

Bill Topping
P.O. Box 62
Baldwin, MI 49304

Dear Mr. Topping:

This is follow-up to our telephone conversation on October 30, 2003. In accordance with that call, please find enclosed a copy of the NRC's regulations and a copy of our guidance for licensing research and test reactors.

In our conversation, you had indicated that your information is proprietary, and we suggested that you look at 10 CFR 2.790 (included in the enclosed) in our regulations in that regard.

As we had discussed, the NRC charges applicants the full cost of the NRC's review effort. These charges are in accordance with 10 CFR Part 170 (also included in the enclosed). Fees are based on professional staff's time, plus any direct program support costs expended by the NRC during its review. The cost of NRC reviews depends on the thoroughness of an applicant's design descriptions and on whether an applicant is seeking preliminary or final design approval, or standard design certification.

For your consideration, we do evaluate nuclear reactor designs under two different regulations: Parts 50 and 52 of Title 10 of the U.S. Code of Federal Regulations. Part 50 concerns for "Domestic Licensing of Production and Utilization Facilities," and Part 52 Subpart B includes requirements for "Standard Design Certification." These are also in the enclosed.

The guidance document (NUREG-1537, enclosed) provides the information that we consider in licensing research and test reactors.

From this information, we suggested you may determine if the process you are investigating requires licensing from the NRC. We will be pleased to hear from you should you need further clarification or wish to proceed with further discussions on licensing a research or test reactor with NRC.

Pat Madden

Enclosures:

1. 10 CFR Parts 1 to 50
2. 10 CFR Parts 51 to 199
3. NUREG-1537