

# NMSS News

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OFFICE OF NUCLEAR MATERIAL

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## ANNUAL TRAINING

The U.S. Department of Energy (DOE)/National Nuclear Security Administration (NNSA) and the U.S. Nuclear Regulatory Commission (NRC) jointly organized and sponsored the annual Nuclear Materials Management and Safeguards System (NMMSS) Users Training, held May 14–17, 2018, in New Orleans, LA. The training attendees included more than 200 professionals from 70 domestic and international organizations, representing a broad cross section of the nuclear materials management community.

The 4 day training consisted of panel discussions and breakout sessions focused on nuclear material accountancy, material control and accountability, international reporting associated with imports and exports, nonproliferation, national security, and tracking and accounting for nuclear material subject to peaceful use agreements.



The attendees heard from and engaged in technical discussions with nuclear materials management officials and experts from U.S. Government agencies such as the NRC, DOE/NNSA, and U.S. Department of State, as well as DOE national laboratories and the U.S. commercial nuclear industry.

NRC managers and staff supporting the annual Nuclear Materials Management and Safeguards System Users Training

International attendees included the International Atomic Energy Agency's Department of Safeguards and the French Government.

The training agenda, presentations, registrant roster, and event photographs are available on the NMMSS Web site, <https://nnsa.energy.gov/aboutus/ourprograms/nuclearsecurity/nmmsshome>. The sponsors, DOE/NNSA and the NRC, sincerely thank the presenters and attendees for all of their contributions that made the 2018 annual training meeting a success.

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This will be the final issue of the NMSS newsletter. For future NMSS news, you can find links to the recurring information (Significant Enforcements, Federal Register Notices, Generic Communications, and Rulemakings) on the NMSS News Web page (<https://www.nrc.gov/materials/nmss-news.html>).



## Hourly Fee for Services

Not long ago, a licensee contacted the NRC to inquire about a recently received bill. The NRC staff informed it that the NRC charges licensees for reviewing their decommissioning plan documents. During the discussion, the NRC staff told the licensee that the NRC evaluates each step of the decommissioning project, such as the site characterization plan and report, decommissioning plan, final survey plan and report, and confirmatory surveys, all of which are assessed an hourly fee. These are license fees under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 170, “Fees for Facilities, Materials, Import and Export Licenses, and Other Regulatory Services under the Atomic Energy Act of 1954, as Amended.”

The NRC explained that license fees are considered a miscellaneous expense, and the fees could be substantial depending on the complexity of the decommissioning project. However, the licensee indicated that its decommissioning cost estimate did not include the NRC’s licensing fees. The NRC staff then told the licensee that the decommissioning estimate and financial assurance should reflect all activities described in the decommissioning plan, such as licensing fees, all the planning and engineering during the post-operational phases, decontamination and dismantling, the final survey, and waste management. The licensee should also consider the cost of maintenance, personnel qualification, surveillance, and physical protection of the facility, especially if any phase of decommissioning is deferred for an extended period.

It is important to note that when a licensee changes from operational to decommissioning status, the NRC no longer assesses the annual fee described in 10 CFR Part 171, “Annual Fees for Reactor Licenses and Fuel Cycle Licenses and Materials Licenses, including Holders of Certificates of Compliance, Registrations, and Quality Assurance Program Approvals and Government Agencies Licensed by the NRC.” Instead, the NRC assesses the hourly fee under 10 CFR Part 170. The licensee transitions from operational to decommissioning status when one of the initiating events in 10 CFR 30.36(d), 10 CFR 40.42(d), 10 CFR 70.38(d), or 10 CFR 72.54(d) occurs. As discussed above, the NRC licensing fee costs are categorized as a miscellaneous expense.

With this type of transition in fees, the licensee needs to contact the NRC and review its specific situation and the associated decommissioning costs. This is especially relevant for the licensees that have never been billed at the 10 CFR Part 170 hourly rate and are required to cover the NRC staff’s hourly costs for their decommissioning activities. The NRC staff can assist the licensee in understanding the most effective transition from the operational to decommissioning phases of the facility’s life cycle.

To maximize the effective and efficient use of both the licensee’s and the NRC’s resources and help minimize the decommissioning licensing costs, the NRC staff suggests the following:

- Contamination—Keep to a minimum. The regulations in 10 CFR 20.1406, “Minimization of Contamination,” establish requirements for minimizing contamination during operations. All licensees are strongly encouraged to remediate any contamination immediately after it occurs. Reducing contamination to acceptable release levels during the operational phase of the facility may significantly reduce the regulatory burden during decommissioning.

- **Communications**—Early and frequent discussions. The NRC staff and the licensee should begin making decisions during the planning and scoping phases to support the preparation of the cost estimate. This approach should improve communication to assist with the review of the decommissioning process.
- **Timing**—Pay close attention. The licensee should be aware of all decommissioning plan submittal requirements deadlines. When critical information, such as a notification date is excluded, the licensee could be considered out of compliance, causing the NRC to issue a corrective action or even a Notice of Violation. To maintain the decommissioning schedule, the licensee should review the extension or delay options. NRC Regulatory Issue Summary 2015 19, Revision 1, “Decommissioning Timeliness Rule Implementation and Associated Regulatory Relief,” dated September 27, 2016, provides more information.
- **Request for Additional Information (RAI)**—Provide responses promptly. As a result of decommissioning process reviews, the NRC issues RAIs, and the licensee performs additional analyses to address those RAIs. These additional activities may delay to the review process. Further, these RAIs can result in increased costs to the licensee.

For additional information on decommissioning plan requirements, see NUREG 1757, Volume 1, Revision 2, “Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees,” issued September 2006.

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## GOVERNMENT ENFORCEMENT ACTIONS

The following is a list of the significant enforcement actions issued by the U.S. Nuclear Regulatory Commission (NRC) between January 2017 and September 2018 for failures to comply with regulations.

### ACTIONS TO MATERIALS LICENSEES

#### Harman International Industries, Inc. (EA-18-033)

On September 27, 2018, the NRC issued a Confirmatory Order to Harman International Industries, Inc. (Harman) confirming commitments reached as part of an alternative dispute resolution (ADR) mediation session. The session was associated with three apparent violations identified during an NRC records review: (1) initially transferring, for sale or distribution, lamps containing krypton-85 without an NRC license for such activity pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) sections 30.3(a), 30.15(a)(8)(iv), and 32.14; (2) possession of material (krypton-85) without an NRC license for such activity pursuant to 10 CFR 30.3, “Activities Requiring License;” and (3) importing material (krypton-85) into the United States without an NRC or an Agreement State license for possession of the material containing byproduct material pursuant to 10 CFR 110.5, 110.9a, 110.20(a), and 110.27(a). The licensee agreed to take a number of actions, in addition to steps already taken, including but not limited to: (1) maintain the position of Compliance Manager. This role is in addition to the Radiation Safety Officer (RSO) for the license; (2) maintain its established New Product Introduction/Product Lifecycle Management (NPI/PLM) process; (3) issue a letter from the Compliance Manager to the President, Vice Presidents, and the Directors who report to the Vice President for Operations and Procurement, to ensure awareness of the violations and actions taken; (4) issue a communication to foreign suppliers of lighting products to Harman to promote awareness of the NRC requirements;



(5) conduct training for the participants in the NPI/PLM process; (6) continue to conduct training for all employees handling radioactive material; (7) perform an annual audit to ensure compliance with NRC requirements beginning in calendar year 2020; and (8) conduct an audit using an independent third-party consultant to evaluate compliance with NRC requirement. Additionally, Harman agrees to pay a civil penalty of \$7,250 (half the base for a Severity Level III problem). In consideration of the commitments from Harman identified in the Confirmatory Order and the civil penalty paid, the NRC agreed not pursue any further enforcement action based on the apparent violations identified in the NRC's June 7, 2018 letter.

**Environmental Protection Industries, Inc. (EA-18-099)**

On September 10, 2018, the NRC issued a Notice of Violation to Environmental Protection Industries Inc., (EPII) for a Severity Level III violation. The violation involved the failure to file NRC Form 241, "Report of Proposed Activities in Non-Agreement States, Areas of Exclusive Federal Jurisdiction, or Offshore Waters," at least three days prior to engaging in licensed activities within NRC jurisdiction, as required by 10 CFR 150.20. Specifically, on several occasions between June 11, 2018, and July 5, 2018, EPII, a licensee of the State of Illinois, possessed and used a portable gauge containing licensed materials within NRC jurisdiction without filing the required documentation with the NRC.

**Jefferson Asphalt Company (EA-18-069)**

On September 5, 2018, the NRC issued a Notice of Violation to Jefferson Asphalt Company. The violation involved the licensee's failure to control and maintain constant surveillance of a licensed portable gauge in an unrestricted area, and failure to use a minimum of two independent physical controls to secure the gauge from unauthorized removal when the gauge was not under the control and constant surveillance of the licensee. Specifically, on April 17, 2018, while the authorized user was troubleshooting the printer associated with an asphalt content gauge in a separate trailer from the one housing the gauge, the authorized user failed to secure the gauge with any physical controls and did not maintain control and constant surveillance of the gauge for a period of greater than five minutes.

**NACHER Corporation (EA-18-050)**

On August 2, 2018, the NRC issued a Notice of Violation for two Severity Level III violations of (1) 10 CFR 34.31(a); and (2) 10 CFR 150.20(b)(5). Specifically, on March 31, 2018, the licensee failed to adequately perform visual and operability checks on a radiographic exposure device and associated equipment before use on that day to ensure that the equipment was in good working condition. A guide tube disconnect occurred because the licensee's operability check did not ensure that the grease, dirt, and grime was cleared from the guide tube's connection to the exposure device, resulting in the inability to return the source to the shielded position. Further, the licensee failed to follow its emergency procedures to contact the RSO when a source cannot retract into a fully shielded position, which resulted in personnel conducting source recovery operations without having been properly trained and without RSO approval.

**U.S. Department of Defense, Defense Threat Reduction Agency (EA-18-046)**

On August 2, 2018, the NRC issued a Notice of Violation to the Department of Defense, Defense Threat Reduction Agency (DTRA), for a Severity Level III violation. The violation involved the licensee's failure to document and carry out its NRC-approved quality assurance program by implementing procedures for applicable areas required by 10 CFR Part 71.105(a). Specifically, DTRA performed transportation activities under the provisions of 10 CFR 71.22, "General License: Fissile Material," (fissile material shipments) from December 2015 through April 2018 without quality assurance procedures in place.

**Missouri Baptist Medical Center (EA-18-047)**

On July 12, 2018, the NRC issued a Notice of Violation to Missouri Baptist Medical Center for a Severity Level III violation for failure to implement 10 CFR 35.41(a) requirements. The violation involved the licensee's failure to develop, implement, and maintain procedures to provide high confidence that an administration requiring a written directive was performed in accordance with the written directive. Specifically, as of January 29, 2018, the licensee's procedures for administrations using a high dose-rate remote after-loader unit did not include a verification that the treatment plan would deliver the dose specified by the written directive.

**Idaho State University (EA-17-206)**

On May 3, 2018, the NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$8,500 to Idaho State University (licensee) for two Severity Level III violations of (1) 10 CFR 74.13, "Material Status Reports," and (2) 10 CFR 20.1801, "Security of Stored Material," with 10 CFR 20.1802, "Control of Material Not in Storage." Specifically, from 2004 until 2017, the licensee failed to secure from unauthorized removal or access the material stored in a controlled or unrestricted area that resulted in the licensee reporting to the NRC that it could not locate a sealed source of licensed material. Further, from November 2004 until March 2017, the licensee failed to provide the NRC with complete and accurate information in all material respects by including the lost source on its report to the NRC as being in the licensee's possession.

**Jubilant DraxImage Radiopharmacies, Inc., d/b/a Triad Isotopes, (EA-17-202)**

On March 16, 2018, the NRC issued a Notice of Violation to Jubilant DraxImage Radiopharmacies, Inc., for a Severity Level III problem involving two related violations. The first violation involved a failure to include a containment system securely closed by a positive fastening device within a Type A package such that it cannot be opened unintentionally or by pressure during normal transport, as required by 10 CFR 71.5(a). The second violation involved a failure to limit the external radiation level of a package containing radioactive material with a WHITE-I label, as required by 10 CFR 71.5(a) and 49 CFR 172.403(c). Specifically, on October 23, 2017, the licensee failed to securely close with a positive fastening device the lid of a shielded containment system that formed a separate unit of a Type A package containing a radioactive material, and the package was received with the external radiation levels that exceeded the required limits.

**Prein & Newhof, Inc. (EA-17-201)**

On March 16, 2018, the NRC issued a Notice of Violation to Prein & Newhof Inc., for a Severity Level III violation. The violation involved a failure to use two independent physical controls that form tangible barriers to secure a portable gauge from unauthorized removal as required by 10 CFR 30.34(i). Specifically, on multiple occasions between November 9, 2017, and November 17, 2017, the licensee left portable gauges in two different vehicles, each with only one physical control to prevent unauthorized removal when the gauges were not under the control and constant surveillance of the licensee.

**Department of Defense, Defense Threat Reduction Agency (EA-17-146)**

On February 15, 2018, the NRC issued a Notice of Violation to the Department of Defense, Defense Threat Reduction Agency (DTRA), for a Severity Level III problem related to three violations. The violations involved the failure to: 1) control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage as required by 10 CFR 20.1802; 2) properly secure a package against shifting during transportation as required by 10 CFR 71.5(a); and (3) use the required shipping paper and a properly marked shipping container in accordance with 10 CFR 71.5, "Transportation of Licensed Material." Specifically, on August 2, 2017, an employee of DTRA, placed a licensed source on the roof of a car and inadvertently drove away without retrieving the source, which fell from the roof and was lost. The source was neither attached to the car nor secured within the car and did not comply with the applicable U.S. Department of Transportation (DOT) requirements. The source was subsequently recovered on August 3, 2017.

**CTI and Associates, Inc. (EA-17-147)**

On December 28, 2017, the NRC issued a Notice of Violation and Proposed Imposition of a civil penalty in the amount of \$7,000, to CTI and Associates, Incorporated for a Severity Level III violation. The violation involved the failure to control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage or to use a minimum of two independent physical controls to form a tangible barrier to secure a portable gauge from unauthorized removal whenever the gauge was not under the licensee's control and constant surveillance, as required by 10 CFR 20.1802 and 10 CFR 30.34(i). Specifically, on August 9, 2017, a portable gauge was located in the back of a pickup truck with no barriers and without maintaining constant surveillance of the device.

**Avera McKennan (EA-17-104)**

On December 21, 2017, the NRC issued a Notice of Violation for a Severity Level III problem involving violations of 10 CFR 71.5(a), which require the licensee to comply with the following DOT requirements in 49 CFR Parts 172, "Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements and Security Plans," and 49 CFR Part 173, "Shippers—General Requirements for Shipments and Packagings": 173.410(f); 172.200(a); 172.300(a); 172.400(a); and 172.403(c). Specifically, on multiple occasions between March 2013 and December 2015, Avera McKennan transported licensed material in a container that did not meet the DOT requirements for a transport package. In addition, the material was transported without required package marking or labeling, and any required shipping papers.

**K & S Engineers, Inc. (EA-17-157)**

On December 21, 2017, the NRC issued a Notice of Violation to K & S Engineers, Inc. for a Severity Level III violation. The violation involved a failure to control and maintain constant surveillance and failure to use two independent physical controls that form tangible barriers to secure a portable gauge from unauthorized removal as required by 10 CFR 20.1801 and 10 CFR 30.34(i). Specifically, on several occasions, including July 25, 2017, the licensee stored a portable gauge in an unlocked storage room with one lock securing the gauge case lid and a single chain with one lock securing one handle on the gauge case to a workbench. The keys to the padlock on the gauge case and the padlock on the single chain were located on the workbench approximately one foot away from the gauge and there were no individuals continuously present to maintain control or constant surveillance.

**Construction Consulting & Testing (CC&T) (EA-17-148)**

On December 18, 2017, the NRC issued a Severity Level III Notice of Violations to CC&T for failing to meet the requirements of 10 CFR 20.1801 and 10 CFR 30.34(i). Specifically, between July 29 and August 10, 2017, on multiple occasions the licensee stored a portable gauge in an unlocked location without a minimum of two independent physical controls that form tangible barriers to secure the device while not under the licensee's control and constant surveillance.

**Qal-Tek Associates, LLC (EA-17-101)**

On December 12, 2017, the NRC issued a Notice of Violation/Civil Penalty in the amount of \$22,400 to Qal-Tek Associates, LLC, for a Severity Level II problem. The violations involved the failure to comply with 10 CFR 71.5(a), which requires licensees that deliver licensed material to a carrier for transport to comply with the applicable DOT requirements in 49 CFR Parts 171 to 180. Specifically, Qal-Tek shipped five radioactive sources in a single 10 gallon steel drum shipping container. Three of these sources were also located in an inner lead container (commonly referred to as a "pig"). The shipment went through several airports without incident from Idaho Falls to a temporary jobsite in New York City. For the return transport of the sources to Idaho Falls on April 11, 2017, a licensee RSO prepared the package in the same manner as the initial shipment, but the lid of the pig opened during transport.

As a result, three of the sources moved from the pig into the surrounding sealed steel drum. Dose rates measured at 1 meter and on contact exceeded NRC regulatory limits; however, the NRC's analysis concluded that a member of the public was unlikely to have received a dose in excess of regulatory limits.

**Midwest Engineering and Testing, Inc. (EA-17-118)**

On November 21, 2017, the NRC issued a Notice of Violation to Midwest Engineering and Testing, Inc. for a Severity Level III violation. The violation involved a failure to control and maintain constant surveillance or failure to use two independent physical controls that form tangible barriers to secure a portable gauge from unauthorized removal as required by 10 CFR 20.1801 and 30.34(i). Specifically, on June 22, 2017, the licensee's technician placed the gauge containing licensed material in a construction trailer and left the site without using the locking mechanism on either of the trailer's two doors, resulting in zero barriers to secure the gauge from unauthorized removal.

**Terracon Consultants, Inc. EA-17-079**

On November 15, 2017, the NRC issued a Notice of Violation to Terracon Consultants, Inc., for a Severity Level III violation of 10 CFR 20.1802. Specifically, on December 21, 2016, the licensee failed to maintain constant surveillance of a portable gauge when the technician walked away from the gauge to inspect another part of the jobsite. The violation resulted in a steel drum roller damaging the gauge.

**Board of Light and Water City of Marquette (EA-17-125)**

On November 8, 2017, the NRC issued a Notice of Violation to Board of Light and Water City of Marquette, for a Severity Level III violation. The violation involved the licensee's failure to assign a specific individual to fulfill the duties and responsibilities of Radiation Safety Officer (RSO) as required by NRC License Condition No. 12. Specifically, on May 5, 2017, the individual named as the RSO in Condition 12 of the NRC license No. 21-20174-01, left the licensee's employment and the licensee did not submit an amendment request for the new RSO until September 19, 2017.

**Michiana Hematology Oncology, PC (EA-17-091)**

On October 31, 2017, the NRC issued a Notice of Violation to Michiana Hematology Oncology, PC, for a Severity Level III problem relating to NRC licensing requirements. The violations involved: (1) the failure to have an individual named on the license perform the duties and responsibilities of Radiation Safety Officer (RSO) for the period of October 29, 2016, to April 16, 2017, as required by License Condition No. 11 of NRC License No. 13-32719-01; and (2) the failure to notify the NRC no later than 30 days after the RSO permanently discontinued performance of duties under the license as required by Title 10 of the Code of Federal Regulations, Section 35.14(b)(1). Specifically, the RSO listed on the license left the licensee's employment on October 28, 2016, and Michiana Hematology Oncology did not notify the NRC of this fact until January 25, 2017, when it requested an amendment to its license to change the RSO. The license was later amended to name a new RSO on April 18, 2017.

**Washington University (EA-17-082)**

On September 21, 2017, the NRC issued a Notice of Violation to Washington University for a Severity Level III violation associated with a medical event. An inspection was conducted on February 1 and 2, 2017, at the St. Louis, Missouri campus and determined that a medical event occurred on April 8, 2016, where the licensee staff had sufficient information on April 16, 2016, to discover the event and make the appropriate notification to the NRC; however the notification was not made until January 31, 2017.

Specifically, the administration of radiation from a yttrium-90 microspheres treatment resulted in a dose that exceeded 0.5 Sv (50 rem) to tissue and 50 percent or more of the dose expected from the administration defined in the written directive to tissue other than the treatment site. This is a medical event as defined in 10 CFR 35.3045(a)(3).

**Coastal Wireline Services, Inc. (EA-17-097)**

On September 14, 2017, the NRC issued a Notice of Violation to Coastal Wireline Services, Inc., (CWSI) for a Severity Level III violation. The violation involved the failure to file NRC Form 241, "Report of Proposed Activities in Non-Agreement States," at least three days prior to engaging in licensed activities within NRC jurisdiction, as required by 10 CFR 150.20. Specifically, between May 16 and 20, 2017, and on approximately the same dates in May 2016, CWSI, a licensee of the State of Texas, used iodine-131 within NRC jurisdiction without filing the required documentation with the NRC.

**Cardinal Health Nuclear Pharmacy (EA-17-096)**

On September 14, 2017, the NRC issued a Notice of Violation to Cardinal Health Nuclear Pharmacy for a Severity Level III violation of 10 CFR 20.1801 related to the licensee's failure to secure molybdenum-99/technetium-99 generators on February 28, 2017.

**Allen County Cardiology (EA-17-048)**

On September 5, 2017, the NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$7,000 to Allen County Cardiology for a Severity Level III problem. Specifically, between August 8 and October 13, 2016, the licensee failed to conduct (1) surveys in radiopharmaceutical preparation and administration areas at the end of each day of use and (2) weekly wipe tests that are required by the licensee's license and 10 CFR 20.2103. Additionally, the licensee failed to comply with 10 CFR 30.9 when the nuclear medicine technologist created inaccurate records that are required by 10 CFR 20.2103 to falsely indicate that the surveys and wipe tests had been performed.

**Geo-Engineering & Testing, Inc (EA-17-025)**

On August 18, 2017, the NRC issued a Notice of Violation to Geo-Engineering and Testing, Inc. for a Severity Level III violation involving the failure to implement 10 CFR 30.41(b). Specifically, on or about July 22, 1998, the licensee transferred a portable nuclear gauge to a member of the public that did not meet any of the authorized transfers identified in 10 CFR 30.41(b).

**Geo-Logic Associates, Inc. (EA-17-027)**

On August 14, 2017, the NRC issued a Notice of Violation to Geo-Logic Associates, Inc., (GLA) for a Severity Level III Problem involving three related violations. The first violation involved the failure to limit activities involving radioactive materials in non-Agreement States to 180 days in calendar year (CY) 2014 as required by 10 CFR 150.20(b). Specifically, between February 20 and December 31, 2014, GLA used radioactive materials authorized by 10 CFR 150.20, in Guam, a non-Agreement State and area of NRC jurisdiction, for a period longer than 180 days in CY 2014. The second violation involved the failure to possess and use byproduct material except as authorized in a specific or general license issued in accordance with 10 CFR 30.3. Specifically, during CY 2015 and CY 2016, GLA possessed and used byproduct materials in Guam and Saipan, both non-Agreement States and areas of NRC jurisdiction, and these activities were not authorized in a specific or general license issued in accordance with the NRC's regulations. The third violation involved the failure to file a submittal to the NRC at least 3 days before engaging in activities in NRC jurisdiction for the first time in CY 2017 as required by 150.20(a). Specifically, GLA engaged in activities starting on January 1, 2017, and filed its submittal containing an NRC Form 241, "Report of Proposed Activities in Non-Agreement States," on January 26, 2017, a period of 26 days after engaging in activities for the first time in CY 2017.



**Somascan, Incorporated (EA-16-255)**

On June 27, 2017, the NRC issued an Order Imposing a Civil Monetary Penalty (Order) to Somascan, Incorporated (Somascan), in the amount of \$7,000. The Order was necessary because Somascan had not responded to an April 5, 2017, Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$7,000 for a Severity Level III problem involving the licensee's failures to notify the NRC of its license expiration, to begin and complete decommissioning of its site in accordance with 10 CFR 30.36, and to secure from unauthorized removal or access in accordance with 10 CFR 20.1801 licensed material that is stored in an unrestricted area. As of the date of the Order, Somascan had not paid the proposed civil penalty of \$7,000, and had taken no action to comply with the NRC requirements.

**Hill's Pet Nutrition (EA-17-063)**

On July 27, 2017, the NRC issued a Notice of Violation to Hill's Pet Nutrition for a Severity Level III violation of 10 CFR 31.5(c)(3). Specifically, on November 28, 2016, the licensee permitted two of its contractor employees to remove licensed fixed gauges who were not licensed to do and did not complete the removal in accordance with the label instructions.

**ERP Federal Mining Complex, LLC (EA-17-062)**

On June 21, 2017, the NRC issued a Notice of Violation to ERP Federal Mining Complex, LLC, for a Severity Level III problem for two related violations. The first violation involved a failure to assign a specific individual to fulfill the duties and responsibilities of Radiation Safety Officer (RSO) as required by the NRC License Condition No. 12. Specifically, on January 25, 2017, the individual named as the RSO in Condition 12 of the NRC license, resigned from employment and the licensee did not submit an amendment request for the new RSO until April 26, 2017. The second violation involved a failure to control and maintain constant surveillance of the licensed material as required by 10 CFR 20.1802. Specifically, on February 5, 2017, a fixed gauge was left without any monitoring until it was transferred to a secured storage location on February 9, 2017.

**P4 Production, LLC (EA-16-267)**

On June 13, 2017, the NRC issued a Notice of Violation to P4 Production, LLC, for a Severity Level III problem for violations of three license requirements addressing fixed nuclear gauge activities that resulted in unnecessary radiation exposure to two members of the public. Specifically, on November 18, 2015, June 15, 2016, and September 27, 2016, the licensee permitted contract workers to perform fixed nuclear gauge installation and dismantling without the required training. Additionally, the source was not shielded as required and resulted in a contractor's extremity coming into contact with the radiation beam. The licensee failed to ensure that any employee or contractor who was working on or near a nuclear source complete required coordination with the plant RSO, who did not review the circumstances of the work to be performed, evaluate any exposure-related safety or health concern, or take preventative measures when dosimetry readings exceeded 2 millirem per hour.

**Guam Regional Medical City (EA-17-036)**

On June 6, 2017, the NRC issued a Notice of Violation to Guam Regional Medical City for Severity Level III violations of 10 CFR 30.3(a) and License Condition 11 of NRC Materials license 56-35371-01. Specifically, on January 10, 2017, the individual named on the license was no longer the radiation safety officer. Also, from December 2014 through October 2016, the licensee received and possessed licensed material (sealed sources) that was not authorized on an NRC license.

**Guam Medical Imaging Center (EA-17-026)**

On June 6, 2017, the NRC issued a Notice of Violation to Guam Medical Imaging Center for a Severity Level III Problem for failure to implement 10 CFR 35.40(a) and 35.41(a). Specifically, between November 5, 2013 and January 9, 2017, the licensee prepared written directives for the administration of iodine-131 and radium-223 that were not dated and signed by an authorized user before administration, as well as used verbal authorization of written directives in place of developing, implementing, and maintaining written procedures to provide high confidence that administrations were in accordance with the written directive.

**JANX Integrity Group (EA-16-130)**

On June 1, 2017, the NRC issued a Notice of Violation to JANX Integrity Group for three violations grouped as a problem. The violations involved the deliberate failure to: (1) conduct radiographic operations at a temporary job site with at least two qualified individuals as required by 10 CFR 34.41(a); (2) conduct a survey of the radiographic exposure device and guide tube after each exposure when approaching the device as required by 10 CFR 34.49(b); and (3) perform visual and operability checks on radiographic exposure device as required by 10 CFR 34.31(a). Specifically, during the inspection on January 19-21, 2017, your staff informed the inspector that during observations of work activities on September 18, 2015, radiographic operations were deliberately performed without two qualified individuals being present. One of the qualified individual's was in the cab of the truck facing away from the radiographic operations and was therefore, unable to observe operations.

**ADCO Services, Inc. (EA-16-281)**

On May 30, 2017, the NRC issued a Notice of Violation to ADCO Services, Inc., for a Severity Level III violation. The violation involved the company's failure to have the individual specifically named on the NRC license fulfill the duties of the radiation safety officer (RSO), as required by License Condition No. 11 of the NRC license. Specifically, on or about November 21, 2014, the RSO stopped fulfilling the duties and responsibilities as the RSO, and the licensee did not appoint a new individual who was qualified to fulfill the duties and responsibilities of the RSO.

**Kim Engineering, Inc. (EA-15-124)**

On May 25, 2017, the NRC issued a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$7,000 to Kim Engineering, Inc. (KEI), for a Severity Level III violation. The violation involved the firm's repeated failure to file NRC Form 241, "Report of Proposed Activities in Non-Agreement States," at least 3 days before engaging in licensed activities within NRC jurisdiction, as required in 10 CFR 150.20, "Recognition of Agreement State Licenses." Specifically, between January 5 and August 14, 2015, KEI, a licensee of the State of Maryland, used portable gauges containing licensed material within areas of exclusive Federal jurisdiction on numerous occasions without filing for reciprocity with the NRC as required in 10 CFR 150.20.

**Somascan, Inc. (EA-16-255)**

On April 5, 2017, the NRC issued a Notice of Violation and Proposed Imposition of a Civil Penalty in the amount of \$7,000 to Somascan, Inc. (Somascan), for a Severity Level III problem associated with two violations.

The violations involved Somascan’s failures to notify the NRC of its license expiration, to begin and complete decommissioning of its site in accordance with 10 CFR 30.36, “Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas,” and to secure from unauthorized removal or access licensed material that is stored in an unrestricted area in accordance with 10 CFR 20.1801, “Security of Stored Material.” Specifically, on April 30, 2013, Somascan’s license expired and Somascan did not notify the NRC within 60 days of its license expiration and did not begin and complete decommissioning of its site. Additionally, since November 21, 2012, Somascan has had no direct control over access to the facility or the sealed source that was stored inside the facility.

**American Engineering Testing, Inc. (EA-16-152)**

On January 18, 2017, the NRC issued a Notice of Violation to American Engineering Testing, Inc., for a Severity Level III violation. The violation involved the firm’s failure to follow the requirement in 10 CFR 34.41(a), which states that if radiography is performed at a location other than a permanent radiographic installation, the radiographer must be accompanied by at least one other qualified radiographer or an individual who has met, at a minimum, the training requirements of 10 CFR 34.43(c). Specifically, on February 1, 2015, the radiographer performed radiography without another qualified individual present.

**ACTIONS TO FUEL CYCLE FACILITIES**

**BWXT Nuclear Operations Group, Inc. (EA-17-190)**

On March 8, 2018, the NRC issued a Notice of Violation to BWXT Nuclear Operations Group, Inc. (BWXT) facility in Lynchburg, VA for a Severity Level III problem. Specifically, the violations involved the licensee’s (1) failure to apply sufficient controls to limit the likelihood of an inadvertent criticality to highly unlikely in two unfavorable geometry desiccant vessels located in the Research and Test Reactor (RTR) area, (2) failure to assure that two unfavorable geometry desiccant vessels located in the RTR area remained subcritical under normal and credible abnormal conditions, and (3) failure to maintain process safety information pertaining to the hazards, and information pertaining to the technology and equipment, of an air purification system servicing a glove-box line in the RTR area.

**Global Nuclear Fuel-Americas, LLC (EA-17-090)**

On December 14, 2017, the NRC issued a Confirmatory Order to Global Nuclear Fuel – Americas, L.L.C (GNF-A) to formalize commitments reached as part of an alternative dispute resolution (ADR) mediation session involving violations at the facility in Wilmington, NC. The NRC identified the following five Apparent Violations (AVs), all of which were considered for escalated enforcement in accordance with the NRC’s Enforcement Policy: (1) Failure to make or cause to be made surveys of scrap metal piping prior to its release and transportation as required by 10 CFR 20.1501(a); (2) failure to comply with applicable Department of Transportation (DOT) regulations appropriate to the mode of transport of contaminated materials as required per 10 CFR 71.5(a); (3) failure to notify the NRC as required by 10 CFR 20.1906(d)(1) when removable radioactive surface contamination exceeds the limits of 10 CFR 71.87(i); (4) failure to perform the monitoring of a package as required by 10 CFR 20.1906(c); and (5) the failure to maintain records of surveys as required by 10 CFR 20.2103(a). As part of the settlement agreement, GNF-A agreed to take a number of actions in addition to those already completed. These additional actions include, but are not limited to: (1) install a vehicle portal monitor with a sensitivity to detect vehicle surface radiation levels specified in 10 CFR 20.1301(a)(2); (2) conduct a nuclear safety culture assessment of the GNF-A organization by a third party independent of GNF-A who is experienced with NRC nuclear safety culture

and safety conscious work environment policies; (3) conduct a benchmark assessment of the GNF-A Radiation Protection Program (RPP) with at least two external RPP organizations in the Fuel Cycle industry; and (4) expand its Difference of Professional Opinion process to include all technical safety matters related to GNF-A licensed activities. In recognition of these actions, the NRC agreed to refrain from proposing a civil penalty and issuing a Notice of Violation.

#### **Westinghouse Electric Company, LLC (EA-16-173)**

On August 9, 2017, the NRC issued a Confirmatory Order to Westinghouse Electric Company, LLC to formalize commitments reached as part of an alternative dispute resolution (ADR) mediation session involving violations at the Columbia Fuel Fabrication Facility (CFFF). The NRC identified the following four Apparent Violations (AVs), all of which were considered for escalated enforcement in accordance with the NRC's Enforcement Policy: (1) failure to ensure criticality accident sequences remain highly unlikely, as required by Title 10 of the Code of Federal Regulations (10 CFR) 10 CFR 70.61(b); (2) failure to assure that under normal and credible abnormal conditions, all nuclear processes were subcritical including use of an approved margin of subcriticality, as required by 10 CFR 70.61(d); (3) failure to establish adequate management measures to ensure that items relied on for safety (IROFS) perform their function when needed, as required by 10 CFR 70.62(d); and (4) failure to make a one hour report, as required by Appendix A (a)(4) of 10 CFR Part 70. As part of the settlement agreement, Westinghouse agreed to take a number of actions in addition to those already completed. These additional actions include: (1) conduct an additional Nuclear Safety Culture survey; (2) implement improvements to reduce uranium carryover from the Calcliner scrubbers; (3) implement additional design changes to reduce uranium carryover from filtration system; (4) develop and implement additional methods to monitor system parameters that are early indicators of an abnormal accumulation in the conversion area process off-gas scrubber from a process upset that could challenge the accumulation rate and/or criticality safety mass limits; and (5) develop and implement a criticality safety basis/IROFS database to help maintain the proper flow down of the safety basis into implementing documents. In recognition of these actions, the NRC agreed to refrain from proposing a civil penalty and issuing a Notice of Violation.

#### **Louisiana Energy Services, LLC (LES) (EA-15-218)**

On March 3, 2017, the NRC issued a Notice of Violation to Louisiana Energy Services, LLC (LES) (d/b/a URENCO USA (UUSA)) uranium enrichment facility in Eunice, NM, for an escalated Problem involving aspects of the security program related to the security events. An investigation conducted by the NRC Office of Investigations determined that one violation was due in part to the deliberate misconduct of UUSA and contractor employees. Because some of the violations were closely related to the same security events and were attributed to common root and contributing causes, the NRC grouped the violations into major areas in order to appropriately characterize the significance of the security events and convey the appropriate message.

### **ACTIONS TO INDIVIDUALS**

#### **Curtis Thompson (IA-16-059)**

On February 2, 2017, the NRC issued Mr. Curtis Thompson an Order prohibiting his involvement in NRC licensed activities for a period of 1 year. Mr. Thompson engaged in deliberate misconduct, in violation of 10 CFR 30.10(a)(1), by placing his former employer, American Engineering Testing, Inc., in violation of 10 CFR 34.41(a) when he performed industrial radiography without being accompanied by a second qualified individual. During the investigation, Mr. Thompson did not accept responsibility for his actions. He testified that he felt extremely pressured by a client of his former employer, and that it was more important to complete the work than to follow NRC regulations. Mr. Thompson will be prohibited from any involvement in NRC licensed activities for a period of 1 year and will be required to notify the NRC, for 1-year after the 1-year prohibition has expired, within 20 days following acceptance of his first employment offer involving NRC licensed activities.

**Mark Sperlich (IA-17-111)**

On December 21, 2017, the NRC issued a Severity Level III Notice of Violation to Mr. Mark Sperlich for engaging in deliberate misconduct which caused Avera McKennan, the licensee, to be in violation of 10 CFR 71.5(a), 49 CFR 173.410(f), 49 CFR 172.200(a), 49 CFR 172.300(a), and 49 CFR 172.400(a) and Mr. Sperlich to be in violation of 10 CFR 71.8(b)(1), the Deliberate Misconduct Rule. Specifically, Mr. Sperlich deliberately transported licensed material on public highways from the licensee's main hospital to an off-site authorized facility in a container that did not meet the Department of Transportation requirements for a transport package. In addition, the material was transported without required package marking or labeling, and any required shipping papers.

**Toby Lashley (IA-16-049)**

On June 1, 2017, the NRC issued an Order prohibiting Toby Lashley from involvement in NRC-licensed activities. Mr. Lashley (former radiographer) caused his former employer, JANX Integrity Group (JANX), to be in violation of 10 CFR 34.41(a) when Mr. Lashley failed to accompany another radiographer during radiographic operations. Mr. Lashley will be prohibited from any involvement in NRC-licensed activities for a period of one year and will be required, for one year after the one year prohibition has expired, to notify the NRC within 20 days following acceptance of his first employment offer involving NRC licensed activities.

**Kevin Lashley (IA-16-050)**

On June 1, 2017, the NRC issued a Notice of Violation to Kevin Lashley for two violations. The violations involved Mr. Lashley's actions as a qualified assistant radiographer where he deliberately failed to: (1) survey the radiographic exposure device and the guide tube with a survey instrument after each exposure when approaching the device as stated in 10 CFR 34.49(b); and (2) conduct operability checks of the radiography exposure device prior to use as stated in 10 CFR 34.31(a).

**Pieter van der Heide (IA-16-029)**

On March 3, 2017, the NRC issued a Notice of Violation to Mr. Pieter van der Heide for an escalated violation involving aspects of the security program related to the security events at Louisiana Energy Services, LLC (LES) (d/b/a URENCO USA (UUSA)) uranium enrichment facility in Eunice, NM. An investigation conducted by the NRC Office of Investigations determined that a deliberate violation of NRC requirements occurred. Specifically, Mr. van der Heide's deliberate actions caused LES, the licensee, to be in violation of NRC requirements for security-related matters, and Mr. van der Heide to be in violation of 10 CFR 70.10(a)(1), the Deliberate Misconduct rule.

**Roy Taylor (IA-17-028)**

On March 1, 2017, the NRC issued a Severity Level III violation to Mr. Roy Taylor for failing to comply with 10 CFR 30.10(a)(2) requirements, which states in part, that any employee of a licensee may not deliberately submit to a licensee information that the person submitting the information knows to be incomplete or inaccurate in some respect material to the NRC. Specifically, on July 10, 2014, Mr. Taylor deliberately provided false information in a post-treatment report to Botsford General Hospital that a medical procedure had gone forward as planned, when it had not.



## Generic Communications

The following summarizes the U.S. Nuclear Regulatory Commission (NRC) generic communications issued by the Office of Nuclear Material Safety and Safeguards (NMSS). If any of these documents appears relevant to your needs and you have not received a copy, please call one of the technical contacts listed below. The Web address for the NRC library of generic communications is <http://www.nrc.gov/reading-rm/doc-collections/gen-comm>.

### INFORMATION NOTICES

The NRC issues information notices (INs) to addressees to provide recently identified significant information about safety, safeguards, or environmental issues. Addressees are expected to review the information for applicability to their facilities and consider appropriate actions to avoid similar problems.

On May 17, 2017, the NRC issued **IN-2017-02**, “Best Practice Concepts for Patient Release Addressees.” The agency issued the IN to all NRC medical-use licensees and NRC master materials licensees, all Agreement State Radiation Control Program Directors, and State Liaison Officers. The NRC issued the IN to provide addressees with best practices to consider for patients treated with sodium iodine-31 and released in accordance with 10 CFR 35.75, “Release of Individuals Containing Unsealed Byproduct Material or Implants Containing Byproduct Material.” The best practice concepts provide information for licensees to consider and individualize for their patients to maximize radiation safety and minimize unnecessary radiation exposure.

On February 21, 2018, the NRC issued **IN-2018-01**, “Noble Fission Gas Releases during Spent Fuel Cask Loading Operations.” The agency issued the IN to the following addressees: (1) all holders of or applicants for an operating license or construction permit for a nuclear power reactor under Title 10 of the Code of Federal Regulations (10 CFR) Part 50, “Domestic Licensing of Production and Utilization Facilities,” including those that have permanently ceased operations and have spent fuel stored in spent fuel pools; (2) all holders of or applicants for a combined license issued under 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants;” (3) all holders of or applicants for a certificate of compliance (CoC) for a spent fuel transportation package design under 10 CFR Part 71, “Packaging and Transportation of Radioactive Material;” and (4) all holders of or applicants for a general or specific license for the storage of spent fuel, or for a CoC of a dry storage system (DSS) under 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste.” The NRC issued the IN to inform addressees of operating experience related to noble fission gas releases during spent fuel loading operations, and of the importance of adequate fuel selection and maintaining fuel qualification test records to demonstrate that either the spent fuel cladding continues to serve its design function or that follow-up actions are needed.

On March 26, 2018, the NRC issued **IN-2018-05**, “Long-Term Fissile Material Accumulation Due to Unanalyzed or Improperly Analyzed Conditions at Fuel Cycle Facilities.” The agency issued the IN to all holders of, and applicants for, a fuel facility license under 10 CFR Part 70, “Domestic Licensing of Special Nuclear Material,” and all holders of, and applicants for, a construction permit or operating license for a production facility, including a radioisotope production facility, under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities.” The NRC issued the IN to inform addressees of recent operating experience involving unanticipated, long-term accumulation of fissile material in uncontrolled geometry systems due to improper analysis of credible plant conditions.

On April 10, 2018, the NRC issued **IN-2018-06**, “Determination of Management Measures for Process Isolation Controls Designated as Items Relied on for Safety and Implementation of Adequate Quality Assurance Measures for Plant Features and Procedures.” The agency issued the IN to all holders of, and applicants for, a specific source material license for large quantities of uranium hexafluoride under 10 CFR Part 40, “Domestic Licensing of Source Material” and all holders of, and applicants for, a fuel facility license under 10 CFR Part 70, “Domestic Licensing of Special Nuclear Material,” and all holders of, and applicants for, a construction permit or operating license for a production facility, including a medical isotope facility, under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities.” The NRC issued the IN to inform addressees of recent operating experience regarding programs and procedures for determining and implementing management measures for isolation controls.

On September 24, 2018, the NRC issued **IN-2018-11**, “Kobe Steel Quality Assurance Record Falsification.” The agency issued the IN to the following addressees: (1) all holders of an operating license or construction permit for a nuclear power reactor under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel; (2) all holders of an operating license for a nonpower reactor under 10 CFR Part 50, except those that have permanently ceased operations; (3) all holders of and applicants for a power reactor early site permit, combined license, standard design approval, or manufacturing license under 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants;” (4) all holders of and applicants for a power reactor operating license under 10 CFR Part 50 that have exercised their general license for an independent spent fuel storage installation using dry storage under 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste;” (5) all contractors and vendors that supply basic components, as defined in 10 CFR Part 21, to U.S. Nuclear Regulatory Commission (NRC) licensees under 10 CFR Part 50 or 10 CFR Part 52; (6) all holders of and applicants for a fuel cycle facility license under 10 CFR Part 70, “Domestic Licensing of Special Nuclear Material;” (7) all holders of and applicants for a transportation package certificate of compliance under 10 CFR Part 71, “Packaging and Transportation of Radioactive Material;” and (8) all holders of and applicants for a specific approval for transport of radioactive material shipping containers under 10 CFR Part 71. The NRC issued the IN to alert addressees to a widespread quality assurance (QA) record falsification at Kobe Steel Limited (Kobe Steel) that took place over five decades, from the 1970s until recently.

**REGULATORY ISSUE SUMMARIES**

The NRC regulatory issue summary (RIS) typically communicates or clarifies NRC technical or policy positions on regulatory matters. It may also request the voluntary participation in activities or the voluntary submittal of information, which will assist the NRC performing its functions.

On February 8, 2017, the NRC issued **RIS-2017-02**, “Applicability of Title 10 of the Code of Federal Regulations Part 37 to Non-Manufacturing and Distribution Service Provider Licensees.” The agency issued the RIS to all holders of, and applicants seeking, NRC licenses that authorize the possession of Category 1 or 2 quantities of radioactive materials, NRC Master Materials Licensees, Agreement State Radiation Control Program Directors, and State Liaison Officers. The NRC issued the RIS to inform licensees of the applicability of 10 CFR Part 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,” to non-manufacturing and distribution service provider licensees.

On September 13, 2017, the NRC issued **RIS-2017-05**, “Administration of 10 CFR Part 72 Certificate of Compliance Corrections and Revisions.” The agency issued the RIS to all holders of Certificates of Compliance (CoCs) and all general licensees under the provisions of 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste.” The NRC issued the RIS to inform addressees of the processes used to revise initial CoCs and subsequent amendments to make administrative corrections and technical changes using the existing regulatory framework in 10 CFR Part 72.

On September 19, 2017, the NRC issued **RIS-2017-06**, “NRC Policy on Use of Combination Dosimetry Devices during Industrial Radiographic Operations.” The agency issued the RIS to all holders of and applicants for NRC materials licenses authorizing the use of byproduct material for industrial radiography, Agreement State radiation control program directors, and State liaison officers. The NRC issued the RIS to clarify of the regulation on the use of combined dosimetry devices during industrial radiographic operations under 10 CFR Part 34, “Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations.” Specifically, this RIS clarifies the use of combination dosimetry devices to simultaneously satisfy multiple functions required by 10 CFR 34.47, “Personnel Monitoring.”

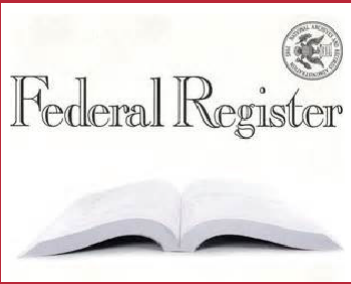
On January 22, 2018, the NRC issued **RIS-2018-01**, “Common Violations Cited During First 2 Years of 10 CFR Part 37, ‘Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,’ Implementation and Guidance Documents Available to Support Rule Implementation.” The agency issued the RIS to all holders of and applicants for NRC licenses that authorize possession of Category 1 and Category 2 quantities of radioactive material, NRC Master Material Licensees, Agreement State Radiation Control Program directors, and State liaison officers. The NRC issued the RIS to: (1) provide an overview of the requirements of 10 CFR Part 37, “Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material,” and highlight differences from the security orders issued prior to the promulgation of 10 CFR Part 37; (2) provide an overview of the NRC staff’s assessment of the effectiveness of 10 CFR Part 37; (3) inform addressees of common violations that the NRC has identified during inspections conducted to verify compliance with 10 CFR Part 37, to raise awareness of these particular violations and reduce their occurrence; and (4) remind addressees of resources available to answer questions and clarify issues related to rule implementation.



On June 1, 2018, the NRC issued **RIS-2018-03**, “National Terrorism Advisory System and Protective Measures for the Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material.” The agency issued the RIS to the following addressees: (1) all holders of an NRC license that authorizes possession of category 1 and category 2 quantities of radioactive material; (2) NRC Master Materials Licensees; (3) Agreement State Radiation Control Program Directors; (3) State Liaison Officers; (4) all holders of an operating license or construction permit for a nuclear power reactor under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” including those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel; (5) all holders of an operating license for a non-power reactor under 10 CFR Part 50, including those that have permanently ceased operations; (6) all holders of a power reactor early site permit, combined license, standard design approval, or manufacturing license under 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants;” (7) all holders of a license under 10 CFR Part 70, “Domestic Licensing of Special Nuclear Material,” that are required to have a security plan under 10 CFR Part 73, “Physical Protection of Plants and Materials,” including licensees authorized to possess formula quantities of special nuclear material (SNM), licensees authorized to possess SNM of moderate strategic significance, and licensees authorized to possess SNM of low strategic significance; and (8) all holders of a license under 10 CFR Part 72. The NRC issued the RIS to provide information on the U.S. Department of Homeland Security’s National Terrorism Advisory System to licensees who are authorized to possess category 1 and category 2 quantities of radioactive material that are listed in Appendix A, “Category 1 and Category 2 Radioactive Materials,” to 10 CFR Part 37.

On September 11, 2018, the NRC issued **RIS-2018-04**, “Notice of Issuance of Enforcement Guidance Memorandum—Interim Guidance for Dispositioning Apparent Violations of 10 CFR Parts 34, 36, and 39 Requirements Resulting From the Use of Direct Ion Storage Dosimetry During Licensed Activities.” The agency issued the RIS to all holders of and applicants for a possession and use of byproduct material license under 10 CFR Part 34, “Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations,” and all holders of and applicants for a specific byproduct material license under 10 CFR Part 36, “Licenses and Radiation Safety Requirements for Irradiators,” and 10 CFR Part 39, “Licenses and Radiation Safety Requirements for Well Logging.” The NRC issued the RIS to inform the addressees that on May 11, 2018, the NRC issued Enforcement Guidance Memorandum 18-001, “Interim Guidance for Dispositioning Apparent Violations of 10 CFR Parts 34, 36, And 39 Requirements Resulting from the Use of Direct Ion Storage Dosimetry During Licensed Activities,” concerning the dispositioning of inspection findings related to use of direct ion storage (DIS) dosimetry during NRC-licensed activities under the following regulations: (1) 10 CFR Part 34, “Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations;” (2) 10 CFR Part 36, “Licenses and Radiation Safety Requirements for Irradiators;” and (3) 10 CFR Part 39, “Licenses and Radiation Safety Requirements for Well Logging.”

On October 5, 2018, the NRC issued **RIS-2018-05**, “Supplier Oversight Issues Identified during Recent NRC Vendor Inspections.” The agency issued the RIS to the following addressees: (1) All holders of and applicants for a specific source material license under 10 CFR Part 40, “Domestic Licensing of Source Material;” (2) all holders of and applicants for a construction permit for a production or utilization facility, including a medical radioisotope facility, under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities;” (3) all holders and applicants of an operating license or construction permit for a nuclear power reactor issued under 10 CFR Part 50, except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel; (4) all holders of and applicants for a nuclear power reactor early site permit, combined license, standard design approval, or manufacturing license under 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Plants;” (5) all applicants for a standard design certification, including such applicants after initial issuance of a design certification rule; (6) all contractors and vendors (C/Vs) that supply basic components to NRC licensees under 10 CFR Part 50, or 10 CFR Part 52; (7) all holders of and applicants for a fuel cycle facility license under 10 CFR Part 70, “Domestic Licensing of Special Nuclear Material;” (8) all holders of and applicants for a certificate of compliance (CoC) for radioactive material transportation package designs under 10 CFR Part 71, “Packaging and Transportation of Radioactive Material;” (9) all holders of and applicants for a license to receive, transfer, and possess power reactor spent fuel, power reactor-related greater-than-Class-C waste, and other radioactive materials associated with spent fuel storage in an independent spent fuel storage installation, or for a spent fuel storage cask CoC under 10 CFR Part 72, “Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste.” The NRC issued the RIS to inform addressees of the applicable regulatory requirements for procuring basic components for NRC licensed facilities and for providing oversight of their suppliers. In addition, this RIS informs the addressees of common violations and nonconformances that the NRC has identified during recent vendor inspections. Specifically, vendors were not adequately imposing the requirements of 10 CFR Part 50, Appendix B, “Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants,” and 10 CFR Part 21, “Reporting of Defects and Noncompliance,” on their suppliers of basic components in the procurement documents and were not providing adequate oversight of these suppliers.



## SELECTED FEDERAL REGISTER NOTICES

**February 22, 2017**

**Volume 82 of the Federal Register, page 11371 (82 FR 11371), “Department of Energy; Three Mile Island 2 Independent Spent Fuel Storage Installation” (License Amendment Application, Docketing)**

The U.S. Nuclear Regulatory Commission (NRC) has docketed a license amendment application from the U.S. Department of Energy (DOE) for amendment of Materials License No. SNM-2508 for the Three Mile Island Unit 2 independent spent fuel storage installation located at the Idaho National Laboratory in Butte County, ID. If granted, the amendment would update the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project, in each of the documents.

(Contact: Jose R. Cuadrado, NMSS, 301-415-0606 or [Jose.Cuadrado@nrc.gov](mailto:Jose.Cuadrado@nrc.gov))

**February 23, 2017**

**82 FR 11484, “Department of Energy; Fort St. Vrain Independent Spent Fuel Storage Installation” (License Amendment Application, Docketing)**

The NRC has docketed a license amendment application from DOE for amendment of Materials License No. SNM-2504 for the Fort St. Vrain independent spent fuel storage installation located in Platteville, CO. If granted, the amendment would update the licensee delegation of authority in the license, the technical specifications, and the final safety analysis report. These documents currently delegate authority under the license to the Manager, DOE Idaho Operations Office. The amendment would replace that reference with the Deputy Manager, Idaho Cleanup Project, in each of the documents.

(Contact: Jose R. Cuadrado, NMSS, 301-415-0606 or [Jose.Cuadrado@nrc.gov](mailto:Jose.Cuadrado@nrc.gov))

**February 27, 2017**

**82 FR 11949, “AUC, LLC., Reno Creek Uranium In-Situ Recovery Project” (License and Record of Decision; Issuance)**

The NRC has issued a license to AUC, LLC (AUC), for its Reno Creek Uranium In-Situ Recovery (ISR) Facility in Campbell County, WY. Under conditions listed in the license, Source and Byproduct Materials License SUA-1602 authorizes AUC to operate its facilities as proposed in its license application, as amended, and to possess uranium source and byproduct material at the Reno Creek ISR Facility. In addition, the NRC has published a record of decision that supports the NRC’s decision to approve AUC’s license application for the Reno Creek ISR Facility and to issue the license.

(Contact: Don Lowman, NMSS, 301-415-5452 or [Donald.Lowman@nrc.gov](mailto:Donald.Lowman@nrc.gov))

**March 24, 2017**

**82 FR 14987, “List of Approved Spent Fuel Storage Casks: TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System, Certificate of Compliance No. 1042” (Direct Final Rule)**

The NRC is proposing to amend its spent fuel storage regulations by adding the TN Americas LLC, NUHOMS® Extended Optimized Storage (EOS) Dry Spent Fuel Storage System to the list of approved spent fuel storage casks as Certificate of Compliance (CoC) No. 1042. The NUHOMS® EOS System provides horizontal storage of high-burnup spent pressurized-water reactor and boilingwater reactor fuel assemblies in dry shielded canisters. The confirmation of the direct final rule was published in the Federal Register on May 30, 2017 (82 FR 24457) and the effective date was June 7, 2017.

(Contact: Edward Lohr, NMSS, 301-415-0253 or [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov))

**March 29, 2017**

**82 FR 15543, “Recommended Practice for Dealing with Outlying Observations” (Regulatory Guide; Withdrawal)**

The NRC is withdrawing Regulatory Guide (RG) 5.36, “Recommended Practice for Dealing with Outlying Observations.” The agency is withdrawing this RG because guidance for licensees to develop written procedures describing statistical analyses of nuclear material accounting data, specifically when dealing with outlying observations in samples and for testing their statistical significance, is no longer needed.

(Contacts: Glenn Tuttle, NMSS, 301-415-7230 or [Glenn.Tuttle@nrc.gov](mailto:Glenn.Tuttle@nrc.gov))

**April 13, 2017**

**82 FR 17749, “List of Approved Spent Fuel Storage Casks: AREVA Inc., Standardized NUHOMS® Cask System, Certificate of Compliance No. 1004, Amendment No. 14, and Revision 1 of the Initial Certificate, Amendment Nos. 1 Through 11, and Amendment No. 13” (Direct Final Rule; Confirmation of Effective Date)**

The NRC is confirming the effective date of April 25, 2017, for the direct final rule that was published in the Federal Register on January 25, 2017. The direct final rule amended the NRC’s spent fuel storage regulations by revising the list of approved spent fuel storage casks to include Amendment No. 14 and Revision 1 to the Initial Certificate, Amendment Nos. 1 through 11, and Amendment No. 13 to CoC No. 1004 for the AREVA Inc., Standardized NUHOMS® Cask System. The NRC confirmed the effective date of April 25, 2017, for the direct final rule published on January 25, 2017 (82 FR 8353).

(Contact: Edward Lohr, NMSS, 301-415-0253 or [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov))

**May 30, 2017**

**82 FR 24457, “List of Approved Spent Fuel Storage Casks: TN Americas, LLC, NUHOMS® EOS Dry Spent Fuel Storage System, Certificate of Compliance No. 1042” (Direct Final Rule; Confirmation of Effective Date)**

The NRC is confirming the effective date of June 7, 2017, for the direct final rule that was published in the Federal Register on March 24, 2017. The direct final rule amended the

NRC's spent fuel storage regulations by revising the list of approved spent fuel storage casks to add the TN Americas LLC, NUHOMS® EOS Dry Spent Fuel Storage System as CoC No. 1042. The NRC confirmed the effective date of June 7, 2017, for the direct final rule published on March 24, 2017 (82 FR 14987).

(Contact: Edward Lohr, NMSS, 301-415-0253 or [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov))

**June 6, 2017**

**82 FR 26144, "Entergy Nuclear Operations, Inc.; Vermont Yankee Nuclear Power Station, Independent Spent Fuel Storage Installation" (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The NRC is considering an exemption request from Entergy Nuclear Operations, Inc., to allow the Vermont Yankee Nuclear Power Station to load higher enriched fuel assemblies with certain lower enriched fuel assemblies in the same HISTORM 100 multipurpose canister (MPC) using CoC No. 1014, Amendment No. 10. The NRC prepared an environmental assessment documenting its finding. The NRC concluded that the proposed action would have no significant environmental impact. Accordingly, the NRC staff issued a finding of no significant impact associated with the proposed exemption.

(Contact: Yen Ju Chen, NMSS, 301-415-1018 or [Yen-ju.Chen@nrc.gov](mailto:Yen-ju.Chen@nrc.gov))

**June 6, 2017**

**82 FR 25931, "List of Approved Spent Fuel Storage Casks: NAC International MAGNASTOR® Cask System, Certificate of Compliance No. 1031, Amendment No. 7" (Direct Final Rule)**

The NRC is proposing to amend its spent fuel storage regulations by revising the NAC International (NAC) MAGNASTOR® Cask System within the list of approved spent fuel storage casks to include Amendment No. 7 to CoC No. 1031. Amendment No. 7 provides a new passive MAGNASTOR® transfer cask and associated technical specification (TS) changes in Appendices A and B, and updates Section 4.3.1(i) in Appendix A to the TS to include revised seismic requirements. Clarifying (nontechnical) changes were also made to Appendices A and B. The confirmation of the direct final rule was published in the Federal Register on August 11, 2017 (82 FR 37511) and the effective date was August 21, 2017.

(Contact: Keith McDaniel, NMSS, 301-415-5252 or [Keith.McDaniel@nrc.gov](mailto:Keith.McDaniel@nrc.gov))

**June 28, 2017**

**82 FR 29225, "List of Approved Spent Fuel Storage Casks: Holtec International HISTORM Flood/Wind Multipurpose Canister Storage System, Certificate of Compliance No. 1032, Amendment No. 3" (Direct Final Rule)**

The NRC is amending its spent fuel storage regulations by revising the Holtec International HISTORM Flood/Wind Multipurpose Canister Storage System listing within the list of approved spent fuel storage casks to include Amendment No. 3 to CoC No. 1032. Amendment No. 3 revises authorized contents to allow burnup credit for fuel types in the MPC37 and revises CoC Condition 8, which had been incorporated into Amendment No. 2 to CoC No. 1032. The confirmation of the direct final rule was published in the Federal Register on September 5, 2017 (82 FR 41873) and effective date was September 11, 2017.

(Contact: Vanessa Cox, NMSS, 301-415-8342 or [Vanessa.Cox@nrc.gov](mailto:Vanessa.Cox@nrc.gov))

**July 7, 2017**

**82 FR 31433, “List of Approved Spent Fuel Storage Casks: EnergySolutions™ Corporation, VSC-24 Ventilated Storage Cask System, Renewal of Initial Certificate and Amendment Nos. 1–6” (Direct Final Rule)**

The NRC is amending its spent fuel storage regulations by revising the EnergySolutions™ Corporation’s (EnergySolutions) VSC24 Ventilated Storage Cask System listing within the list of approved spent fuel storage casks to renew, for an additional 40 years, the initial certificate and Amendment Nos. 1–6 of CoC No. 1007. The renewal of the initial certificate and Amendment Nos. 1–6 requires cask users to establish, implement, and maintain written procedures for aging management program (AMP) elements, including a lead cask inspection program, for VSC-24 storage cask structures, systems, and components (SSCs) important to safety. Users must also conduct periodic “tollgate” assessments of new information on SSC aging effects and mechanisms to determine whether any element of an AMP addressing these effects and mechanisms requires revision to encompass the current state of knowledge. In addition, the renewal of the initial certificate and Amendment Nos. 1–6 makes several other changes, described in Section IV, “Discussion of Changes,” in the Supplementary Information section of this Federal Register notice. The confirmation of the direct final rule was published in the Federal Register on September 21, 2017 (82 FR 44053) and the effective date was September 20, 2017.

(Contact: Robert D. MacDougall, NMSS, 301-415-5175 or [Robert.MacDougall@nrc.gov](mailto:Robert.MacDougall@nrc.gov))

**July 19, 2017**

**82 FR 33161, “GE-Hitachi Nuclear Energy Americas, LLC; GE-Hitachi Morris Operation Independent Spent Fuel Storage Installation” (License Amendment Application; Issuance)**

By letter dated February 15, 2017, as supplemented March 9, 2017, and June 6, 2017, GE-Hitachi Nuclear Energy Americas, LLC (GEH), submitted to the NRC License Amendment Request No. 15, Materials License No. SNM-2500 (LAR 2500-15), for the GEH facility in Morris, IL, in accordance with the NRC’s regulations. The amendment clarifies the storage of liquid and solid waste treatment products. The amendment requested no changes to the technical or regulatory provisions of the license. The application included adequate justification for the proposed changes. The NRC has approved and issued the amendment in its letter dated June 29, 2017, and in its safety evaluation report.

(Contact: Christian Jacobs, NMSS 301-415-6825 or [Christian.Jacobs@nrc.gov](mailto:Christian.Jacobs@nrc.gov))

**August 14, 2017**

**82 FR 37903, “Westinghouse Electric Company, LLC” (Confirmatory Order; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) issued a Confirmatory Order (Order) to Westinghouse Electric Company, LLC, (the licensee), confirming the agreement reached in an Alternative Dispute Resolution mediation session held on May 19, 2017, and follow-up discussions held between May 19, 2017, and August 3, 2017. This Order will ensure that the licensee restores compliance with NRC’s regulations.

(Contact: Scott Sparks, RII, 404-997-4422 or [Scott.Sparks@nrc.gov](mailto:Scott.Sparks@nrc.gov))

**September 27, 2017**

**82 FR 45074, “Regulatory Guide: ‘Physical Inventories and Material Balances at Fuel Cycle Facilities’” (Regulatory Guide; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 0 of Regulatory Guide (RG) 5.88, “Physical Inventories and Material Balances at Fuel Cycle Facilities.” This regulatory guide (RG) describes approaches and methods that the staff considers acceptable for licensees and material control and accounting (MC&A) system capabilities. This RG pertains to the performance, evaluation, and reporting of physical inventories and material balances at fuel cycle facilities.

(Contact: Glenn Tuttle, NMSS, 301-415-7230 or [Glenn.Tuttle@nrc.gov](mailto:Glenn.Tuttle@nrc.gov))

**September 29, 2017**

**82 FR 44879, “Regulatory Guides: ‘Conduct of Nuclear Material Physical Inventories,’ and ‘Statistical Evaluation of Material Unaccounted For’” (Regulatory Guides; Withdrawal)**

The U.S. Nuclear Regulatory Commission (NRC) is withdrawing the following regulatory guides (RGs): RG 5.13, Revision 0, “Conduct of Nuclear Material Physical Inventories,” published in June 1973, and RG 5.33, Revision 0, “Statistical Evaluation of Material Unaccounted For,” published in June 1974. These RGs are being withdrawn because the guidance has been incorporated into RG 5.88, “Physical Inventories and Material Balances at Fuel Cycle Facilities.”

(Contact: Glenn Tuttle, NMSS, 301-415-7230 or [Glenn.Tuttle@nrc.gov](mailto:Glenn.Tuttle@nrc.gov))

**October 3, 2017**

**82 FR 46102, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Service Provider Licenses” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) has issued Revision 1 to NUREG–1556, Volume 18, “Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Service Provider Licenses,” which updates licensing guidance for service provider licenses. This document has been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. The document is intended for use by applicants, licensees, and the NRC staff.

(Contact: Anthony McMurtray, NMSS, 301-415-2746 or [Anthony.McMurtray@nrc.gov](mailto:Anthony.McMurtray@nrc.gov))

**October 6, 2017**

**82 FR 46840, “Agreement State Program Policy Statement” (Revision to Policy Statement)**

The U.S. Nuclear Regulatory Commission (NRC) has revised and consolidated two policy statements on the NRC’s Agreement State Programs: The “Policy Statement on Adequacy and Compatibility of Agreement State Programs” and the “Statement of Principles and Policy for the Agreement State Program.” The resulting single policy statement has been revised to add that public health and safety includes physical protection of agreement material I and to reflect comments received from Agreement States, individuals, and the Organization of Agreement States (OAS).

(Contact: Lance Rakovan, NMSS, 301-415-2589 or [Lance.Rakovan@nrc.gov](mailto:Lance.Rakovan@nrc.gov))

**December 19, 2017**

**82 FR 52944, “Global Nuclear Fuels—Americas, LLC” (Confirmatory Order; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) issued a confirmatory order (Order) to Global Nuclear Fuels—Americas, LLC, (the licensee), confirming the agreement reached in an Alternative Dispute Resolution mediation session held on October 25, 2017. This Order will ensure the licensee restores compliance with NRC’s regulations.

(Contact: Scott Sparks, RII, 404-997-4422 or [Scott.Sparks@nrc.gov](mailto:Scott.Sparks@nrc.gov))

**December 20, 2017**

**82 FR 60420, “AREVA, Inc.; Richland, Washington; Indirect Transfer of License; Order” (Indirect Transfer of License; Order)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing an Order approving the indirect transfer of several licenses. AREVA, Inc., is the holder of materials license no. SNM- 1227, which authorizes the possession and use of special nuclear material (SNM) at the AREVA, Inc. site in Richland, Washington. AREVA, Inc. is also the holder of export license nos. XSNM3551, XSNM3697, XSNM3747, XSOU8833, XCOM1202, XW015, XCOM1304, XSNM3780, XSNM3781, XSNM3782, and import license no. IW009 which authorize the import and export of licensed materials/ components to and from facilities in the United States. The Order approves the indirect transfer of control of the above licenses resulting from a planned reorganization of AREVA, Inc.’s parent company and the sale of part of the parent company. There will be no direct transfer of control because AREVA, Inc. will continue to be the license holder. The Order became effective upon issuance.

(Contact: Kevin Ramsey, NMSS, 301-415-7506 or [Kevin.Ramsey@nrc.gov](mailto:Kevin.Ramsey@nrc.gov))



**January 29, 2018**

**83 FR 4079, “Strata Energy, Inc.; Ross Uranium In Situ Recovery Facility; Source and Byproduct Materials License” (Final Environmental Assessment and Finding of No Significant Impact; Issuance)**

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.

(Contact: Jessie Muir Quintero, NMSS, 301-415-7476 or [Jessie.Quintero@nrc.gov](mailto:Jessie.Quintero@nrc.gov))

**March 19, 2018**

**83 FR 12034, “Holtec International’s HI–STORE Consolidated Interim Storage Facility for Interim Storage of Spent Nuclear Fuel” (License Application; Docketing)**

The U.S. Nuclear Regulatory Commission (NRC) received a license application from Holtec International (Holtec), by letter dated March 30, 2017, as supplemented on April 13, October 6, December 21, and 22, 2017; and February 22, 2018. By this application, Holtec is requesting authorization to construct and operate the HI–STORE Consolidated Interim Storage (CIS) Facility, in Lea County, New Mexico. If the NRC approves the application and issues a license to Holtec, Holtec intends to store up to 8,680 metric tons uranium (MTU) of commercial spent nuclear fuel in the HI–STORE UMAX Canister Storage System for a 40 year license term.

(Contact: Jose R. Cuadrado, NMSS, 301-415-0606 or [Jose.Cuadrado@nrc.gov](mailto:Jose.Cuadrado@nrc.gov))

**April 19, 2018**

**83 FR 17450, “Program-Specific Guidance About Irradiator Licenses and Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope, Including Electron Capture Devices and X-Ray Fluorescence Analyzers” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) has issued Revision 1 to NUREG-1556, Volume 6, “Consolidated Guidance about Materials Licenses: Program-Specific Guidance About 10 CFR part 36 Irradiator Licenses,” and Volume 7, “Consolidated Guidance about Materials Licenses: Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope, Including Electron Capture Devices and X-Ray Fluorescence Analyzers.” NUREG-1556 Volumes 6 and 7 have been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. These volumes are intended for use by applicants, licensees, and the NRC staff.

(Contact: Anthony McMurtray, NMSS, 301-415-2746 or [Anthony.McMurtray@nrc.gov](mailto:Anthony.McMurtray@nrc.gov))

**May 4, 2018**

**83 FR 19603, “Modified Small Quantities Protocol” (Final Rule)**

The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations to collect information on nuclear material possessed by entities in the U.S. Caribbean Territories, as well as to allow for International Atomic Energy Agency (IAEA) inspection access, if requested by the IAEA. This final rule implements the requirements of “The Agreement between the United States of America and the IAEA for the Application of Safeguards in Connection with the Treaty for the Prohibition of Nuclear Weapons in Latin America” (INFCIRC/366 or U.S.–IAEA Caribbean Territories Safeguards Agreement), that apply to the United States (U.S.) based on modifications to this Agreement’s small quantities protocol.

(Contact: Gregory R. Trussell, NMSS, 301-415-6445 or [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov))

**May 15, 2018**

**83 FR 22532, “Northwest Medical Isotopes, LLC; Medical Radioisotope Production Facility” (Construction Permit and Record of Decision; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is providing notice of the issuance of Construction Permit No. CPMIF–002 to Northwest Medical Isotopes, LLC (NWMI) and record of decision (ROD).

(Contact: Michael Balazik, Office of Nuclear Reactor Regulations, 301-415-2856 or [Michael.Balazik@nrc.gov](mailto:Michael.Balazik@nrc.gov))

**June 7, 2018**

**83 FR 26501, “Pacific Gas and Electric Company Diablo Canyon Independent Spent Fuel Storage Installation” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an environmental assessment (EA) and a finding of no significant impact (FONSI) for its review and approval of the decommissioning funding plans (DFPs) submitted by Pacific Gas and Electric Company (PGEC) on December 17, 2012, and December 17, 2015, for the independent spent fuel storage installation (ISFSI) at Diablo Canyon in Avila Beach, California.

(Contact: Pamela Longmire, NMSS, 301-415-7465 or [Pamela.Longmire@nrc.gov](mailto:Pamela.Longmire@nrc.gov))

**June 8, 2018**

**83 FR 26708, “Kennecott Uranium Corporation; Sweetwater Uranium Project” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is considering renewal of Source Material License SUA–1350 issued to Kennecott Uranium Corporation (KUC) for continued operations at the Sweetwater Uranium Project (SUP) in Sweetwater County, Wyoming (Docket No. 40–8584). The NRC has prepared an environmental assessment (EA) and finding of no significant impact (FONSI) for this licensing action.

(Contact: Ashley Waldron, NMSS, 301-415-7317 or [Ashley.Waldron@nrc.gov](mailto:Ashley.Waldron@nrc.gov))

**June 15, 2018**

**83 FR 28014, “Westinghouse Electric Company, LLC; Columbia Fuel Fabrication Facility” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is considering the renewal of Special Nuclear Materials (SNM) License No. SNM-1107 to allow Westinghouse Electric Company, LLC (WEC) to continue to operate its Columbia Fuel Fabrication Facility (CFFF) for an additional 40 years. The NRC has prepared a final environmental assessment (EA) and finding of no significant impact (FONSI) for this licensing action.

(Contact: Jessie Muir Quintero, NMSS, 301-415-7476 or [Jessie.Quintero@nrc.gov](mailto:Jessie.Quintero@nrc.gov))

**July 6, 2018**

**83 FR 31572, “Order Approving Indirect Transfer of Control of License: Westinghouse Electric Company, LLC” (Indirect Transfer of License; Order)**

The U.S. Nuclear Regulatory Commission (NRC) issued an Order approving the indirect transfer of several licenses for Westinghouse Electric Company, LLC (Westinghouse). Westinghouse is the holder of special nuclear materials (SNM) license numbers SNM-1107 and SNM-33, which authorize the possession and use of SNM at the Columbia Fuel Fabrication Facility in Hopkins, South Carolina, and Hematite Fuel Fabrication Facility in Festus Township, Missouri, respectively. Westinghouse is also the holder of several export licenses as noted in the Order. The Order approves the indirect transfer of control of these licenses resulting from the acquisition of Westinghouse’s intermediate parent company, TSB Nuclear Energy Services Inc., by Brookfield WEC Holdings Inc., a Delaware limited liability company, which is ultimately owned and controlled by Brookfield Asset Management Inc., a Canadian company. The Order became effective upon issuance.

(Contact: Marilyn Diaz, NMSS, 301-415-7110 or [Marilyn.Diaz@nrc.gov](mailto:Marilyn.Diaz@nrc.gov))

**July 10, 2018**

**83 FR 31979, “Program-Specific Guidance About Possession Licenses for Manufacturing and Distribution, Program-Specific Guidance About Well Logging, Tracer, and Field Flood Study Licenses, and Program-Specific Guidance About Possession Licenses for Production of Radioactive Material Using an Accelerator” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) has issued Revision 1 to NUREG-1556, Volume 12, “Consolidated Guidance About Materials Licenses: Program Specific Guidance About Possession Licenses for Manufacturing and Distribution;” NUREG-1556, Volume 14, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Well Logging, Tracer, and Field Flood Study Licenses;” and NUREG-1556, Volume 21, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Possession Licenses for Production of Radioactive material Using an Accelerator.” NUREG-1556, Volumes 12, 14, and 21 have been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. These volumes are intended for use by applicants, licensees, and the NRC staff.

(Contact: Anthony McMurtray, NMSS, 301-415-2746 or [Anthony.McMurtray@nrc.gov](mailto:Anthony.McMurtray@nrc.gov))

**July 13, 2018**

**83 FR 32696, “Kennecott Uranium Company; Sweetwater Uranium Project” (License Renewal; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing a renewed license to Kennecott Uranium Company (KUC) for its Sweetwater Uranium Project (SUP), located in Sweetwater County, Wyoming, for Materials License SUA–1350. The license authorizes KUC to possess uranium source and byproduct material at the SUP. In addition, the license authorizes KUC to operate its facilities as proposed in its license renewal application, as amended, and as prescribed in the license, after a pre-operational inspection has been completed at the SUP and any safety issues resolved. The renewed license expires on November 9, 2024.

(Contact: James Webb, NMSS, 301-415-6252 or [James.Webb@nrc.gov](mailto:James.Webb@nrc.gov))

**July 16, 2018**

**83 FR 32759, “Medical Use of Byproduct Material— Medical Event; Definitions and Training and Experience” (Final Guidance; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing a final guidance document entitled, “Final Guidance for the Rule ‘Medical Use of Byproduct Material—Medical Events Definitions, Training and Experience, and Clarifying Amendments.’ ” This guidance document addresses implementation of the NRC’s final rule amending its medical use of byproduct material regulations which is being published concurrently in Separate Part IV of this issue of the Federal Register.

(Contact: Donna-Beth Howe, NMSS, 301-415-5441 or [Donna-Beth.Howe@nrc.gov](mailto:Donna-Beth.Howe@nrc.gov))

**July 16, 2018**

**83 FR 33046, “Medical Use of Byproduct Material— Medical Event Definitions, Training and Experience, and Clarifying Amendments” (Final Rule)**

The U.S. Nuclear Regulatory Commission (NRC) is amending its regulations related to the medical use of byproduct material. The final rule will amend the NRC regulations related to the medical use of byproduct material. This rule amends the reporting and notification requirements for a medical event (ME) for permanent implant brachytherapy. This rule also amends the training and experience (T&E) requirements to remove from multiple sections the requirement to obtain a written attestation for an individual who is certified by a specialty board whose certification process has been recognized by the NRC or an Agreement State; and address a request filed in a petition for rulemaking (PRM), PRM– 35–20, to exempt certain board-certified individuals from certain T&E requirements (i.e., “grandfather” these individuals). Additionally, this rule amends the requirements for measuring molybdenum contamination; adds a new requirement for the reporting of failed technetium and rubidium generators; and allows licensees to name associate radiation safety officers (ARSOs) on a medical license.

(Contact: Kimyata Morgan-Butler, NMSS, 301-415-0733 or [Kimyata.Morgan-Butler@nrc.gov](mailto:Kimyata.Morgan-Butler@nrc.gov))

**July 30, 2018**

**83 FR 36629, “Program-Specific Guidance About Self-Shielded Irradiator Licenses and Program-Specific Guidance About Exempt Distribution Licenses” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) has issued Revision 1 to NUREG–1556, Volume 5, “Consolidated Guidance about Materials Licenses: Program-Specific Guidance About Self-Shielded Irradiator Licenses,” and Volume 8, “Consolidated Guidance about Materials Licenses: Program-Specific Guidance About Exempt Distribution Licenses.” NUREG–1556, Volumes 5 and 8 have been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. These volumes are intended for use by applicants, licensees, and the NRC staff.

(Contact: Anthony McMurtray, NMSS, 301-415-2746 or [Anthony.McMurtray@nrc.gov](mailto:Anthony.McMurtray@nrc.gov))

**August 1, 2018**

**83 FR 37532, “LaCrosse Solutions, LLC; Dairyland Power Cooperative La Crosse Boiling Water Reactor” (Exemption; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a February 22, 2018, request from LaCrosseSolutions, LLC (LS) from the regulatory requirement to maintain a specified level of onsite property damage insurance to permit the La Crosse Boiling Water Reactor (LACBWR) to reduce its onsite insurance coverage from \$180 million to \$50 million.

(Contact: Marlayna G. Vaaler, NMSS, 301-415-3178 or [Marlayna.Vaaler@nrc.gov](mailto:Marlayna.Vaaler@nrc.gov))

**August 1, 2018**

**83 FR 37532, “American Centrifuge Operating, LCC; Lead Cascade Facility” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing an environmental assessment (EA) and a finding of no significant impact (FONSI) regarding a request from American Centrifuge Operating, LLC (ACO) for approval of its Decommissioning Plan. ACO is authorized to possess and use special nuclear material (SNM), source material, and byproduct material at its Lead Cascade Facility (LCF) in Piketon, Ohio under NRC License SNM–7003, issued in 2004. ACO’s Decommissioning Plan contains its proposed Release Criteria and the Final Status Survey design.

(Contact: Jean Trefethen, NMSS, 301-415-0867 or [Jean.Trefethen@nrc.gov](mailto:Jean.Trefethen@nrc.gov))

**August 3, 2018**

**83 FR 38184, “Program-Specific Guidance About Licenses Authorizing Distribution to General Licensees and Program-Specific Guidance About Special Nuclear Material of Less Than Critical Mass Licenses” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) has issued Revision 1 to NUREG–1556, Volume 16, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Licenses Authorizing Distribution to General Licensees,” and Volume 17, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Special Nuclear Material of Less Than Critical Mass Licenses.”

NUREG–1556 Volumes 16 and 17 have been revised to include information on updated regulatory requirements, safety culture, security of radioactive materials, protection of sensitive information, and changes in regulatory policies and practices. These volumes are intended for use by applicants, licensees, and the NRC staff.

(Contact: Anthony McMurtray, NMSS, 301-415-2746 or [Anthony.McMurtray@nrc.gov](mailto:Anthony.McMurtray@nrc.gov))

**August 14, 2018**

**83 FR 40355, “Termination of Operating License for the Buffalo Materials Research Center Reactor” (License Termination; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is providing notice of the termination of Facility Operating License No. R–77 for the Buffalo Materials Research Center (BMRC). The NRC has terminated the license of the decommissioned BMRC at the State University of New York at Buffalo (UB or the licensee) facility in Buffalo, New York, and has released the site for unrestricted use.

(Contact: Kim Conway, NMSS, 301-415-1335 or [Kimberly.Conway@nrc.gov](mailto:Kimberly.Conway@nrc.gov))

**August 14, 2018**

**83 FR 40357, “Uranium One; Ludeman Satellite” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is considering an amendment of License SUA–1341, to expand operations to the Ludeman Satellite at Uranium One’s Willow Creek In-situ recovery (ISR) facility (Docket No. 40–8502). The NRC has prepared an environmental assessment (EA) and finding of no significant impact (FONSI) for this licensing action.

(Contact: Ashley Waldron, NMSS, 301-415-7317 or [Ashley.Waldron@nrc.gov](mailto:Ashley.Waldron@nrc.gov))

**August 24, 2018**

**83 FR 42945, “Tribal Protocol Manual” (NUREG; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing NUREG– 2173, “Tribal Protocol Manual,” which: facilitates effective consultations and interactions between the NRC and Native American Tribes related to activities within the scope of the NRC’s jurisdiction; explains that Tribes are unique governmental entities and are not extensions of State or local governments; assists NRC management and staff in recognizing these distinctions and creates a more open and productive working relationship with Native American Tribal governments; and supplements the NRC staff’s working knowledge by providing Tribal outreach, experience, and practical guidance to NRC personnel who have had limited interactions with Native American Tribes.

(Contact: James Firth, NMSS, 301-415-5041 or [James.Firth@nrc.gov](mailto:James.Firth@nrc.gov))

**August 29, 2018**

**83 FR 44068, “Target Fabrication Portion of the Northwest Medical Isotopes Radioisotope Production Facility” (Environmental Assessment and Finding of No Significant Impact; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is considering issuing an exemption to Northwest Medical Isotopes, LLC (NWMI) from its regulations, to waive the requirement that NWMI submit an application to the NRC for a license to possess and use special nuclear material for processing and fuel fabrication, scrap recovery or conversion of uranium hexafluoride, or for the conduct of any other activity which the NRC has determined will significantly affect the quality of the environment, at least 9 months prior to commencement of construction of the plant or facility in which the activity will be conducted. The NRC has prepared an environmental assessment (EA) and finding of no significant impact (FONSI) for this exemption request.

(Contact: David Tiktinsky, NMSS, 301-415-8740 or [David.Tiktinsky@nrc.gov](mailto:David.Tiktinsky@nrc.gov))

**September 18, 2018**

**83 FR 47192, “Xcel Energy, Monticello Nuclear Generating Plant; Independent Spent Fuel Storage Installation.” (Exemption; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing an exemption in response to a request submitted by Xcel Energy on October 18, 2017, from meeting Technical Specification (TS) 1.2.5 of Attachment A of Certificate of Compliance (CoC) No. 1004, Amendment No. 10, which requires that all dry shielded canister (DSC) closure welds, except those subjected to full volumetric inspection, be dye penetrant tested in accordance with the requirements of American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (B&PV) Code Section III, Division I, Article NB-5000. This exemption applies to five loaded Standardized NUHOMS® 61BTH, Dry Shielded Canisters (DSCs) 11 through 15, at the Monticello Nuclear Generating Plant (MNGP) Independent Spent Fuel Storage Installation (ISFSI).

(Contact: Christian Jacobs, NMSS, 301-415-6825 or [Christian.Jacobs@nrc.gov](mailto:Christian.Jacobs@nrc.gov))

**September 28, 2018**

**83 FR 48905, “State of Wyoming: Discontinuance of Certain Commission Regulatory Authority Within the State; Notice of Agreement Between the NRC and the State of Wyoming.” (Final State Agreement)**

This document is announcing that on September 25, 2018, Kristine L. Svinicki, Chairman of the U.S. Nuclear Regulatory Commission (NRC or Commission), and Governor Matthew H. Mead of the State of Wyoming, signed an Agreement as authorized by Section 274b. of the Atomic Energy Act of 1954, as amended (the Act). Under the Agreement the Commission discontinues its regulatory authority, and the State of Wyoming assumes regulatory authority over the management and disposal of byproduct material as defined in Section 11e.(2) of the Act and a subcategory of source material or ores involved in extraction or concentration of uranium or thorium milling in the State. As of the effective date of the Agreement, a person in Wyoming possessing these materials is exempt from certain Commission regulations. The exemptions have been previously published in the Federal Register (FR) and are codified in the Commission’s regulations. The Agreement is published here as required by Section 274e. of the Act.

(Contact: Stephen Poy, NMSS, 301-415-7135 or [Stephen.Poy@nrc.gov](mailto:Stephen.Poy@nrc.gov))

**October 1, 2018**

**83 FR 49434, “Use of Listserv for Decommissioning and Uranium Recovery Site Correspondence” (Implementation of Electronic Distribution of Decommissioning and Uranium Recovery Site Correspondence)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing this document to inform the public that, as of October 1, 2018, publicly available decommissioning and uranium recovery site correspondence originating from the Division of Decommissioning, Uranium Recovery, and Waste Programs (DUWP) in the Office of Nuclear Material Safety and Safeguards (NMSS) will be transmitted by a computer-based e-mail distribution system Listserv to addressees and subscribers. This change does not affect the availability of official agency records in the NRC’s Agencywide Documents Access and Management System (ADAMS).

(Contact: Kim Conway, NMSS, 301-415-1335 or [Kimberly.Conway@nrc.gov](mailto:Kimberly.Conway@nrc.gov))

**October 2, 2018**

**83 FR 49583, “In the Matter of Harman International Industries, Inc.; Confirmatory Order” (Confirmatory Order; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing a confirmatory order (Order) to Harman International Industries, Inc. (Harman), to memorialize the agreements reached during an alternative dispute resolution mediation session held on August 16, 2018. This Order will resolve the issues that were identified during an NRC records review related to Harman’s import, possession, and distribution of lamps containing byproduct material (krypton-85). This Order is effective upon its issuance.

(Contact: Sophie Holiday, NMSS, 301-415-1335 or [Sophie.Holiday@nrc.gov](mailto:Sophie.Holiday@nrc.gov))

**October 3, 2018**

**83 FR 49956, “Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor” (Regulatory Guide; Issuance)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing Revision 3 to Regulatory Guide (RG) 3.71, “Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores.” Revision 3 endorses guidance in multiple American National Standards Institute/ American Nuclear Society (ANSI/ANS)–8 standards, as well as a specific International Organization for Standardization (ISO) Standard. In addition, the scope of this guide is expanded to include packaging and transportation and certain storage facilities because many of the standards are based on broad principles that are not limited solely to fuel processing facilities.

(Contact: Jeremy Munson, NMSS, 404-997-4732 or [Jeremy.Munson@nrc.gov](mailto:Jeremy.Munson@nrc.gov))



October 23, 2018

**83 FR 53116, "In the Matter of Entergy Nuclear Vermont Yankee, LLC; Entergy Nuclear Operations, Inc.; NorthStar Vermont Yankee LLC; NorthStar Nuclear Decommissioning Company, LLC; Vermont Yankee Nuclear Power Station" (Direct and Indirect Transfer of License; Order)**

The U.S. Nuclear Regulatory Commission (NRC) is issuing an order approving the direct transfer of Renewed Facility Operating License No. DPR-28 for the Vermont Yankee Nuclear Power Station (VY), and its general license for the VY Independent Spent Fuel Storage Installation (ISFSI), from the currently licensed operator, Entergy Nuclear Operations, Inc. (ENOI), and currently licensed owner, Entergy Nuclear Vermont Yankee, LLC (ENVY), to NorthStar Nuclear Decommissioning Company, LLC (NorthStar NDC), and to ENVY's successor NorthStar Vermont Yankee, LLC (NorthStar VY). This order also approves the indirect transfer of control of the license from ENVY's Entergy parent holding and investment companies to NorthStar Decommissioning Holdings, LLC and its parents NorthStar Group Services, Inc. (NorthStar), LVI Parent Corp., and NorthStar Group Holdings, LLC. The NRC is also issuing a conforming amendment for the facility operating license for administrative purposes to reflect the approved license transfer. The NRC confirmed that NorthStar NDC, and the entity to be named NorthStar VY, met the regulatory, legal, technical, and financial obligations necessary to qualify them as a transferee and determined that the transferee is qualified to be the holder of the license; and the transfer of the license is otherwise consistent with the applicable provisions of law, regulations, and orders issued by the Commission. The Order approving the direct transfer of the VY license to NorthStar NDC and NorthStar VY and the indirect transfer to NorthStar Decommissioning Holdings, LLC and its parents became effective on October 11, 2018.

(Contact: Jack D. Parrott, NMSS, 301-415-6634 or [Jack.Parrott@nrc.gov](mailto:Jack.Parrott@nrc.gov))

## ONGOING RULEMAKINGS

### **Items Containing Byproduct Material Incidental to Production**

**10 CFR Parts 30, 32, and 70**

**Docket ID: NRC-2015-0017**

**Regulation Identifier Number (RIN): 3150-AJ54**

This rulemaking would amend the U.S. Nuclear Regulatory Commission (NRC's) regulations for track-etched membranes that have been irradiated with mixed fission products during the production process. The rule also would accommodate the licensing and distribution of other irradiated products (e.g., gemstones) without the need for a specific exemption for each distributor. This rulemaking would affect the licensees and applicants for items containing byproduct material incidental to production. This rule was formerly titled "Polymer (Polycarbonate or Polyester) Track Etched (PCTE) Membranes." The rulemaking addresses a petition for rulemaking (PRM-30-65).

(Contact: Alexa Sieracki, NMSS, 301-415-7509 or [Alexa.Sieracki@nrc.gov](mailto:Alexa.Sieracki@nrc.gov))



**Enhanced Security for Special Nuclear Material****10 CFR Part 73****Docket ID: NRC-2014-0118****RIN: 3150-AJ41**

This rulemaking would amend the NRC's regulations to revise and enhance fuel cycle and special nuclear material (SNM) security requirements. It would make generically applicable security requirements imposed in security orders after the events of September 11, 2001. The scope of this rulemaking would affect the physical protection of nuclear plants, fuel cycle facilities, and spent nuclear material. This rule was formerly titled "Physical Protection for Category I, II, and III Special Nuclear Material."

(Contact: Edward Lohr, NMSS, 301-415-0253 or [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov))

**Alternatives to the Use of Credit Ratings****10 CFR Parts 30, 40, 50, 70, and 72****Docket ID: NRC-2017-0021****RIN: 3150-AJ92**

This rulemaking would amend the NRC's regulations to remove any use or reference to bond rating, as mandated by the Dodd-Frank Act of 2010. The rule would develop alternate criteria, if any, to replace bond rating criteria. The purpose is to ensure that financial tests are sufficient when evaluating decommissioning financial assurance. The scope of this rulemaking would affect all the NRC's regulations referring to bond rating. The rulemaking was formerly titled "Dodd Frank Act of 2010."

(Contact: Gregory Trussell, NMSS, 301-415-6445 or [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov))

**Greater-Than-Class-C and Transuranic Waste****10 CFR Part 61****Docket ID: NRC-2017-0081****RIN: 3150-AK00**

This rulemaking would amend the NRC's regulations to address Greater-Than-Class-C and transuranic waste disposal requirements. The rule would improve the effectiveness of the waste regulatory framework by clearly defining the requirements for the near surface land disposal of Greater-Than-Class-C and transuranic waste. This rulemaking would affect the licensees of and applicants for nuclear power reactors, nuclear fuel cycle facilities, and other facilities that produce Greater-Than-Class-C and transuranic waste.

(Contact: Cardelia Maupin, NMSS, 301-415-4127 or [Cardelia.Maupin@nrc.gov](mailto:Cardelia.Maupin@nrc.gov))

**Groundwater Protection In Situ Leach Uranium Recovery Facilities****10 CFR Part 40****Docket ID: NRC-2008-0421****RIN: 3150-AI40**

This rulemaking would amend the NRC's regulations to ensure groundwater protection at in situ leach uranium recovery facilities. The rule would create a more efficient licensing process by codifying requirements currently imposed through license conditions.

The rule would affect in situ leach uranium recovery facility licensees and applicants. This rulemaking is on hold while the U.S. Environmental Protection Agency deliberates revision of its requirements that provide the standards for NRC's regulations concerning the processing and possession, transfer, and disposal of byproduct material.

(Contact: Gary Comfort, NMSS, 301-415-8106 or [Gary.Comfort@nrc.gov](mailto:Gary.Comfort@nrc.gov))

**Low-Level Radioactive Waste Disposal**  
**10 CFR Parts 20 and 61**  
**Docket ID: NRC-2011-0012**  
**RIN: 3150-A192**

This rulemaking would amend the NRC's regulations to revise the licensing requirements for low-level radioactive waste disposal. The rule would ensure that the waste streams that are significantly different from those considered during the development of existing regulations will continue to be disposed of safely and meet the performance objectives for land disposal of low-level radioactive waste. The rule would require certain licensees and applicants to conduct site-specific analyses, including a new intruder assessment, using a specified compliance period and would make other clarifying changes.

(Contact: Gary Comfort, NMSS, 301-415-8106 or [Gary.Comfort@nrc.gov](mailto:Gary.Comfort@nrc.gov))

**Amendments to Material Control and Accounting Regulations**  
**10 CFR Parts 40, 60, 63, 70, 72, 74, and 150**  
**Docket ID: NRC-2009-0096**  
**RIN: 3150-A161**

This rulemaking would amend the NRC's regulations regarding material control and accounting of special nuclear material (SNM). The rule would revise, consolidate, and add requirements to material control and accounting of SNM. The scope of this rulemaking would impact NRC licensees authorized to hold SNM in a quantity greater than 350 grams and certain licensees within the jurisdiction of the Agreement States that hold SNM and submit material status reports to the NRC.

(Contact: Thomas Young, NMSS, 301-415-5795 or [Thomas.Young@nrc.gov](mailto:Thomas.Young@nrc.gov))

**Cyber Security for Fuel Facilities**  
**10 CFR Parts 40, 70, and 73**  
**Docket ID: NRC-2015-0179**  
**RIN: 3150-AJ64**

This rulemaking would amend the NRC's regulations to add cyber security requirements for certain nuclear fuel cycle facility applicants and licensees. The rule would require certain fuel cycle facilities to establish, implement, and maintain a cyber security program that is designed to protect public health and safety and the common defense and security. It would affect fuel cycle applicants or licensees that are or plan to be authorized to: (1) possess greater than a critical mass of special nuclear material and perform activities for which the NRC requires an integrated safety analysis or (2) engage in uranium hexafluoride conversion or deconversion.

(Contact: Gary Comfort, NMSS, 301-415-8106 or [Gary.Comfort@nrc.gov](mailto:Gary.Comfort@nrc.gov))

**Enhanced Weapons for Spent Fuel Storage Installations and Transportation—  
Section 161A Authority****10 CFR Part 73****Docket ID: NRC-2015-0018****RIN: 3150-AJ55**

This rulemaking would amend the NRC's regulations to implement the new authority in Section 161A of the Atomic Energy Act of 1954, as amended, related to access of enhanced weapons for the protection of spent nuclear fuel (SNF). These adjustments would support a potential national strategy for the secure transportation and storage of SNF. The scope of this rulemaking would affect access to enhanced weapons during transportation and storage of SNF, high-level radioactive waste, and special nuclear material (from aged SNF). This rulemaking is a follow-on to the initial enhanced weapons rulemaking (RIN 3150-AI49).

(Contact: Alexa R. Sieracki, NMSS, 301-415-7509 or [Alexa.Sieracki@nrc.gov](mailto:Alexa.Sieracki@nrc.gov))

**Independent Spent Fuel Storage Installation Security Requirements****10 CFR Parts 72 and 73****Docket ID: NRC-2009-0558****RIN: 3150-AI78**

This rulemaking would amend the NRC's regulations to update and revise existing security requirements for the storage of spent nuclear fuel at an independent spent fuel storage installation (ISFSI) and the storage of spent nuclear fuel and high-level waste at a monitored retrievable storage installation (MRS). The rule would make generically applicable requirements similar to those imposed on ISFSI licensees by security orders issued after the events of September 11, 2001, and would implement a risk-informed, performance-based structure in ISFSI and MRS security regulations. The scope of this rulemaking would impact ISFSI and MRS licensing requirements for security plans and programs, and address a petition for rulemaking (PRM-72-6).

(Contact: Robert D. MacDougall, NMSS, 301-415-5175 or [Robert.MacDougall@nrc.gov](mailto:Robert.MacDougall@nrc.gov))

**List of Approved Spent Fuel Storage Cask: HI-STORM 100 Multipurpose  
Canister (MPC) Storage System Certificate of Compliance No. 1014,  
Amendments No. 11 and No. 12****10 CFR Part 72****Docket ID: NRC-2018-0221****RIN: 3150-AK18**

This rulemaking would amend the NRC's regulations to update its list of approved spent fuel storage casks to include Amendments 11 and 12 of the HI-STORM 100 Multipurpose Canister (MPC) Storage System Certificate of Compliance No. 1014.

(Contact: Vanessa Cox, NMSS, 301-415-8342 or [Vanessa.Cox@nrc.gov](mailto:Vanessa.Cox@nrc.gov))

**List of Approved Spent Fuel Storage Casks: NAC International, Inc., NAC-MPC Storage System, CoC No. 1025, Amendment No. 7 & 8****10 CFR Part 72****Docket ID: NRC-2018-0220****RIN: 3150-AK17**

This action is to promulgate direct final rule to amend the listing in Title 10 of the *Code of Federal Regulations* (10 CFR) 72.214, "List of Approved Spent Fuel Storage Casks," to add Amendments 7 and 8 to Certificate of Compliance (CoC) 72-1025 for the NAC International NAC-MPC Storage System.

(Contact: Gregory Trussell, NMSS, 301-415-6244 or [Gregory.Trussell@nrc.gov](mailto:Gregory.Trussell@nrc.gov))

**List of Approved Spent Fuel Storage Casks: NAC International, Inc., NAC-UMS Storage System, CoC No. 1015, Amendment No. 6****10 CFR Parts 72 and 73****Docket ID: NRC-2018-0075****RIN: 3150-AK12**

This rulemaking would amend the NRC's regulations to update its list of approved spent fuel storage casks to include Amendment 6 of the NAC International, Inc., NAC-UMS Storage System. Amendment 6 would clarify certain limiting conditions for operation concerning the cask's heat removal system, and the timing of loaded cask surface dose rate surveys. The limiting condition for operation for such surveys would apply prior to storage conditions, when dose rates of a newly loaded cask will be highest.

(Contact: Robert MacDougall, NMSS, 301-415-5175 or [Robert.MacDougall@nrc.gov](mailto:Robert.MacDougall@nrc.gov))

**List of Approved Spent Fuel Storage Casks: Transnuclear Inc., Standardized NUHOMS Cask System (Amendment No. 15)****10 CFR Part 72****Docket ID: NRC-2018-0212****RIN: 3150-AK16**

Amendment No. 15 requests multiple technical changes to various cask models listed under Certificate of Compliance (CoC) No. 1004.

(Contact: Edward Lohr, NMSS, 301-415-0253 or [Edward.Lohr@nrc.gov](mailto:Edward.Lohr@nrc.gov))

**Revisions to Transportation Safety Requirements and Compatibility with International Atomic Energy Agency Transportation Standards****10 CFR Part 71****Docket ID: NRC-2016-0179****RIN: 3150-AJ85**

This rulemaking would amend the NRC's regulations regarding the packaging and transportation of radioactive material to make them compatible with those of the International Atomic Energy Agency. The rule would harmonize domestic regulations for Type B and fissile radioactive material transportation packaging with the 2012 and 2018 Editions of the IAEA Safety Standards Regulations for the Safe Transport of Radioactive Material. This rulemaking would address knowledge gained in scientific and technical advances and affect the package design requirements and transportation of radioactive material.

(Contact: Solomon Sahle, NMSS, 301-415-3781 or [Solomon.Sahle@nrc.gov](mailto:Solomon.Sahle@nrc.gov))

## TO OUR READERS

Thank you for your interest in NMSS news. This will be the final issue of the NMSS newsletter. For future NMSS news, you will be able to find links to the recurring information (Significant Enforcements, *Federal Register* Notices, Generic Communications, and Rulemakings) on the NMSS News Web page (<https://www.nrc.gov/materials/nmss-news.html>). The NRC's public Web site (<https://www.nrc.gov/>) has a link to the NMSS News Web page under Nuclear Materials, Related Information, NMSS News. This newsletter and all previous NMSS newsletters are located on the NMSS Quarterly Newsletters Web page (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0117/>).

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