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September 15, 2005  
E910-05-061

U. S. Nuclear Regulatory Commission  
Region 1  
Nuclear Material Section B  
475 Allendale Road  
King of Prussia, PA 19406-1415

Gentlemen:

Subject: Saxton Nuclear Experimental Corporation  
Operating License No. DPR-4  
Docket 50-146

Records Required to be Forwarded to Nuclear Regulatory Commission (NRC)  
Region I Office Prior to Termination of the Saxton Nuclear Experimental  
Corporation Plant License

In preparation for termination of the Saxton Nuclear Experimental Corporation Plant License No. DPR-4, this letter addresses NRC requirements for the forwarding of records prior to termination of a license, and documents the manner in which Saxton Nuclear Experimental Corporation (SNEC) has met these requirements. Specifically, the SNEC 10 CFR 50 license contains conditions that allow receipt, possession, and use of byproduct material in accordance with the requirements of 10 CFR 30 and also contains certain periodic reporting requirements. In preparation for termination of the SNEC Plant license, SNEC has reviewed the requirements of 10 CFR 50, as well as those contained in 10 CFR 30. As described in the attachment to this letter several regulations were identified requiring the forwarding of specified records to the NRC prior to license termination.

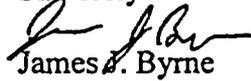
Thus based on the attached, the existing SNEC license requirements and the requirements contained in 10 CFR 30 that are applicable to SNEC for the forwarding of records to the appropriate NRC Regional Office prior to termination of the Saxton Nuclear Experimental Corporation facility license have been met.

*A020*  
*per. Al Adams*

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If there are any questions regarding this letter, please contact Mr. Art Paynter of my staff at (717) 948-8425.

Sincerely



James A. Byrne  
Program Director, SNEC

cc: NRC Project Manager  
NRC Project Scientist, Region I  
NRC Document Control Desk

**Records Required to be Forwarded to Nuclear Regulatory Commission (NRC)  
Region I Office Prior to Termination of the Saxton Nuclear Experimental  
Corporation Plant License**

In preparation for termination of the SNEC Plant license, SNEC has reviewed the requirements of 10 CFR 50, as well as those contained in 10 CFR 30 and has identified several regulations requiring the forwarding of specified records to the NRC prior to license termination.

These requirements include the following:

**10 CFR 30.51(d)**

Prior to license termination, each licensee authorized to possess radioactive material with a half-life greater than 120 days, in an unsealed form, shall forward the following records to the appropriate NRC Regional Office:

- (1) Records of disposal of licensed material made under 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, 20.2005; and
- (2) Records required by 20.2103 b)(4).

**10 CFR 30.51(f)**

Prior to license termination, each licensee shall forward the records required by 30.35(g) to the appropriate NRC Regional Office.

10 CFR 30.51 (d)(1) requires a licensee to forward to the appropriate NRC Regional Office, prior to license termination, those records of disposal of licensed material made under 10 CFR 20.2002 (including burials authorized before January 28, 1981), 20.2003, 20.2004, and 20.2005. These 10 CFR 20 regulations address in respective order: (1) applications made to NRC for licensed material disposal in a manner not covered by regulations; (2) disposal of licensed material by release into sanitary sewerage; (3) treatment or disposal of licensed material by incineration; and (4) disposal of specific wastes as if they were not radioactive. Because SNEC has not disposed of licensed material under 10 CFR 20.2002, 20.2003, 20.2004, and/or 20.2005, SNEC records of such disposals do not exist. While an on-site septic system was present at the SNEC facility, there was no public sanitary sewer system connection. The septic system was removed. No incineration of licensed wastes was conducted. The Historical Site Assessment, characterization and the Final Status Survey provide confirmation. Therefore, SNEC considers the requirements of 10 CFR 30.51(d)(1) satisfied for SNEC license termination.

10 CFR 30.51 (d)(2) requires a licensee to forward to the appropriate NRC Regional Office, prior to license termination, those records required by 10 CFR 20.2103(b)(4). This 10 CFR 20 regulation addresses records of the results of measurements and calculations used to evaluate the release of radioactive effluents to the environment, including those required under the standards for protection against radiation

in effect prior to January 1, 1994. From the beginning of commercial operation in 1962 such records were submitted as required by the plant license. The SNEC Historical Site Assessment Report, submitted via GPU Nuclear Letter E910-00-010 dated June 23, 2000, and License Termination Plan, approved via License Amendment 18 dated March 28, 2003, summarized the historical effluents. Since submittal of those reports, Annual Radioactive Effluent Release Reports have been submitted. A final Annual Radioactive Effluent Release Report for 2005 is being submitted concurrently with this letter via GPU Nuclear letter No. E910-05-062. With the prior submittals to the NRC of those records required by 10 CFR 20.2103(b)(4) as described above, the submittal of the 2005 report satisfies the requirements of 10 CFR 30.51(d)(2).

Paragraph (1) of 10 CFR 30.35(g) addresses records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment or site. SNEC has previously provided this information to the NRC in several different submittals with known conditions of the plant summarized in the Historical Site Assessment and the License Termination Plan.

Paragraph (2) of 10 CFR 30.35(g) requires records to include as-built drawings and modifications of structures and equipment in restricted areas where radioactive materials are used and/or stored and of locations of possible inaccessible contamination such as buried pipes that may be subject to contamination. This paragraph further allows that if drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations. SNEC has previously provided this information to the NRC as it is incorporated into the Final Survey Reports submitted by SNEC to the NRC. The Final Survey Reports include isometric drawings and/or other engineering drawings that depict structures, systems, and embedded piping within the SNEC Restricted Area that have undergone final survey in accordance with NRC-approved final survey methodology. These reports and the report drawings indicate the location, type, and number of survey measurements taken within the Restricted Area to identify any remaining residual radioactivity and to verify that this radioactivity, including inaccessible contamination within embedded piping, is well below regulatory limits allowing release of the SNEC plant site for unrestricted use. Based on the above, it is concluded that these Final Survey Report drawings satisfy the intent of Paragraph (2) of 10 CFR 30.35(g).

Paragraph (3) of 10 CFR 30.35(g) requires records to include a list contained in a single document and updated every two years, of the following: (I) all areas designated and formerly designated as restricted areas as defined under 10 CFR 20.1003; (ii) all areas outside of restricted areas that require documentation under 10 CFR 30.35(g)(1) (regarding spills); (iii) all areas outside of restricted areas where current and previous wastes have been buried as documented under 10 CFR 20.2108; and (iv) all areas outside of restricted areas that contain material such that, if the license expired, the licensee would be required to either decontaminate the area to meet the criteria for decommissioning in 10 CFR 20, Subpart E, or apply for approval for disposal under 10 CFR 20.2002. Consistent with Item (3)(I), the designated SNEC Plant Restricted Area is

indicated in SNEC Updated Safety Analysis report that is updated and submitted to the NRC at least every two years pursuant to the requirements of 10 CFR 50.71(e). Documentation of spill history is provided in the SNEC Historical Site Assessment, which has already been submitted. Documentation of the presence of licensed material outside of the SNEC Restricted Area is also provided in the Historical Site Assessment, as well as in the License Termination Plan and the individual area Final Status Survey Reports, all previously submitted. The extensive characterization, remediation, and Final Status Surveys on SNEC and the adjacent Penelec property demonstrates that all areas that may be applicable to these requirements have been identified, remediated, and surveyed for final status to meet license termination requirements.

Paragraph (4) of 10 CFR 30.35(g) addresses records of the cost estimate performed for the decommissioning funding plan, and records of the funding method used for assuring funds. SNEC has previously provided this information to the NRC. Specifically, SNEC decommissioning funding assurance was reviewed and approved by the NRC in the "Order Approving Application Regarding Proposed Merger of GPU, Inc. and First Energy Corp. – Saxton Nuclear Experimental Facility (TAC No. MB0215)" dated March 7, 2001. This cost estimate and funding plan is updated annually to reflect actual decommissioning progress, and a copy of the annual update is forwarded to the NRC concurrent with the decommissioning funding status report required by 10 CFR 50.75(f)(1). The latest report was submitted to the NRC on March 24, 2005 via First Energy Letter No. E910-05-002. With the prior submittal to the NRC of those records applicable to the SNEC plant and required by Paragraphs (1), (2), (3), and (4) of 10 CFR 30.35(g) as described above, SNEC considers the requirements of 10 CFR 30.51(f) satisfied for SNEC license termination.

In addition to the Annual Radiological Effluent Release Report as noted above, two additional required periodic reports are also being submitted concurrently via GPU Nuclear Letters: The SNEC Annual Report for 2005 (E910-05-063) and the Radiological Environmental Monitoring Report for 2005 (E910-05-064).

With the documentation of records forwarded to the NRC in prior SNEC submittals and the three reports referred to herein, existing SNEC license requirements and the requirements contained in 10 CFR 30 that are applicable to SNEC for the forwarding of records to the appropriate NRC Regional Office prior to termination of the Saxton Nuclear Plant license have been satisfied.