

November 7, 2005

Mr. J. J. Byrne, Program Director
Saxton Nuclear Experimental Corporation
Three Mile Island Nuclear Station
P.O. Box 480
Middletown, PA 17057-0480

SUBJECT: TERMINATION OF SAXTON NUCLEAR EXPERIMENTAL CORPORATION
FACILITY LICENSE NO. DPR-4 (TAC NO. MC8350)

Dear Mr. Byrne:

On September 15, 2005, the Saxton Nuclear Experimental Corporation (SNEC) and GPU Nuclear, Inc. (GPU) (the licensees), submitted an application for termination of the SNEC Facility Amended Facility License No. DPR-4. The application states that GPU has completed the remaining radiological decommissioning and final radiation surveys (final site surveys) of the SNEC facility and the associated PENELEC site area in accordance with the NRC-approved license termination plan (LTP) and that the final radiation surveys demonstrate that the facility and site area meet the criteria in 10 CFR Part 20, Subpart E, for decommissioning and release of the site for unrestricted use.

The U.S. Nuclear Regulatory Commission (NRC) staff has completed its review of the final site survey reports (FSSRs) and concludes in accordance with 10 CFR 50.82(a)(11) that (i) dismantlement and decontamination activities were performed in accordance with the approved LTP and (ii) the FSSRs and associated documentation demonstrate that the facility and site have met the decommissioning criteria in 10 CFR Part 20, Subpart E. Therefore, License No. DPR-4 is terminated, effective November 07, 2005.

The staff's review of the FSSRs is documented in NRC Inspection Report Nos. 50-146/2003-201 (dated November 12, 2003), 50-146/2003-202 (dated December 17, 2003), 50-146/2004-201 (dated February 10, 2005), and 50-146/2005-201 (dated October 31, 2005).

Enclosure 1 is a copy of the Notice of Termination we are sending to the Office of the Federal Register for publication.

We are also sending you two copies of Amendment No. 23 to Indemnity Agreement No. B-5 (Enclosure 2). Please sign and return one copy to this office.

In accordance with 10 CFR 2.390 of the NRC's "Rules of General Applicability," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact Alexander Adams, Jr., at 301-415-1127.

Sincerely,

/RA/

Brian E. Thomas, Branch Chief
Research and Test Reactors Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Enclosures: 1. *Federal Register* Notice
2. Amendment No. 23 to
Indemnity Agreement No. B-5

Docket No. 50-146
License No. DPR-4

cc w/enclosures: See next page

In accordance with 10 CFR 2.390 of the NRC's "Rules of General Applicability," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

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Research and Test Reactors Branch
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Office of Nuclear Reactor Regulation

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Docket No. 50-146
License No. DPR-4

cc w/enclosures: See next page

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Saxton Nuclear
Experimental Corporation

Docket No. 50-146

cc:

Mr. Michael P. Murphy
Bureau of Radiation Protection
Department of Environmental Protection
13th Floor, Rachel Carson State Office
Building
P.O. Box 8469
Harrisburg, PA 17105-8469

Mr. Jim Tydeman
1402 Wall Street
Saxton, PA 16678

Mr. James H. Elder, Chairman
Concerned Citizens for SNEC Safety
Wall Street Ext.
Saxton, PA 16678

Mr. Ernest Fuller
1427 Kearney Hill Road
Six Mile Run, PA 16679

Saxton Borough Council
ATTN: Judy Burket
707 9th Street
Saxton, PA 16678

Mr. David J. Thompson, Chair
Bedford County Commissioners
County Court House
203 South Juliana Street
Bedford, PA 15522

Mrs. Alexa Cook, Chairman
Huntingdon County Commissioners
County Court House
Huntingdon, PA 16652

Saxton Community Library
P.O. Box 34
Saxton, PA 16678

Carbon Township Supervisors
ATTN: Penny Brode, Secretary
R. D. #1, Box 222-C
Saxton, PA 16678

Hopewell Township - Huntingdon County
Supervisors
ATTN: Reba Fouse, Secretary
RR 1 Box 95
James Creek, PA 16657-9512

Mr. D. Bud McIntyre, Chairman
Broad Top Township Supervisors
Broad Top Municipal Building
Defiance, PA 16633

Mr. Don Weaver, Chairman
Liberty Township Supervisors
R. D. #1
Saxton, PA 16678

U.S. Army Corps of Engineers
Baltimore District
ATTN: S. Snarski/P. Juhle
P.O. Box 1715
Baltimore, MD 21203

The Honorable Robert C. Jubelirer
President Pro-Temp Senate of
Pennsylvania
30th District
State Capitol
Harrisburg, PA 17120

Mr. James J. Byrne
Three Mile Island Nuclear Generating
Station
P.O. Box 480
Middletown, PA 17057

Mr. Robert F. Saunders
First Energy Corp.
76 South Main Street
Akron, OH 44308

Ms. Mary E. O'Reilly
First Energy Legal Department
76 South Main Street
Akron, OH 44308

Mr. Manuel Delgado
2799 Battlefield Road
Fishers Hill, VA 22626

Mr. Eric Blocher
216 Logan Avenue
Wyomissing, PA 19610

Mr. David Sokolsky
1000 King Salmon Avenue
Eureka, CA 95503

Mr. Gene Baker
501 16th Street
Saxton, PA 16678

Mr. Dick Spargo
1004 Main Street
Saxton, PA 16678

Mr. G. A. Kuehn, Jr.
Vice President SNEC and
Program Director SNEC Facility
GPU Nuclear, Inc.
P.O. Box 480
Middletown, PA 17057-0480

James Fockler, Chairman
Saxton Citizens Task Force
1505 Liberty Street
Saxton, PA 16678

Rodger W. Granlund
Saxton Independent Inspector
133 Old Mill Road
State College, PA 16801

Mr. Gareth McGrath
Altoona Mirror
301 Cayuga Avenue
Altoona, PA 16603

Dr. William Vernetson
Director of Nuclear Facilities
Department of Nuclear Engineering
Sciences
University of Florida
202 Nuclear Sciences Center
Gainesville, FL 32611

Mrs. Bunny Barker
Box 143, RR 1
James Creek, PA 16657

Mr. Gary Leidich
Executive Vice President
First Energy Nuclear Operating Corp.
76 South Main Street
Akron, OH 44308

NUCLEAR REGULATORY COMMISSION
SAXTON NUCLEAR EXPERIMENTAL CORPORATION
GPU NUCLEAR, INC.
DOCKET NO. 50-146, LICENSE NO. DPR-4
NOTICE OF TERMINATION OF
SAXTON NUCLEAR EXPERIMENTAL CORPORATION FACILITY
AMENDED FACILITY LICENSE NO. DPR-4

ACTION: Notice of Termination of the Saxton Nuclear Experimental Corporation (SNEC) and GPU Nuclear, Inc., SNEC Facility Amended Facility License No. DPR-4.

SUMMARY: The Nuclear Regulatory Commission (NRC) is noticing the termination of Amended Facility License No. DPR-4 (NRC Docket No. 50-146) for the SNEC facility near Saxton, Pennsylvania.

BACKGROUND: The SNEC facility is in Bedford County, Pennsylvania. The SNEC facility operated from 1962 to 1972. It was mainly used for research in various aspects of power reactor technology and to train personnel. The reactor was licensed at 23.5 megawatts of thermal energy. Electric power was produced by sending steam produced by operation of the reactor to a nearby coal-fired power station (because the SNEC facility did not have its own turbine or generator). The nuclear steam supply system was a one-loop pressurized water reactor. After shutdown, the reactor fuel was removed from the facility and shipped to what is now the Department of Energy Savannah River Site in South Carolina. Some minor decommissioning activities were done from 1972 to 1974. The facility was then placed in a monitored storage condition. Support structures and buildings were decontaminated and removed between 1987 and 1992. Full-scale decommissioning activities started in May 1998.

In February 2000 the licensees submitted their license termination plan (LTP) for the SNEC facility. Under the provisions of 10 CFR 50.82(a)(10), the NRC approved the LTP by a license amendment dated March 28, 2003. In accordance with the approved LTP, the licensees conducted final status surveys (FSSs) to demonstrate that the facility and site met the criteria in 10 CFR 20.1402 for unrestricted release. The licensees presented the FSS results to the NRC in FSS reports (FSSRs).

The licensees submitted an application for termination of SNEC Amended Facility License No. DPR-4 on September 15, 2005. The application states that GPU Nuclear, Inc., has completed the remaining radiological decommissioning activities and the final radiation surveys of the SNEC Facility and the associated PENELEC site in accordance with an NRC-approved LTP and the final radiation surveys demonstrate that the facility and site area meet the criteria in 10 CFR Part 20, Subpart E, for the decommissioning and release of the site for unrestricted use.

The NRC did a number of performance-based in-process inspections of the licensee's FSS program during the decommissioning process. The purpose of the inspections was to verify that the FSSs were being done in accordance with the licensees' commitments in the LTP and to evaluate the quality of the FSSs by reviewing the FSS procedures, methodology, equipment, surveyor training and qualifications, document quality control, and survey data. The NRC also did independent confirmatory surveys to verify the licensees' FSS results. The confirmatory surveys consisted of surface scans for beta and gamma radiation, direct measurements for total beta activity, and smear sampling for determining removable-radioactivity levels.

The NRC staff reviewed the FSSRs and concludes that (i) dismantlement and decontamination activities were performed in accordance with the approved LTP; and (ii) the FSSRs demonstrate that the facility and site have met the criteria for decommissioning in 10 CFR Part 20, Subpart E. NRC is therefore terminating SNEC Facility Amended Facility License No. DPR-4.

FOR FURTHER INFORMATION: See the application for license termination dated September 15, 2005 (ML052640047) and NRC Inspection Report Nos. 50-146/2003-201, dated November 12, 2003 (ML033090608), 50-146/2003-202, dated December 17, 2003 (ML033420687), 50-146/2004-201, dated February 10, 2005 (ML050380407), and 50-146/2005201, dated October 31, 2005 (ML052730465). They are available for public inspection at the Commission's Public Document Room (PDR) at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS's) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html> (use the ADAMS ML numbers given above). Persons who do not have access to ADAMS or who have trouble accessing the documents in ADAMS should contact the NRC PDR reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland this 7 day of November 2005

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Brian E. Thomas, Branch Chief
Research and Test Reactors Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-146

AMENDMENT TO INDEMNITY AGREEMENT NO. B-5
AMENDMENT NO. 23

Effective November 7, 2005, Indemnity Agreement No. B-5 between the Saxton Nuclear Experimental Corporation and the Nuclear Regulatory Commission (formerly the Atomic Energy Commission), dated November 15, 1961, as amended, is hereby terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Eileen McKenna, Branch Chief
Financial, Policy and Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Accepted: _____ 2005

By: _____
Saxton Nuclear Experimental Corporation

Docket No. 50-146

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FOR THE NUCLEAR REGULATORY COMMISSION

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Eileen McKenna, Branch Chief
Financial, Policy and Rulemaking Branch
Division of Policy and Rulemaking
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Accepted: _____ 2005

By: _____
Saxton Nuclear Experimental Corporation