

following significant fire detection and fire-fighting devices are in the mine:

(1) The beltline has 13 smoke detection and carbon monoxide (CO) sensors approximately every 5 to 6 breaks. The CO sensors are currently set to “low alarm” at 5 parts per millions (ppm) and “high alarm” at 10 ppm, far below levels that present any danger to miners. The CO monitoring system will be programmed to shut off the belt at “high alarm” and;

(2) The two-man ride used to examine the belt has self-rescuers and separate fire extinguishers.

—The only alternative to using the Tunnel Mine belt will be to truck Black Oak Mine coal to Rocklick. This will significantly increase the number of trucks on Route 85 in Boone County between Black Oak and Rocklick Preparation Plant. The increase in trucks going in and out of the Rocklick Preparation Plant will also add congestion to the load out traffic flow.

—The operator has not experienced any safety issues with the conveyor belt in the Tunnel Mine nor has it received any 30 CFR 75.400 citations for accumulations of combustible materials during current ownership. The operator has not experienced any fire related issues on the conveyor belt at the Tunnel Mine nor has it experienced any significant issues with rollers on the belt in the Tunnel Mine beyond routine maintenance.

—Based on a chemical laboratory analysis, the belt has been confirmed to be Part 18 compliant. The belt has not been tested for Part 14 compliance due to the operator’s difficulty in finding an appropriate testing facility.

The petitioner proposes the following alternative method of achieving the purposes of the standard:

(a) Prior to a qualified person entering the mine, the CO system data from the prior 2 hours will be monitored for any sign of combustion. At the end of coal transport each day (fire run), the CO system data from the prior 4 hours will be monitored for any signs of combustion (*i.e.*, CO or smoke detection by CO monitors on the belt).

(b) A daily functional (bump) test of at least one sensor will be conducted for CO in addition to the weekly functional test required under 30 CFR 75.1103–8. A different sensor will be bump tested each day.

(c) The operator will train miners on the location of Part 18 belt and interim safety measures being taken herein and revise instruction under 30 CFR 75.1502 as appropriate.

(d) An immediate functional test of the fire suppression system along with additional tests will be conducted weekly. A daily visual inspection of the entire fire suppression system will be conducted by a qualified person.

(e) The operator will install a “waterwall system” every 900 feet that will be tapped into the CO monitoring system. The waterwall will activate at 50 ppm of CO. The waterwall will provide a minimum of 50 psi and 45 GPM of water curtain from roof to floor and rib to rib.

(f) Except during the on-shift exam, the belt will be cleared of coal and will run empty during examinations. Examinations generally take less than one hour. Currently, the belt runs approximately 8–9 hours a day.

(g) Other than replacing water pumps, no motors, electrical equipment, or belt drives will be added underground and no changes will be made to the belt configuration or layout while this petition is in effect.

(h) Examiners will enter the mine from the Harris Portal at the downwind side so the examiner is traveling towards the fan. From entries 75 to 11, the examiner will be traveling into fresh air. From crosscut No. 11 to the Rocklick Portal, fresh air will come from behind the examiner for those 11 breaks.

(i) Examiners will be trained to immediately notify the dispatcher in the event of CO detection. Radio contact is established throughout the Tunnel Mine beltline. Should a fire be encountered and not extinguished according to the Mine Act, the examiner will withdraw from the Tunnel Mine and notify MSHA as required under applicable law.

(j) If the CO detection system is down, the belt will not operate until necessary repairs have been made.

(k) All necessary replacement belt will be Part 14 compliant. As the belt is repaired and sections replaced, Part 14 belt will be used.

(l) The belt will not be in operation while most maintenance is conducted on the beltline.

(m) The operator will continue annual x-ray examinations.

The petitioner asserts that the proposed alternative method will provide no less than the same measure of protection afforded the miners under the existing standard.

**Sheila McConnell,**

*Director, Office of Standards, Regulations, and Variances.*

[FR Doc. 2019–16390 Filed 7–31–19; 8:45 am]

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**MISSISSIPPI RIVER COMMISSION**

**Sunshine Act Meetings**

**AGENCY HOLDING THE MEETINGS:** Mississippi River Commission.

**TIME AND DATE:** 9:00 a.m., August 19, 2019.

**PLACE:** On board MISSISSIPPI V at Caruthersville City Front, Caruthersville, Missouri.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** (1) Summary report by President of the Commission on national and regional issues affecting the U.S. Army Corps of Engineers and Commission programs and projects on the Mississippi River and its tributaries; (2) District Commander’s overview of current project issues within the St. Louis and Memphis Districts; and (3) Presentations by local organizations and members of the public giving views or comments on any issue affecting the programs or projects of the Commission and the Corps of Engineers.

**TIME AND DATE:** 9:00 a.m., August 20, 2019.

**PLACE:** On board MISSISSIPPI V at Helena Harbor Boat Ramp, Helena, Arkansas.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** (1) Summary report by President of the Commission on national and regional issues affecting the U.S. Army Corps of Engineers and Commission programs and projects on the Mississippi River and its tributaries; (2) District Commander’s overview of current project issues within the Memphis District; and (3) Presentations by local organizations and members of the public giving views or comments on any issue affecting the programs or projects of the Commission and the Corps of Engineers.

**TIME AND DATE:** 9:00 a.m., August 21, 2019.

**PLACE:** On board MISSISSIPPI V at Vicksburg City Front, Vicksburg, Mississippi.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** (1) Summary report by President of the Commission on national and regional issues affecting the U.S. Army Corps of Engineers and Commission programs and projects on the Mississippi River and its tributaries; (2) District Commander’s overview of current project issues within the Vicksburg District; and (3) Presentations by local organizations and members of the public giving views or comments on any

issue affecting the programs or projects of the Commission and the Corps of Engineers.

**TIME AND DATE:** 9:00 a.m., August 23, 2019.

**PLACE:** On board MISSISSIPPI V at City Dock, Baton Rouge, Louisiana.

**STATUS:** Open to the public.

**MATTERS TO BE CONSIDERED:** (1) Summary report by President of the Commission on national and regional issues affecting the U.S. Army Corps of Engineers and Commission programs and projects on the Mississippi River and its tributaries; (2) District Commander's overview of current project issues within the New Orleans District; and (3) Presentations by local organizations and members of the public giving views or comments on any issue affecting the programs or projects of the Commission and the Corps of Engineers.

**CONTACT PERSON FOR MORE INFORMATION:** Mr. Charles A. Camillo, telephone 601-634-7023.

**Charles A. Camillo,**  
Director, Mississippi River Commission.  
[FR Doc. 2019-16520 Filed 7-30-19; 11:15 am]

**BILLING CODE 3720-58-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 050-00284, 070-01374, 030-32322, and 030-38726; NRC-2019-0156]

### In the Matter of Idaho State University

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Confirmatory order; issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) issued a confirmatory order to Idaho State University on May 2, 2019. The purpose of the confirmatory order was to document commitments made as part of a settlement agreement between Idaho State University and the NRC to address inadequate management oversight for Idaho State University's radiation protection program and a failure to prioritize resources for the radiation safety staff such that their responsibilities could be implemented. The confirmatory order also documented commitments to address Idaho State University's failure to effectively control radioactive materials in its possession, exhibited by multiple violations identified during inspections and the inadequate extent of condition review related to the violations involving a lost source.

**DATES:** The confirmatory order was issued and effective on May 2, 2019.

**ADDRESSES:** Please refer to Docket ID NRC-2019-0156 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2019-0156. Address questions about NRC dockets IDs in *Regulations.gov* to Jennifer Borges; telephone: 301-287-9127; email: [Jennifer.Borges@nrc.gov](mailto:Jennifer.Borges@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly-available documents online in the ADAMS Public Documents collection at <https://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 Confirmatory Order to Idaho State University is available in ADAMS under Accession No. ML19122A123.

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

**FOR FURTHER INFORMATION CONTACT:** Casey Alldredge, Region IV, U.S. Nuclear Regulatory Commission, Arlington, TX 76011-4511; telephone: 817-681-3027, email: [Casey.Alldredge@nrc.gov](mailto:Casey.Alldredge@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The text of the Order is attached.

Dated at Rockville, Maryland, this 26th day of July, 2019.

For the Nuclear Regulatory Commission.  
**Scott A. Morris,**  
Regional Administrator, NRC Region IV.

### Attached—Confirmatory Order

#### I

Idaho State University (ISU or licensee) is the holder of the licenses identified in the Attachment to this Confirmatory Order issued by the U.S. Nuclear Regulatory Commission (NRC or Commission), in accordance with the Atomic Energy Act of 1954, as amended, and Parts 30, 40, 50, and 70 of Title 10 of the *Code of Federal Regulations* (10 CFR).

This Confirmatory Order is the result of an agreement reached during an

alternative dispute resolution (ADR) mediation session conducted on March 27, 2019.

#### II

On January 10, 2019, the NRC issued Inspection Report 030-32322/2018-001 (Agencywide Documents Access and Management System (ADAMS) Accession ML19011A015) to ISU which documented the identification of one apparent violation that was considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The apparent violation of 10 CFR 30.34(i) involved the failure to secure two portable gauges containing radioactive sources to prevent unauthorized access or removal.

By letter dated January 10, 2019, the NRC notified ISU of the results of the inspection with an opportunity to: (1) Attend a predecisional enforcement conference or (2) participate in an ADR mediation session in an effort to resolve this concern.

In response to the NRC's offer, ISU requested the use of the NRC's ADR process. On March 27, 2019, the NRC and ISU met in an ADR session mediated by a professional mediator, arranged through Cornell University's Institute on Conflict Resolution. The ADR process is one in which a neutral mediator, with no decision-making authority, assists the parties in reaching an agreement on resolving any differences regarding the dispute. This Confirmatory Order is issued pursuant to the agreement reached during the ADR process.

#### III

During the ADR session, ISU and the NRC reached a preliminary settlement agreement. The elements of the agreement included the list of violations, corrective actions that ISU already completed, and future agreed upon actions as follows:

#### *Severity Level IV Violations in NRC Inspection Report 030-32322/2018-001*

A. Failure to ensure that each container of licensed material bore a durable, clearly visible label that provided sufficient information to permit individuals handling or using the containers, or working in the vicinity of the containers, to take precautions to avoid or minimize exposures;

B. Failure to conduct a physical inventory every 6 months to account for all sealed sources possessed under the license;

C. Failure to permit access to contamination areas only when staff were under the supervision of senior