

**From:** [Candelario, Luisette](#)  
**To:** ["Kurt Harris"](#)  
**Cc:** [Lynch, Steven](#); [Magruder, Stewart](#)  
**Subject:** Flibe- New NRC primary contact and clarification of expectations  
**Date:** Friday, October 04, 2019 2:55:00 PM

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Dear Mr. Harris,

My name is Luisette Candelario and I am the new primary contact assigned to matters related to Flibe Energy (Flibe). I appreciate you reaching out to the U.S. Nuclear Regulatory Commission (NRC) staff, for the past years, with questions involving licensing actions. In order to better ensure that Flibe is receiving timely responses to its questions regarding NRC licensing, the NRC staff is requesting that Flibe direct its correspondence to me, with other staff, as appropriate, included as secondary recipients on the carbon copy field in e-mails or on written correspondence. I will ensure that appropriate technical and licensing staff respond to Flibe's inquiries. To that end, it may be beneficial to arrange a call in the near-term to identify any outstanding questions that Flibe would like NRC-staff responses to, including topics related to:

1. Licensing implications of the commercial sale of medical radioisotopes
2. General license requirements under 10 CFR Part 40
3. Nuclear material and foreign ownership questions

Pursuant to 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," Flibe will be charged for the hours NRC staff apply to its reactor projects, beginning in the current fiscal year. Specifically, the NRC staff will begin to charge Flibe for time spent responding to questions and pre-licensing activities conducted specifically in support of anticipated application submittals from Flibe. Accordingly, the NRC staff will assign an updated billable cost activity code (CAC) number to Flibe's project. Until such a time as more specific pre-application activities are requested, all fee-billable NRC staff time devoted to Flibe activities will be charged to the assigned CAC number. Flibe will not be charged for time spent on generic to advanced reactor initiatives that are not specific to Flibe pre-application and licensing activities. Additionally, for questions that require an interpretation of NRC regulations, responses will need to be developed in coordination with the NRC's Office of the General Counsel. For such reviews, the NRC staff may request that Flibe provide more formal submissions to the Document Control Desk, in accordance with the NRC's regulations. As part of an initial phone call to determine what responses to questions Flibe would like from the NRC staff, we can also discuss specifics of when Flibe can expect to be charged for services provided by the NRC staff.

In order to facilitate appropriate budgeting and scheduling for the reviews of anticipated license applications, Flibe may consider updating the scheduling, licensing, and technical information it provided in its, May 30, 2013, Notice of Intent letter (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML13179A185](#)). By letter dated August 29, 2013 (ADAMS Accession No. [ML13234A509](#)), the NRC staff assigned Flibe a project number and provided explanation of billing. At that time, the project number was referenced as PROJ0804. For all future correspondence supporting pre-application licensing activities with the NRC, please reference the updated project number 99902022. Additional project numbers and NRC project managers may be assigned to Flibe in the future to track specific work on various activities.

I understand that Flibe is interested in meeting with NRC staff during the month of November to discuss the status of its reactor projects. In support of such a meeting, please indicate what type of meeting would best suit any proposed discussions in accordance with the NRC's [Management Directive 3.5](#) and the NRC's [public meeting policy](#). This could include holding a drop-in meeting and/or public meeting. If Flibe would like to meet with NRC management in a drop-in meeting, please keep in mind that such a meeting would be limited to a general exchange of information not directly related to any regulatory action or decision. At a drop-in meeting Flibe could expect participation from a limited number of NRC staff to include subject matter experts and management.

In advance of a meeting, I am happy to work with you to develop an agenda and objectives to ensure a common understanding of expectations and topics to be discussed.

Respectfully,

Luisette Candelario-Quintana

NRO/DAR/ARLB

Project Manager

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