

August 29, 2013

Kirk Dorius  
General Counsel  
Flibe Energy, Inc.  
P.O. Box 5952  
Huntsville, AL 35814

SUBJECT: FLIBE ENERGY, INC. – ASSIGNMENT OF PROJECT NUMBER AND  
EXPLANATION OF BILLING

Dear Mr. Dorius:

By letter dated May 30, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13179A185), Flibe Energy, Inc. (Flibe), indicated its intent to submit an application to construct and operate a liquid-fluoride research reactor and molybdenum-99 production facility. Prior to the submittal of a construction permit application, Flibe may engage in pre-application activities, such as public meetings and formal requests for interpretations of regulations. To facilitate these activities, U.S. Nuclear Regulatory Commission (NRC) staff has assigned Flibe a project number. As such, Flibe should reference Project No. 0804 (PROJ0804) in all future correspondence supporting pre-application licensing activities with the NRC. 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 this project, beginning in the current fiscal quarter. Accordingly, NRC staff has assigned a billable technical assignment control (TAC) number (MF2290) to Flibe's project. All NRC staff time devoted to pre-licensing activities, beyond an initial introductory presentation of technological and licensing concepts, conducted specifically in support of Flibe's anticipated application for a construction permit, will be charged to this TAC number. However, recognizing the unique licensing considerations that medical radioisotope production facilities may pose, NRC staff will not charge Flibe for time spent developing generic licensing infrastructure and guidance.

Following the receipt and acceptance of a construction permit application, Flibe will be assigned a formal docket number. Specific licensing tasks will be assigned additional TAC numbers and Flibe will be billed for the NRC staff's hours applied to those TAC numbers in accordance with 10 CFR Part 170. Following the issuance of an operating license, Flibe will be billed, as applicable, an annual fee in accordance with 10 CFR Part 171, "Annual Fees for Reactor

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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.”

Any questions regarding this matter may be addressed to me directly at 301-415-1524 or [Steven.Lynch@nrc.gov](mailto:Steven.Lynch@nrc.gov).

Sincerely,

***/RA/***

Steven Lynch, Project Manager  
Research and Test Reactors Licensing Branch  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Project No. PROJ0804

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Project No. PROJ0804

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**ADAMS Accession No.: ML13234A509**

**NRR-106**

OFFICE	NRR/PRLB/PM	NRR/PROB/LA	NRR/PRLB/BC	NRR/PRLB/PM
NAME	SLynch	P Blechman	AAdams	SLynch
DATE	8/22/2013	8/26/2013	8/29/2013	8/29/2013

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