

treated as objections to the grant of the contemplated partially exclusive patent license. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act.

**ADDRESSES:** Objections relating to the prospective license may be submitted to Patent Counsel, Office of Chief Counsel, NASA Langley Research Center, MS 30, Hampton, Virginia 23681. Phone (757) 864-3221. Facsimile (757) 864-9190.

**FOR FURTHER INFORMATION CONTACT:** Jonathan B. Soike, Patent Attorney, Office of Chief Counsel, NASA Langley Research Center, MS 30, Hampton, Virginia 23681. Phone (757) 864-7863. Facsimile (757) 864-9190.

**SUPPLEMENTARY INFORMATION:** This notice of intent to grant a partially exclusive patent license is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective partially exclusive patent license will comply with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Information about other NASA inventions available for licensing can be found online at <http://technology.nasa.gov>.

**Mark Dvorscak,**

*Agency Counsel for Intellectual Property.*

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**BILLING CODE 7510-13-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 72-26; NRC-2018-0108]

### Pacific Gas and Electric Company Diablo Canyon Independent Spent Fuel Storage Installation

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Environmental assessment and finding of no significant impact; issuance.

**SUMMARY:** 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.

**DATES:** The EA and FONSI referenced in this document are available on June 7, 2018.

**ADDRESSES:** Please refer to Docket ID NRC-2018-0108 when contacting the NRC about the availability of information regarding this document. You may obtain publicly-available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <http://www.regulations.gov> and search for Docket ID NRC-2018-0108. 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 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 <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then 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 ADAMS accession number for each document referenced in this document (if it is available in ADAMS) is provided the first time that it is mentioned in this document. In addition, for the convenience of the reader, the ADAMS accession numbers are provided in a table in the "Availability of Documents" section of this document.

- *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:** Pamela Longmire, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-7465, email: [Pamela.Longmire@nrc.gov](mailto:Pamela.Longmire@nrc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The NRC is considering the approval of the DFPS for the Diablo Canyon ISFSI. PGEC submitted an initial DFP and an updated DFP for NRC review and approval by letters dated December 17, 2012 (ADAMS Accession No. ML12353A315), and December 17, 2015

(ADAMS Accession No. ML15351A502), respectively. The NRC staff has prepared a final EA (ADAMS Accession No. ML18131A047) in support of its review of PGEC's DFPS in accordance with the NRC regulations in part 51 of title 10 of the *Code of Federal Regulations* (10 CFR), "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implements the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*). Based on the EA, the NRC staff has determined that approval of the DFPS for the Diablo Canyon ISFSI will not significantly affect the quality of the human environment, and accordingly, the staff has concluded that a FONSI is appropriate. The NRC staff further finds that preparation of an environmental impact statement is not warranted.

##### II. Environmental Assessment

###### Background

The Diablo Canyon ISFSI is located in Avila Beach, California. PGEC is authorized by the NRC, under License No. SNM-2511, to store spent nuclear fuel at the Diablo Canyon ISFSI.

The NRC requires its licensees to plan for the eventual decommissioning of their licensed facilities prior to license termination. On June 17, 2011, the NRC published a final rule in the **Federal Register** amending its decommissioning planning regulations (76 FR 35512). The final rule amended the NRC regulation, 10 CFR 72.30, which concerns financial assurance and decommissioning for ISFSIs. This regulation now requires each holder of, or applicant for, a license under 10 CFR part 72 to submit, for NRC review and approval, a DFP. The purpose of the DFP is to demonstrate the licensee's financial assurance (*i.e.*, that funds will be available to decommission the ISFSI). The NRC staff is reviewing the DFPS submitted by PGEC on December 13, 2012, and December 17, 2015. Specifically, the NRC must determine whether PGEC's DFPS contain the information required by §§ 72.30(b) and (c), and whether PGEC has provided reasonable assurance that funds will be available to decommission the ISFSI.

###### Description of the Proposed Action

The proposed action is the NRC's review and approval of PGEC's DFPS submitted in accordance with §§ 72.30(b) and (c). To approve the DFPS, the NRC will evaluate whether the decommissioning cost estimate adequately estimates the cost to conduct the required ISFSI decommissioning activities prior to license termination,

including identification of the volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the license termination criteria in §§ 20.1402 or 20.1403. The NRC will also evaluate whether the aggregate dollar amount of PGEF financial instruments provides adequate financial assurance to cover the decommissioning cost estimate and that the financial instruments meet the criteria of 10 CFR 72.30(e). Finally, the NRC will evaluate whether the effects of the following events have been considered in PGEF's submittal: (1) Spills of radioactive material producing additional residual radioactivity in onsite subsurface material; (2) facility modifications; (3) changes in authorized possession limits; and (4) actual remediation costs that exceed the previous cost estimate, consistent with 10 CFR 72.30(c).

The proposed action does not require any changes to the ISFSI's licensed routine operations, maintenance activities, or monitoring programs, nor does it require any new construction or land-disturbing activities. The scope of the proposed action concerns only the NRC's review and approval of PGEF's DFPs. The scope of the proposed action does not include, and will not result in, the review and approval of any decontamination or decommissioning activity or license termination for the ISFSI or any other part of Diablo Canyon.

#### *Need for the Proposed Action*

The proposed action provides a means for PGEF to demonstrate that it will have sufficient funding to cover the costs of decommissioning the ISFSI, including the reduction of the residual radioactivity at the ISFSI to the level specified by the applicable NRC license termination regulations concerning release of the property (10 CFR 20.1402 or 10 CFR 20.1403).

#### *Environmental Impacts of the Proposed Action*

The NRC's approval of the DFPs will not change the scope or nature of the operation of the ISFSI and will not authorize any changes to licensed operations or maintenance activities. The NRC's approval of the DFPs will not result in any changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of any solid waste. Moreover, the approval of the DFPs will not authorize any construction activity or facility modification. Therefore, the NRC staff

concludes that the approval of PGEF's DFPs is a procedural and administrative action that will not result in any significant impact to the environment.

Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), requires Federal agencies to consider the effects of their undertakings on historic properties. In accordance with the NHPA implementing regulations at 36 CFR part 800, "Protection of Historic Properties," the NRC's approval of PGEF's DFPs constitutes a Federal undertaking. The NRC, however, has determined that the approval of the DFPs is a type of undertaking that does not have the potential to cause effects on historic properties, assuming such historic properties were present, because the NRC's approval of PGEF's DFPs will not authorize or result in changes to licensed operations or maintenance activities, or changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of any solid waste. Therefore, in accordance with 36 CFR 800.3(a)(1), no consultation is required under Section 106 of the NHPA.

Under Section 7 of the Endangered Species Act of 1973, prior to taking a proposed action, a Federal agency must determine whether (i) endangered and threatened species or their critical habitats are known to be in the vicinity of the proposed action and, if so, whether (ii) the proposed Federal action may affect listed species or critical habitats. The NRC has determined that the proposed action will have no effect on any listed species or their critical habitats because the NRC's approval of PGEF's DFPs will not authorize or result in changes to licensed operations or maintenance activities, or changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of any solid waste.

#### *Alternative to the Proposed Action*

In addition to the proposed action, the NRC evaluated the no-action alternative. The no-action alternative is to deny PGEF's DFPs. A denial of a DFP that meets the criteria of §§ 72.30(b) or (c) does not support the regulatory intent of the 2011 rulemaking. As noted in the EA for the 2011 rulemaking (ADAMS Accession No. ML090500648), not promulgating the 2011 final rule would have increased the likelihood of additional legacy sites. Thus, denying PGEF's DFPs, which the NRC has found

to meet the criteria of §§ 72.30(b) and (c), will undermine the licensee's decommissioning planning. On this basis, the NRC has concluded that the no-action alternative is not a viable alternative.

#### *Agencies and Persons Consulted*

The NRC staff consulted with other agencies and parties regarding the environmental impacts of the proposed action. The NRC provided a draft of its EA to the California Energy Commission (CEC or State) by letter dated April 25, 2016 (ADAMS Accession No. ML17107A273), and gave the CEC 30 days to respond. The State did not respond. The NRC also consulted with the U.S. Fish and Wildlife Service by letter dated April 25, 2016 (ADAMS Accession No. ML16120A606). However, the NRC staff has determined that consultation under Section 7 of the Endangered Species Act of 1973 is not required because the proposed action is administrative/procedural in nature and will not affect listed species or critical habitat (ADAMS Accession No. ML17135A062).

#### **III. Finding of No Significant Impact**

The NRC staff has determined that the proposed action, the review and approval of PGEF's DFPs submitted in accordance with §§ 72.30(b) and (c), will not authorize or result in changes to licensed operations or maintenance activities, or changes in the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI, or result in the creation of any solid waste. Moreover, the approval of the DFPs will not authorize any construction activity, facility modification, or any other land-disturbing activity. The NRC staff has concluded that the proposed action is a procedural and administrative action and, as such, that the proposed action will not have a significant effect on the quality of the human environment. Therefore, the NRC staff has determined not to prepare an environmental impact statement for the proposed action but will issue this FONSI. In accordance with 10 CFR 51.32(a)(4), the FONSI incorporates the EA by reference.

#### **IV. Availability of Documents**

The following documents, related to this Notice, can be found using any of the methods provided in the following table. Instructions for accessing ADAMS were provided under the **ADDRESSES** section of this notice.

| Date                    | Document   | ADAMS Accession No. |
|-------------------------|--|---------------------|
| December 17, 2012 ..... | Submission of PGEC DFP .....   | ML12353A315         |
| December 17, 2015 ..... | Submission of PGEC Triennial DFP .....   | ML15351A502         |
| February 1, 2009 .....  | Environmental Assessment for Final Rule—Decommissioning Planning .....   | ML090500648         |
| May 15, 2017 .....      | Note to File Re: Section 7 Consultations for ISFSI DFPs .....  | ML17135A062         |
| April 25, 2016 .....    | Consultation Letter (ML16120A553—RLSO) .....   | ML17107A273         |
| April 25, 2016 .....    | Letter to M. Fris, U.S. Fish and Wildlife Service Re: NRC Preliminary Determination of No Effects Regarding the Diablo Canyon ISFSI DFP. | ML16120A606         |
| May 11, 2018 .....      | Final EA for the Approval of the DFP .....   | ML18131A047         |

Dated at Rockville, Maryland, this 4th day of June, 2018.

For the Nuclear Regulatory Commission.

**John McKirgan,**

*Branch Chief, Spent Fuel Licensing Branch, Division of Spent Fuel Management, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 2018-12249 Filed 6-6-18; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

### Advisory Committee on the Medical Uses of Isotopes: Meeting Notice

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) will convene a teleconference meeting of the Advisory Committee on the Medical Uses of Isotopes (ACMUI) on July 16, 2018, to discuss the draft report of the ACMUI Subcommittee on Training and Experience Requirements for All Modalities. This report will include the subcommittee's comments on the NRC staff's evaluation of the training and experience requirements for different categories of radiopharmaceuticals in Title 10 of the *Code of Federal Regulations*, part 35, "Medical Use of Byproduct Material," Subpart E, "Unsealed Byproduct Material—Written Directive Required." Meeting information, including a copy of the agenda and handouts, will be available at <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/2018.html>. The agenda and handouts may also be obtained by contacting Ms. Maryann Ayoade using the information below.

**DATES:** The teleconference meeting will be held on Monday, July 16, 2018, 2:00 p.m. to 4:00 p.m. Eastern Time.

**Public Participation:** Any member of the public who wishes to participate in the teleconference should contact Ms. Ayoade using the contact information below or may register for the GoToWebinar at <https://attendee.gotowebinar.com/register/2201638285137455618>.

**Contact Information:** Maryann Ayoade, email: [Maryann.Ayoade@nrc.gov](mailto:Maryann.Ayoade@nrc.gov), telephone: (301) 415-0862.

### Conduct of the Meeting

Dr. Christopher Palestro, ACMUI Chairman, will preside over the meeting. Dr. Palestro will conduct the meeting in a manner that will facilitate the orderly conduct of business. The following procedures apply to public participation in the meeting:

1. Persons who wish to provide a written statement should submit an electronic copy to Ms. Ayoade at the contact information listed above. All submittals must be received by July 11, 2018, three business days prior to the meeting, and must pertain to the topic on the agenda for the meeting.
2. Questions and comments from members of the public will be permitted during the meetings, at the discretion of the Chairman.
3. The draft transcript and meeting summary will be available on the ACMUI's website <http://www.nrc.gov/reading-rm/doc-collections/acmui/meetings/2018.html> on or about August 27, 2018.

This meeting will be held in accordance with the Atomic Energy Act of 1954, as amended (primarily Section 161a); the Federal Advisory Committee Act (5 U.S.C. App); and the Commission's regulations in Title 10 of the *Code of Federal Regulations*, part 7, "Advisory Committees."

Dated at Rockville, Maryland, this 4th day of June, 2018.

For the Nuclear Regulatory Commission.

**Russell E. Chazell,**

*Federal Advisory Committee Management Officer.*

[FR Doc. 2018-12269 Filed 6-6-18; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[NRC-2018-0109]

### Draft Letter to the Nuclear Energy Institute Regarding the Clarification of Regulatory Paths for Lead Test Assemblies

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of availability; opportunity for comment.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is soliciting public comments on a draft letter to the Nuclear Energy Institute (NEI) clarifying the regulatory paths for the use of lead test assemblies (LTAs). This draft letter would finalize the NRC staff's views on the preliminary positions regarding LTAs provided in a letter to NEI dated June 29, 2017. The NRC does not currently have consolidated regulatory guidance regarding the use of LTAs. Therefore, the NRC has drafted this letter to clarify its positions regarding the use of LTAs. These positions would affect light-water reactor licensees who wish to irradiate LTAs.

**DATES:** Submit comments by June 27, 2018. 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.

**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-2018-0109. 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:* May Ma, Office of Administration, Mail Stop: TWFN-7-A60M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

For additional direction on obtaining information and submitting comments, see "Obtaining Information and