

For the Nuclear Regulatory Commission.
Thomas H. Boyce,
*Chief, Regulatory Guidance and Generic
 Issues Branch, Division of Engineering, Office
 of Nuclear Regulatory Research.*
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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-302; NRC-2019-0076]

Duke Energy Florida, LLC; Crystal River Unit 3 Nuclear Generating Plant

AGENCY: Nuclear Regulatory Commission.

ACTION: Partial site release; public meeting and request for comment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is considering a request from Duke Energy Florida, LLC (DEF) to approve the release of land areas, under the control of the NRC power reactor license for the Crystal River Unit 3 Nuclear Generating Plant (CR3), License No. DPR-72. Specifically, DEF requests approval to remove and release the radiologically non-impacted portions of the site from its license for unrestricted use. The NRC will review the request and conduct confirmatory surveys of the properties proposed for release. The NRC is soliciting public comment on the requested action and invites stakeholders and interested persons to participate. The NRC plans to hold a public meeting to promote full understanding of the requested action and to facilitate public comment.

DATES: Submit comments by May 8, 2019. Comments received after this date will be considered if it is practical to do so, but the Commission is able to ensure consideration only for comments received before this date. A public meeting will be held on April 25, 2019.

ADDRESSES: You may submit comments by any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for: Docket ID NRC-2019-0076. Address questions about NRC dockets IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@nrc.gov. For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION**

CONTACT section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7A06M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, ATTN: Program Management, Announcements and Editing Staff.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and Submitting Comments" in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT: John Hickman, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-3017; email: John.Hickman@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Obtaining Information and Submitting Comments

A. Obtaining Information

Please refer to Docket ID NRC-2019-0076. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0076.
- *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 "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. The "Crystal River Unit 3—Partial Site Release Request" is available in ADAMS under Package Accession No. ML19029A018.
- *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.

B. Submitting Comments

Please include Docket ID NRC-2019-0076. The NRC cautions you not to include identifying or contact information that you do not want to be publicly disclosed in your comment submission. The NRC will post all comment submissions at <http://www.regulations.gov> as well as enter the comment submissions into ADAMS. The NRC does not routinely edit comment submissions to remove identifying or contact information.

If you are requesting or aggregating comments from other persons for submission to the NRC, then you should inform those persons not to include identifying or contact information that they do not want to be publicly disclosed in their comment submission. Your request should state that the NRC does not routinely edit comment

submissions to remove such information before making the comment submissions available to the public or entering the comment into ADAMS.

II. Background

The NRC received a request for approval of a partial site release from DEF (the licensee), by letter dated January 22, 2019 (ADAMS Package Accession No. ML19029A018). DEF requests NRC approval to remove and release from its title 10 of the *Code of Federal Regulations* (10 CFR), part 50 license the portions of the site that the Historical Site Assessment (HSA) characterization process has classified as radiologically non-impacted, in accordance with 10 CFR 50.83(b). The property that is subject to this release request is an approximately 3,854-acre parcel of land that the licensee states was not used for plant operations or storage of radioactive material.

The CR3 license (NRC License No. DPR-72, Docket No. 50-302) is for a power reactor under 10 CFR part 50, "Domestic Licensing of Production and Utilization Facilities." The facility was certified as permanently shut down, per NRC regulations in 10 CFR 50.82(a), by letter dated February 20, 2013. CR3 is currently in "SAFSTOR" decommissioning mode awaiting the termination of the power reactor license.

As described in 10 CFR 50.83(c), the NRC will determine whether the licensee has adequately evaluated the effect of releasing the properties per the requirements of 10 CFR 50.83(a)(1), determine whether the licensee's classification of any released areas as "non-impacted" is adequately justified, and if the NRC determines that the licensee's submittal is adequate, the NRC will inform the licensee in writing that the release is approved.

III. Public Meeting

The NRC will conduct a public meeting to discuss DEF's request for approval of the partial site release. The meeting will be held on Thursday, April 25, 2019, from 7:00 p.m. until 8:30 p.m., Eastern Time, at the Holiday Inn Express Crystal River, 1203 NE 5th Street, Crystal River, Florida 34429.

This is a Category 3 public meeting where stakeholders are invited to fully engage NRC staff to provide a range of views, information, concerns and suggestions with regard to regulatory issues. After the licensee and the NRC staff presentation portion of the meeting, the public is allowed to speak and ask questions. Comments can be provided orally or in writing to the NRC staff present at the meeting. The NRC will consider and, if appropriate,

respond to these written and verbal comments, but such comments will not otherwise constitute part of the decisional record.

Stakeholders should monitor the NRC's public meeting website for information about the public meeting at: <http://www.nrc.gov/public-involve/public-meetings/index.cfm>.

Dated at Rockville, Maryland, this 3rd day of April 2019.

For the Nuclear Regulatory Commission.

John Tappert,

Director, Division of Decommissioning, Uranium Recovery and Waste Programs, Office of Nuclear Material Safety and Safeguards.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 03020982; NRC-2019-0089]

In the Matter of Prime NDT Services, Inc.

AGENCY: Nuclear Regulatory Commission.

ACTION: Confirmatory order; issuance.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing a Confirmatory Order to Prime NDT Services, Inc. (Prime NDT) to memorialize the agreement reached during an alternative dispute resolution mediation session held on January 10, 2019, with additional communication on January 23, 2019, and January 29, 2019, and March 12-14, 2019. This Order will resolve any issues identified during a reactive NRC inspection that evaluated the circumstances of the September 1, 2018, theft of a vehicle that Prime NDT was using to transport a radiography camera in Ripley, West Virginia. The vehicle and camera were recovered about three hours later, and there was no actual impact to public health and safety. However, as documented in the subject inspection report, the NRC identified one or more apparent violations associated with the event. Because the apparent violation(s) pertain to security-related information, the number and details are not publicly-available. The Confirmatory Order is effective upon issuance.

DATES: April 8, 2019.

ADDRESSES: Please refer to Docket ID NRC-2019-0089 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-2019-0089. Address questions about NRC dockets IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: Jennifer.Borges@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 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 "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.

- **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:

Marjorie M. McLaughlin, Region I, U.S. Nuclear Regulatory Commission, 2100 Renaissance Blvd., King of Prussia, PA 19140; telephone: 610-337-5240, email: Marjorie.McLaughlin@nrc.gov.

SUPPLEMENTARY INFORMATION: The text of the Order is attached.

Dated at Rockville, Maryland, this 3rd day of April 2019.

For the Nuclear Regulatory Commission.

Raymond K. Lorson,

Deputy Regional Administrator, NRC Region I.

ATTACHMENT—CONFIRMATORY ORDER MODIFYING LICENSE.

In the Matter of Prime NDT Services, Inc.

[Docket No. 03020982; License No. 37-23370-01; EA-18-131]

(EFFECTIVE UPON ISSUANCE)

I

Prime NDT Services, Inc. (Prime NDT) is the holder of byproduct materials License No. 37-23370-01 issued by the U.S. Nuclear Regulatory Commission (NRC or Commission) pursuant to Part 30 of *Title 10 of the Code of Federal Regulations* (10 CFR), "Rules of General Applicability to Domestic Licensing of Byproduct Material." The license authorizes the use of byproduct materials by Prime NDT, in accordance with conditions specified therein. Prime NDT has corporate offices in Schnecksville, Pennsylvania and Strasburg, Ohio, but is authorized to

conduct licensed activities at temporary jobsites at locations in the United States that are under NRC jurisdiction.

This Confirmatory Order is the result of an agreement reached during an Alternative Dispute Resolution (ADR) mediation session conducted on January 10, 2019, and additional communication on January 23, 2019, January 29, 2019, and March 12-14, 2019.

II

On November 15, 2018, the NRC issued Inspection Report No. 03020982/2018002 to Prime NDT. The report documented the results of a reactive inspection conducted in response to an event reported by Prime NDT on September 1, 2018, involving the theft of a company vehicle that was transporting a radiography source in Ripley, West Virginia (ref. Event Notification No. 53577). The truck and the source were recovered approximately three hours later, and there was no actual impact to public health and safety from the event. However, in the inspection report, the NRC documented one or more apparent violations of security requirements identified by the NRC as being considered for escalated enforcement action in accordance with the NRC Enforcement Policy.

By letter dated November 15, 2018, the NRC notified Prime NDT of the results of the inspection with an opportunity to: (1) provide a response in writing; (2) attend a pre-decisional enforcement conference; or (3) participate in an ADR mediation session in an effort to resolve these concerns.

In response to the NRC's offer, Prime NDT requested the use of the NRC's ADR process. On January 10, 2019, the NRC and Prime NDT met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on Conflict Resolution. The ADR process is one in which a neutral mediator, with no decision-making authority, assists the parties in reaching an agreement on resolving any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the ADR process.

III

During the ADR session, Prime NDT and the NRC reached a preliminary settlement agreement. The elements of the agreement include the following:

A. Items to Prevent Reoccurrence:

1. Within 180 days of the date of the Confirmatory Order, Prime NDT will install a tracking system in each of its trucks (both owned and rented) used to