the designated underlying aquifer.

###### *Need for the Proposed Action*

The proposed action would reduce Strata's burden of routine monitoring of low-yielding wells.

###### *Environmental Impacts of the Proposed Action*

The NRC assessed the environmental impacts to ground water as a result of amending License Condition 11.3 (C) and determined that there would be no significant impact to ground-water quality. The NRC determined the proposed changes to the License Condition—reduction in the number of monitoring wells in the underlying aquifer within MU1 and MU2—would still maintain Strata's ability to identify vertical exclusions into the underlying aquifer at MU2 where the unit has the potential to transmit water.

###### *Environmental Impacts of the Alternatives to the Proposed Action*

As an alternative to the proposed action, the NRC staff considered denial of the proposed action (*i.e.*, the "no-action" alternative). The No-Action Alternative would mean that the NRC would not approve the requested change to License Condition 11.3 (C). The No-Action alternative would result in Strata operating the Ross project as currently licensed, thus the impacts would be the same as those already considered in the Ross Supplemental EIS and the EA prepared for License Amendment No. 7 (ADAMS Accession Nos. ML14056A096 and ML17191A371, respectively).

###### *Agencies and Persons Consulted*

On December 01, 2017, the NRC staff sent a copy of the draft EA to the Wyoming Department of Environmental Quality (DEQ) for their review and comment (ADAMS Accession No. ML17335A567). The Wyoming DEQ responded on January 2, 2018, with no comments on the draft EA (ADAMS Accession No. ML18003A749).

##### III. Finding of No Significant Impact

Based on its review of the proposed action, and in accordance with the requirements in 10 CFR part 51, the NRC staff has determined that amending License Condition 11.3(C) for the Ross ISR project would not significantly

affect ground-water quality. The NRC staff has determined that pursuant to 10 CFR 51.31, preparation of an EIS is not required for the proposed action and, pursuant to 10 CFR 51.32, a FONSI is appropriate.

On the basis of the final EA, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an EIS for the proposed action.

Dated at Rockville, Maryland, this 23rd day of January 2018.

For the U.S. Nuclear Regulatory Commission.

**Craig G. Erlanger,**

*Director, Division of Fuel Cycle Safety, Safeguards and Environmental Review, Office of Nuclear Material Safety and Safeguards.*

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#### SECURITIES AND EXCHANGE COMMISSION

[SEC File No. 270-126, OMB Control No. 3235-0287]

##### Proposed Collection; Comment Request

*Upon Written Request Copies Available From:* Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549-2736

###### *Extension:*

Form 4.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Under Section 16(a) of the Securities Exchange Act of 1934 ("Exchange Act") (15 U.S.C. 78a *et seq.*) every person who is directly or indirectly the beneficial owner of more than 10 percent of any class of any equity security (other than an exempted security) which registered under Section 12 of the Exchange Act (15 U.S.C. 78l), or who is a director or an officer of the issuer of such security (collectively "insiders"), must file a statement with the Commission reporting their ownership. Form 4 is a statement to disclose changes in an insider's ownership of securities. The information is used for the purpose of disclosing the equity holdings of