

February 3, 2004

Mr. Al Washko  
Acting Chief Executive Officer  
Department of Veterans Affairs  
Nebraska - Western Iowa Health Care System  
4101 Woolworth Avenue  
Omaha, NE 68105

SUBJECT: DECOMMISSIONING ACTIVITIES AT VETERANS AFFAIRS ALAN J.  
BLOTCKY REACTOR FACILITY

Dear Mr. Washko:

This letter provides guidance on pre-decommissioning activities which can be performed at the Alan J. Blotcky Reactor Facility and the process to decommission a research and test reactor. You are receiving this letter because the Alan J. Blotcky Reactor Facility has been permanently shut down and all fuel has been removed from the site.

Decommissioning is defined in 10 CFR 50.2. In accordance with that definition, any pre-decommissioning activities you perform must not permanently modify or dismantle structures, systems or components (such activities are not allowed until the decommissioning plan is approved). The proposed activities must also meet the requirements of 10 CFR 50.59, "Changes, tests, and experiments." The activities should not (1) foreclose release of the site for possible unrestricted use, (2) result in significant environmental impact beyond that previously analyzed and assumed for the Alan J. Blotcky Reactor Facility, or (3) result in there no longer being reasonable assurance that adequate funds will be available for decommissioning. Further, you must conduct the activities safely in accordance with all applicable requirements.

NRC generally issues a possession-only license amendment to an operating research reactor after the fuel is permanently removed from the core and shipped off-site. You may desire to amend the license to possession-only status prior to the start of decommissioning. Obtaining a possession-only license amendment provides regulatory relief from those requirements applicable only to operating research reactors. NRC handles possession-only license amendment applications in the same manner as other license amendment applications.

Within two years following permanent cessation of operations, and in no case later than one year prior to expiration of the operating license, you must make an application for license termination. The application for termination of a license must be accompanied or preceded by a proposed decommissioning plan (10 CFR 50.82 (b)(1)). Decommissioning projects must be planned and executed in compliance with the dose based release criteria given in 10 CFR 20, Subpart E. The basic steps in the decommissioning of research reactors include:

- Permanent shut down

You must inform the NRC, in writing, of your decision to permanently cease reactor operations and decommission your reactor. You have accomplished this step.

- Fuel removal

Fuel removal is not considered part of decommissioning and is conducted under your operating license. You have accomplished this step.

- Possession-Only License (POL) Amendment

POL Amendment removes the authority to operate the reactor and removes the authority to possess fuel. Upon the removal of all special nuclear material, you may request an amendment to reduce or eliminate certain provisions of the physical security procedures for the Alan J. Blotcky Reactor Facility. You may also request to amend your technical specifications (TS) to remove those that are no longer applicable to a shutdown reactor. The license and technical specifications issued with your license renewal of August 5, 2002, contained many of these requirements and a POL Amendment may not be needed for your facility.

- Submission of Decommissioning Plan (Supplement to SAR)

See NUREG 1537, Part 1 for guidance.

- NRC Review

Upon receipt of a proposed decommissioning plan, the NRC, in accordance with 10 CFR 20.1405 and 10 CFR 50.82 (b)(5), will publish a notice of proposed action regarding the decommissioning plan in the Federal Register. This notice informs the public of the proposed action, and for research reactors does not give an opportunity for a hearing. The NRC will review the proposed decommissioning plan in the same manner that a license amendment application is reviewed.

- Decommissioning License Amendment Issuance

The NRC will issue a license amendment approving the plan subject to such conditions and limitations that NRC deems appropriate and necessary. The approved decommissioning plan will be a supplement to the safety analysis report or equivalent. The NRC will notice the approval of the decommissioning plan.

- Decommissioning Activities

Decommissioning activities are carried out in accordance with the approved plan. The NRC will inspect activities to ensure compliance with the plan.

- Final Survey

The key to a successful decommissioning project is advance planning of all activities with full consideration of the applicable criteria. The surveys should be based on the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) methodology. They must be derived based on the 25 mrem/yr dose limit specified in 10 CFR 20.1402 for unrestricted release of the site.

Mr. A. Washko

-3-

- Confirmatory Survey

The NRC will independently assess whether the terminal radiation survey meets the release criteria.

- License Termination

The NRC will terminate the license when the decommissioning has been performed in accordance with the approved decommissioning plan and the terminal radiation survey and associated documentation demonstrates that the facility and site are suitable for release in accordance with the criteria for decommissioning in 10 CFR 20, Subpart E.

Also the requirements in 10 CFR 50.82 (b)(1)(ii) and (b)(1)(iii) state that decommissioning activities should be completed without significant delay unless prevented by factors beyond the licensee's control.

Should you have any questions concerning these matters, please do not hesitate to call me at 301-415-1127.

Sincerely,

*/RA/*

Alexander Adams, Jr., Senior Project Manager  
Research and Test Reactors Section  
New, Research and Test Reactors Program  
Division of Regulatory Improvement Programs  
Office of Nuclear Reactor Regulation

Docket No. 50-131

cc: Please see next page

Veterans Administration  
Medical Center

Docket No. 50-131

cc:

Mayor  
City of Omaha  
Omaha, NE 68102

Julia Schmitt, Program Manager  
Department of Health and Human Services  
P.O. Box 95007  
Lincoln, NE 68509-5007

M. Brenda Hebert (12C1)  
Department of Veterans Affairs  
810 Vermont Avenue, N.W.  
Washington, DC 20420

Test, Research, and Training  
Reactor Newsletter  
University of Florida  
202 Nuclear Sciences Center  
Gainesville, FL 32611

Mr. A. Washko

-3-

February 3, 2004

- Confirmatory Survey

The NRC will independently assess whether the terminal radiation survey meets the release criteria.

- License Termination

The NRC will terminate the license when the decommissioning has been performed in accordance with the approved decommissioning plan and the terminal radiation survey and associated documentation demonstrates that the facility and site are suitable for release in accordance with the criteria for decommissioning in 10 CFR 20, Subpart E.

Also the requirements in 10 CFR 50.82 (b)(1)(ii) and (b)(1)(iii) state that decommissioning activities should be completed without significant delay unless prevented by factors beyond the licensee's control.

Should you have any questions concerning these matters, please do not hesitate to call me at 301-415-1127.

Sincerely,

*/RA/*

Alexander Adams, Jr., Senior Project Manger  
 Research and Test Reactors Section  
 New, Research and Test Reactors Program  
 Division of Regulatory Improvement Programs  
 Office of Nuclear Reactor Regulation

Docket No. 50-131

cc: Please see next page

**DISTRIBUTION:**

PUBLIC      RNRP\R&TR r/f      R&TR Section      DMatthews      OGC

**ADAMS ACCESSION NO.: ML040290923**

**TEMPLATE NO.: NRR-106**

OFFICE	RNRP:PM	RNRP:LA	RNRP:PM	RNRP:SC
NAME	Plsaac:rdr	EHylton	AAdams	PMadden
DATE	02/ 02 /04	01/ 30 /04	02/ 03 /04	02/ 03 /04

**C = COPY**

**E = COVER AND ENCLOSURE  
 OFFICIAL RECORD COPY**

**N = NO COPY**