

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

For the Nuclear Regulatory Commission.

**Jennivine K. Rankin,**

*Acting Chief, Division of Licensing, Siting, and Environmental Analysis, Licensing Branch 3, Office of New Reactors.*

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## NUCLEAR REGULATORY COMMISSION

[NRC-2019-0091]

### Leakage Tests on Packages for Shipment of Radioactive Material

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Draft regulatory guide; request for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment draft regulatory guide (DG), DG-7010, "Leakage Tests on Packages for Shipment of Radioactive Material." This proposed revision, Revision 2 to Regulatory Guide (RG) 7.4, endorses the methods and procedures developed by the Standards Committee on Packaging and Transportation of Radioactive and Nonnuclear Hazardous Materials (N14), Subcommittee of the American National Standards Institute (ANSI) in ANSI N14.5-2014, "American National Standard for Radioactive Materials—Leakage Tests on Packages for Shipment."

**DATES:** Submit comments by June 7, 2019. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received on or before this date. Although a time limit is given, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time.

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

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0091. Address questions about NRC dockets to Jennifer Borges: Telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individuals listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *Mail comments to:* Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory

Commission, Washington, DC 20555-0001.

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

#### FOR FURTHER INFORMATION CONTACT:

JoAnn Ireland, Office of Nuclear Material Safety and Safeguards, telephone: 301-415-6950, email: [JoAnn.Ireland@nrc.gov](mailto:JoAnn.Ireland@nrc.gov) and Harriet Karagiannis, Office of Nuclear Regulatory Research, telephone: 301-415-2493, email: [Harriet.Karagiannis@nrc.gov](mailto:Harriet.Karagiannis@nrc.gov). Both are of the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

#### SUPPLEMENTARY INFORMATION:

##### I. Obtaining Information and Submitting Comments

###### A. Obtaining Information

Please refer to Docket ID NRC-2019-0091 when contacting the NRC about the availability of information for this action. You may obtain publicly-available information related to this action by any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0091.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov). The DG is electronically available in ADAMS under Accession No. ML19042A172.
- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

###### B. Submitting Comments

Please include Docket ID NRC-2019-0091 in your comment submission.

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

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

## II. Additional Information

The NRC is issuing for public comment a DG in the NRC's "Regulatory Guide" series. This series was developed to describe and make available to the public information regarding methods that are acceptable to the NRC staff for implementing specific parts of the NRC's regulations, techniques that the staff uses in evaluating specific issues or postulated events, and data that the staff needs in its review of applications for permits and licenses.

The DG, entitled, "Leakage Tests on Packages for Shipment of Radioactive Material" is temporarily identified by its task number, DG-7010. DG-7010 is proposed Revision 2 to RG 7.4, dated March 2012.

Revision 2 endorses an update to ANSI N14.5 that has new information, corrections, and clarifications, to ensure integrity of containers for radioactive materials, and minimize the distribution of contamination to the environment.

## III. Backfitting and Issue Finality

As discussed in the "Implementation" section of DG-7010, the NRC does not intend or approve any imposition or backfitting of the guidance in this draft regulatory guide. Backfitting and issue finality considerations do not apply to licensees, CoC holders, and applicants when performing activities under part 71 of title 10 of the *Code of Federal Regulations* (10 CFR). Therefore, the NRC has determined that its backfitting and issue finality regulations would not apply to this draft regulatory guide, if ultimately issued as Revision 2 to RG 7.4, because the draft regulatory guide does not include any provisions within the scope of matters covered by the backfitting provisions in 10 CFR parts 50, 70, 72, or 76, or the issue finality provisions of 10 CFR part 52.

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

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

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

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

**AGENCY:** Nuclear Regulatory Commission.

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

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is considering a request from Duke Energy Florida, LLC (DEF) to approve the release of land areas, under the control of the NRC power reactor license for the Crystal River Unit 3 Nuclear Generating Plant (CR3), License No. DPR-72.

Specifically, DEF requests approval to remove and release the radiologically non-impacted portions of the site from its license for unrestricted use. The NRC will review the request and conduct confirmatory surveys of the properties proposed for release. The NRC is soliciting public comment on the requested action and invites stakeholders and interested persons to participate. The NRC plans to hold a public meeting to promote full understanding of the requested action and to facilitate public comment.

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

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

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

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

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

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

#### SUPPLEMENTARY INFORMATION:

##### I. Obtaining Information and Submitting Comments

###### A. Obtaining Information

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

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2019-0076.
- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to *pdr.resource@nrc.gov*. The "Crystal River Unit 3—Partial Site Release Request" is available in ADAMS under Package Accession No. ML19029A018.

- *NRC's PDR:* You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

###### B. Submitting Comments

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

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

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

## II. Background

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

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

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

## III. Public Meeting

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

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