

October 15, 2001

ORGANIZATION: DBI Operating Company

SUBJECT: SUMMARY OF PHONE CONVERSATION

A conference call was held on September 18, 2001, between representatives of the Nuclear Regulatory Commission (NRC) staff and DBI Operating Company of San Leandro, California. A list of participants in the conference call is provided in Attachment 1.

The purpose of the conference call was to discuss the possibility of having NRC review Dauvergne Brothers Industries' (DBI) Nuclear Booster (a.k.a. DBI Thorium Converter and Portable Thorium Reactor). This phone call was a follow-up to a letter from Mr. Samuel J. Collins, Director, Office of Nuclear Reactor Regulation, to Mr. Hector A. D'Auvergne, Founder, DBI Operating Company, dated April 27, 2000 (ML003703462), regarding the licensing requirements for DBI's Portable Thorium Reactor. Mr. D'Auvergne stated that he wanted his Nuclear Booster design certified by the NRC so that DBI could market it and he introduced Mr. Todd Armas as DBI's representative in any future licensing review by the NRC.

The NRC staff representatives asked many questions of Mr. D'Auvergne concerning the feasibility of his device. Mr. D'Auvergne assured the staff that his device would generate net energy and stated that waste control was a primary benefit of the nuclear booster. I advised Mr. D'Auvergne that the design certification process may not apply to the nuclear booster because it did not appear to be a nuclear reactor. The staff discussed the information requirements that would have to be met with an application for review and also explained the requirements for review fees under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 170. The staff explained that to even be in a pre-application review a submittal was required.

The staff advised Mr. D'Auvergne of its concern with certain inaccurate statements on DBI's web site describing the nuclear booster and requested that Mr. D'Auvergne revise these statements.

The staff ended the call with a summary of references available on the NRC website that would aid DBI and their associates in understanding the complexity of a licensing review. This included providing telephone numbers of the NRC Public Document Room and project numbers of previous design certification reviews to provide an example of the effort that is associated with a licensing submittal.

/RA/

Jerry N. Wilson, Senior Policy Analyst
New Reactor Licensing Project Office
Office of Nuclear Reactor Regulation

Attachment: as stated

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Attachment: as stated

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Conference Call Participants
September 18, 2001

<u>Name</u>	<u>Organization</u>
Mr. Hector A. D'Auvergne	Dauvergne Brothers Industries (DBI)
Mr. Marcus Torigian	Chief Counsel for DBI
Mr. Todd Armas	Armas and Torigian, APLA
Marsha Gamberoni	NRR/NRLPO
Jerry Wilson	NRR/NRLPO
Geary Mizuno	OGC
Joe Giitter	NMSS
Alex Murray	NMSS