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- *Mail comments to:* Cindy Bladey, Chief, Rules, Announcements, and Directives Branch (RADB), Office of Administration, Mail Stop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

- *Fax comments to:* RADB at 301-492-3446.

#### **SUPPLEMENTARY INFORMATION:**

#### **Submitting Comments and Accessing Information**

Comments submitted in writing or in electronic form will be posted on the NRC Web site and on the Federal rulemaking Web site, <http://www.regulations.gov>. Because your comments will not be edited to remove any identifying or contact information, the NRC cautions you against including any information in your submission that you do not want to be publicly disclosed.

The NRC requests that any party soliciting or aggregating comments received from other persons for submission to the NRC inform those persons that the NRC will not edit their comments to remove any identifying or contact information, and therefore, they should not include any information in their comments that they do not want publicly disclosed.

You can access publicly available documents related to this document using the following methods:

- *NRC's Public Document Room (PDR):* The public may examine and have copied, for a fee, publicly available documents at the NRC's PDR, O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* Publicly available documents created or received at the NRC are available online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. From this page, the public can gain entry into ADAMS, which provides text and image files of the NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC's PDR reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The ADAMS Accession Number for the LGS ER is ML1179A104.

- *Federal Rulemaking Web Site:* Public comments and supporting materials related to this notice can be found at <http://www.regulations.gov> by searching on Docket ID NRC-2011-0166.

Participation in the scoping process for the supplement to the GEIS does not entitle participants to become parties to the proceeding to which the supplement to the GEIS relates. Matters related to participation in any hearing are outside the scope of matters to be discussed at this public meeting. The notice of acceptance for docketing of the application and opportunity for hearing that was published in the **Federal Register** describes the hearing process.

Dated at Rockville, Maryland this 17th day of August, 2011.

For the Nuclear Regulatory Commission.  
**Dennis C. Morey,**  
*Chief, Reactor Projects Branch 1, Division of License Renewal, Office of Nuclear Reactor Regulation.*

[FR Doc. 2011-21921 Filed 8-25-11; 8:45 am]

**BILLING CODE 7590-01-P**

#### **NUCLEAR REGULATORY COMMISSION**

**[Docket No. 04009068; NRC-2008-0391]**

#### **Notice of the Nuclear Regulatory Commission Issuance of Materials License SUA-1598 and Record of Decision for Lost Creek ISR, LLC Lost Creek In-Situ Recovery Project**

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of issuance of materials license SUA-1598.

**SUPPLEMENTARY INFORMATION:** The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued a license to Lost Creek ISR, LLC (LCI) for its Lost Creek uranium in-situ recovery (ISR) project in Sweetwater County, Wyoming. Materials License SUA-1598 authorizes LCI to operate its facilities as proposed in its license application, as amended, and to possess uranium source and byproduct material at the Lost Creek Project. Furthermore, LCI will be required to operate under the conditions listed in Materials License SUA-1598.

This notice also serves as the record of decision for the NRC decision to approve LCI's license application for the Lost Creek Project and to issue Materials License SUA-1598. This record of decision satisfies the regulatory requirement in Section 51.102(a) of Title 10 of the Code of Federal Regulations (10 CFR), which requires a Commission decision on any action for which a final environmental impact statement has been prepared to be accompanied by or to include a concise public record of decision.

The NRC considers the entire publicly available record for a license application to constitute the agency's record of decision. Documents related to this application carry Docket Number 04009068. You can access the NRC's Agencywide Documents Access and Management System (ADAMS), which provides text and image files of the NRC's public documents in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. These documents for the Lost Creek Project include the license application (including the applicant's environmental report) [ADAMS Accession No. ML081060502], the Commission's Safety Evaluation Report (SER) published in August 2011 [ADAMS Accession No. ML112231724], and the Commission's Final Supplemental Environmental Impact Statement (FSEIS) (NUREG-1910, Supplement 3) published in June 2011 [ADAMS Accession No. ML11125A006]. The record of decision also includes the applicable portions of the Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities (NUREG-1910), as incorporated by reference in the FSEIS.

As discussed in the Lost Creek FSEIS, the Commission considered a range of alternatives. The reasonable alternatives discussed in detail were the applicant's proposal as described in its license application to conduct in-situ uranium recovery on the site, the no-action alternative, and the dry yellowcake alternative. Under the proposed action, yellowcake slurry would be produced, but not dried, onsite, whereas the dry yellowcake alternative considered the impacts of installing a dryer onsite to produce dry yellowcake from the yellowcake slurry produced onsite. Before a dryer could be installed on the Lost Creek Project site, the licensee would be required to submit a license amendment request, and the NRC would need to approve such a request. Other alternatives considered, but eliminated from detailed analysis, include conventional uranium mining and milling, conventional mining and heap leach processing, alternate lixivants, and alternative wastewater disposal options. The Lost Creek FSEIS also discussed the factors considered when evaluating the alternatives, a comparison among the alternatives, and license conditions and monitoring programs. The FSEIS also contained the NRC staff recommendation to the Commission, related to the environmental aspects of the proposed action that the source material license should be issued as requested, unless safety issues mandate otherwise.

The NRC has found that the application for the source materials license complied with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations. As required by the Act and the Commission's regulations in 10 CFR 40.32(b)–(c), the staff has found that LCI is qualified by reason of training and experience to use source material for the purpose that it requested, and that LCI's proposed equipment and procedures for use at its Lost Creek Project are adequate to protect public health and minimize danger to life or property. The NRC

staff's review supporting these findings is documented in the SER. The NRC staff also concluded, in accordance with 10 CFR 40.32(d), that issuance of Materials License SUA–1598 to LCI will not be inimical to the common defense and security or to the health and safety of the public. The staff also found in accordance with 10 CFR 40.32(e), after weighing the environmental, economic, technical, and other benefits against environmental costs and considering available alternatives, that the appropriate action is to issue Materials License SUA–1598.

LCI's request for a materials license was previously noticed in the **Federal**

**Register** on July 10, 2008 (73 FR 39728), with a notice of an opportunity to request a hearing. The NRC did not receive any requests for a hearing on the license application.

**SUPPLEMENTARY INFORMATION:** In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," the details with respect to this action, including the SER and accompanying documentation and license, are available electronically in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS accession numbers for the documents related to this notice are:

|    |       |                                                                                                                      |       |             |
|----|-------|----------------------------------------------------------------------------------------------------------------------|-------|-------------|
| 1  | ..... | Applicant's Application, March 20, 2008                                                                              | ..... | ML081060525 |
| 2  | ..... | Response to Request for Additional Information, December 12, 2008                                                    | ..... | ML090080451 |
| 3  | ..... | Response to Request for Additional Information, January 16, 2009                                                     | ..... | ML090360163 |
| 4  | ..... | Response to Request for Additional Information, February 27, 2009                                                    | ..... | ML090840399 |
| 5  | ..... | Generic Environmental Impact Statement for <i>In-Situ</i> Leach Uranium Milling Facilities, May 2009                 | ..... | ML091530075 |
| 6  | ..... | Response to Request for Additional Information, August 5, 2009                                                       | ..... | ML092310728 |
| 7  | ..... | Applicant's Notification of Monitoring Well Network, May 22, 2009                                                    | ..... | ML091740295 |
| 8  | ..... | Lost Creek Project Exemption Request, July 2, 2009                                                                   | ..... | ML091940438 |
| 9  | ..... | Exemption to 10 CFR 40.42(e), April 6, 2010                                                                          | ..... | ML093350365 |
| 10 | ..... | Response to Open Issues in Safety Evaluation Report, April 22, 2010                                                  | ..... | ML102100241 |
| 11 | ..... | Revisions to Application, April 22, 2010                                                                             | ..... | ML102420249 |
| 12 | ..... | Clarifications to Technical Report, May 14, 2010                                                                     | ..... | ML101600528 |
| 13 | ..... | Replacement Pages to Application, June 24, 2010                                                                      | ..... | ML101820155 |
| 14 | ..... | Supplemental Environmental Impact Statement for the Lost Creek ISR Project in Sweetwater County, Wyoming, June 2011. | ..... | ML11125A006 |
| 15 | ..... | NRC Safety Evaluation Report, August 2011                                                                            | ..... | ML112231724 |
| 16 | ..... | Source Materials License for Lost Creek, August 17, 2011                                                             | ..... | ML111940049 |

If you do not have access to ADAMS, or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1–800–397–4209 or 301–415–4737, or via e-mail to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

These documents may also be viewed electronically on the public computers located at the NRC's PDR, O 1 F21, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The PDR reproduction contractor will copy documents for a fee.

#### FOR FURTHER INFORMATION CONTACT:

Tanya Palmateer Oxenberg, Ph.D., Project Manager, Uranium Recovery Licensing Branch, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415–6142; fax number: (301) 415–5369; e-mail: [tanya.oxenberg@nrc.gov](mailto:tanya.oxenberg@nrc.gov).

Dated at Rockville, Maryland this 17th day of August 2011.

For the Nuclear Regulatory Commission.

**Keith I. McConnell,**

*Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate, Division of Waste Management and Environmental Protection, Office of Federal and State Materials and Environmental Management Programs.*

[FR Doc. 2011–21927 Filed 8–25–11; 8:45 am]

**BILLING CODE 7590–01–P**

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon written request, copies available from:* U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549–0213.

*Extension:* Rule 15g–9; SEC File No. 270–325; OMB Control No. 3235–0385.

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") has submitted to the Office of Management and Budget a request for extension of the previously

approved collection of information discussed below.

Section 15(c)(2) of the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) (the "Exchange Act") authorizes the Commission to promulgate rules that prescribe means reasonably designed to prevent fraudulent, deceptive, or manipulative practices in connection with over-the-counter ("OTC") securities transactions. Pursuant to this authority, the Commission in 1989 adopted Rule 15a–6 which was subsequently redesignated as Rule 15g–9, 17 CFR 240.15g–9 (the "Rule"). The Rule requires broker-dealers to produce a written suitability determination for, and to obtain a written customer agreement to, certain recommended transactions in penny stocks that are not registered on a national securities exchange, and whose issuers do not meet certain minimum financial standards. The Rule is intended to prevent the indiscriminate use by broker-dealers of fraudulent, high pressure telephone sales campaigns to sell penny stocks to unsophisticated customers.

The Commission staff estimates that there are approximately 253 broker-dealers subject to the Rule. The burden of the Rule on a respondent varies