

January 23, 2008

EA-08-023

Dr. Donald Wall, Director  
Nuclear Radiation Center  
Washington State University  
PO Box 641300  
Pullman, WA 99164-1300

SUBJECT: ISSUANCE OF ORDER MODIFYING LICENSE NO. R-76 TO AMEND  
POSSESSION LIMIT FOR URANIUM-235 ASSOCIATED WITH CONVERSION  
FROM HIGH- TO LOW-ENRICHED URANIUM (AMENDMENT NO. 19) –  
WASHINGTON STATE UNIVERSITY TRIGA REACTOR (TAC NO. MD6570)

Dear Dr. Wall:

The U.S. Nuclear Regulatory Commission (NRC) is issuing the enclosed Order, as Amendment No. 19 to Amended Facility Operating License No. R-76, which allows possession of low- enriched uranium (LEU) in the form of reactor fuel to prepare for the conversion of the Washington State University TRIGA Reactor from high-enriched uranium (HEU) fuel to LEU fuel in accordance with Section 50.64 of Title 10 of the Code of Federal Regulations. This Order is being issued in response to your letter dated August 15, 2007, as supplemented on December 14, 2007, and January 15, 2008. The Order adds License Condition 2.B.(4) to allow receipt and possession, but not use in the reactor, of the LEU fuel that will be needed for conversion. The Order will become effective 20 days after the date of its publication in the Federal Register, provided there are no requests for a hearing.

Sincerely,

**/RA Int for/**

Alexander Adams, Jr., Senior Project Manager  
Research and Test Reactors Branch A  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Docket No. 50-027

Enclosures: 1. Order  
2. Safety Evaluation  
3. License page 3

cc w/encl: See next page

Washington State University

Docket No. 50-027

cc:

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Pullman, WA 99164 - 1300

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Office of the Governor  
Executive Policy Division  
State Liaisons Officer  
P.O. Box 43113  
Olympia, WA 98504-3113

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

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Docket No. 50-027

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2. Safety Evaluation  
3. License page 3

cc w/encl: See next page

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ADAMS Accession No. ML073550839 \*Concurred via email

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
WASHINGTON STATE UNIVERSITY )  
 )  
(Washington State University TRIGA Reactor) )

Docket No. 50-027  
EA-08-023

ORDER MODIFYING AMENDED FACILITY OPERATING LICENSE NO. R-76

I.

Washington State University (the licensee) is the holder of Amended Facility Operating License No. R-76 (the license) originally issued on March 6, 1961, by the U.S. Atomic Energy Commission and subsequently renewed on August 11, 1982, by the U.S. Nuclear Regulatory Commission (the NRC or the Commission). The license authorizes operation of the Washington State University TRIGA Reactor (the facility) at a power level up to 1,000 kilowatts thermal and to receive, possess, and use special nuclear material associated with the operation. The facility is a research reactor located on the campus of the Washington State University, in the city of Pullman, Whitman County, Washington. The mailing address is Nuclear Radiation Center, Washington State University, P.O. Box 641300, Pullman, Washington 99164-1300.

II.

Title 10 of the Code of Federal Regulations (10 CFR) Section 50.64, limits the use of high-enriched uranium (HEU) fuel in domestic non-power reactors (research and test reactors) (see 51 FR 6514). The regulation, which became effective on March 27, 1986, requires that if Federal Government funding for conversion-related costs is available, each licensee of a non-power reactor authorized to use HEU fuel shall replace it with low-enriched uranium (LEU) fuel acceptable to the Commission unless the Commission has determined that the reactor has a unique purpose. The Commission's stated purpose for these requirements was to reduce, to the maximum extent possible, the use of HEU fuel in order to reduce the risk of theft and diversion of HEU fuel used in non-power reactors.

Paragraphs 50.64(b)(2)(i) and (ii) require that a licensee of a non-power reactor (1) not acquire more HEU fuel if LEU fuel that is acceptable to the Commission for that reactor is available when the licensee proposes to acquire HEU fuel and (2) replace all HEU fuel in its possession with available LEU fuel acceptable to the Commission for that reactor in accordance with a schedule determined pursuant to 10 CFR 50.64(c)(2).

Paragraph 50.64(c)(2)(i) requires, among other things, that each licensee of a non-power reactor authorized to possess and to use HEU fuel develop and submit to the Director of the Office of Nuclear Reactor Regulation (Director) by March 27, 1987, and at 12-month intervals thereafter, a written proposal for meeting the requirements of the rule. The licensee shall include in its proposal a certification that Federal Government funding for conversion is available through the U.S. Department of Energy or other appropriate Federal agency; and a schedule for conversion, based upon availability of replacement fuel acceptable to the Commission for that reactor and upon consideration of other factors such as the availability of shipping casks, implementation of arrangements for available financial support, and reactor usage.

Paragraph 50.64(c)(2)(iii) requires the licensee to include in the proposal, to the extent required to effect conversion, all necessary changes to the license, to the facility, and to licensee procedures. This paragraph also requires the licensee to submit supporting safety analyses in time to meet the conversion schedule.

Paragraph 50.64(c)(2)(iii) also requires the Director to review the licensee proposal, to confirm the status of Federal Government funding, and to determine a final schedule, if the licensee has submitted a schedule for conversion.

Section 50.64(c)(3) requires the Director to review the supporting safety analyses and to issue an appropriate enforcement order directing both the conversion and, to the extent consistent with protection of public health and safety, any necessary changes to the license, the facility, and licensee procedures. In the Federal Register notice of the final rule (51 FR 6514),

the Commission explained that in most, if not all, cases, the enforcement order would be an order to modify the license under 10 CFR 2.204 (now 10 CFR 2.202).

Section 2.309 states the requirements for a person whose interest may be affected by any proceeding to initiate a hearing or to participate as a party.

### III.

The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. On August 15, 2007 (ADAMS Accession Nos. ML072410493 and ML080170058), as supplemented on December 14, 2007 (ADAMS Accession No. ML080090628), and January 15, 2008 (ADAMS Accession No. ML080170037), the licensee submitted its conversion proposal. The NRC staff is in the process of reviewing the conversion proposal. The licensee indicated in their conversion proposal that a separate order increasing the uranium-235 possession limit in its license was needed to minimize down time of the reactor during the refueling process. The licensee also stated that there is a constraint on the shipment of LEU fuel because the certification of the shipping cask used to transfer the LEU fuel from the manufacturer in France will expire before the order for reactor conversion can be issued. The receipt and possession, but not use in the reactor, of the LEU fuel is required by the licensee at this time to assemble the fuel elements in order to meet the proposed timely conversion. The LEU fuel contains the uranium-235 isotope at an enrichment of less than 20 percent. The NRC staff reviewed the licensee's proposal and the requirements of 10 CFR 50.64, and has determined that the public health and safety and common defense and security require the licensee to receive and possess the LEU fuel prior to the conversion. This is necessary so that LEU fuel can be shipped to the licensee before the shipping cask certification expires and that the LEU fuel elements may be prepared to convert the reactor from HEU fuel in accordance with the schedules planned by the Department of Energy to support U.S. non-proliferation policies and the licensee to support its academic mission.

IV.

Accordingly, pursuant to Sections 51, 53, 57, 101, 104, 161b, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and to Commission regulations in 10 CFR 2.202 and 10 CFR 50.64, IT IS HEREBY ORDERED THAT:

Amended Facility Operating License No. R-76 is modified by adding the following license condition:

- 2.B.(4) Pursuant to 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to receive and possess, but not use in the reactor, in addition to the amount specified under License Condition 2.B.(2), up to 15.0 kilograms of contained uranium-235 in the form of reactor fuel, at enrichments less than 20 percent.

This Order will be effective 20 days after the date of publication of this Order in the *Federal Register*.

V.

Pursuant to 10 C.F.R. 2.202, any person(s) whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request within 20 days after the date of publication of this Order setting forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 C.F.R. 2.309. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

A request for a hearing must be filed in accordance with the NRC E-Filing rule, which became effective on October 15, 2007. The NRC E-filing Final Rule was issued on August 28, 2007, (72 Fed. Reg. 49,139) and codified in pertinent part at 10 CFR Part 2, Subpart B. The E-Filing process requires participants to submit and serve documents over the internet or, in some cases, to mail copies on electronic optical storage media. Participants may not submit paper

copies of their filings unless they seek a waiver in accordance with the procedures described below.

To comply with the procedural requirements associated with E-Filing, at least five (5) days prior to the filing deadline the requestor must contact the Office of the Secretary by e-mail at HEARINGDOCKET@NRC.GOV, or by calling (301) 415-1677, to request (1) a digital ID certificate, which allows the participant (or its counsel or representative) to digitally sign documents and access the E-Submittal server for any NRC proceeding in which it is participating; and/or (2) creation of an electronic docket for the proceeding (even in instances when the requestor (or its counsel or representative) already holds an NRC-issued digital ID certificate). Each requestor will need to download the Workplace Forms Viewer™ to access the Electronic Information Exchange (EIE), a component of the E-Filing system. The Workplace Forms Viewer™ is free and is available at <http://www.nrc.gov/site-help/e-submittals/install-viewer.html>. Information about applying for a digital ID certificate also is available on NRC's public website at <http://www.nrc.gov/site-help/e-submittals/apply-certificates.html>.

Once a requestor has obtained a digital ID certificate, had a docket created, and downloaded the EIE viewer, it can then submit a request for a hearing through EIE. Submissions should be in Portable Document Format (PDF) in accordance with NRC guidance available on the NRC public website at <http://www.nrc.gov/site-help/e-submittals.html>. A filing is considered complete at the time the filer submits its document through EIE. To be timely, electronic filings must be submitted to the EIE system no later than 11:59 p.m. Eastern Time on the due date. Upon receipt of a transmission, the E-Filing system time-stamps the document and sends the submitter an e-mail notice confirming receipt of the document. The EIE system also distributes an e-mail notice that provides access to the document to the NRC Office of the General Counsel and any others who have advised the Office of the Secretary that they wish to participate in the proceeding, so that the filer need not serve the document on those participants separately. Therefore, any others who wish to participate in the proceeding (or their counsel or

representative) must apply for and receive a digital ID certificate before a hearing request is filed so that they may obtain access to the document via the E-Filing system.

A person filing electronically may seek assistance through the "Contact Us" link located on the NRC website at <http://www.nrc.gov/site-help/e-submittals.html> or by calling the NRC technical help line, which is available between 8:30 a.m. and 4:15 p.m., Eastern Time, Monday through Friday. The help line number is (800) 397-4209 or locally, (301) 415-4737.

Participants who believe that they have good cause for not submitting documents electronically must file a motion, in accordance with 10 C.F.R. 2.302(g), with their initial paper filing requesting authorization to continue to submit documents in paper format. Such filings must be submitted by (1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff; or (2) courier, express mail, or expedited delivery service to the Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville, Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff. Participants filing a document in this manner are responsible for serving the document on all other participants. Filing is considered complete by first-class mail as of the time of deposit in the mail, or by courier, express mail, or expedited delivery service upon depositing the document with the provider of the service.

Documents submitted in adjudicatory proceedings will appear in NRC's electronic hearing docket which is available to the public at [http://ehd.nrc.gov/EHD\\_Proceeding/home.asp](http://ehd.nrc.gov/EHD_Proceeding/home.asp), unless excluded pursuant to an order of the Commission, an Atomic Safety and Licensing Board, or a Presiding Officer. Participants are requested not to include personal privacy information, such as social security numbers, home addresses, or home phone numbers in their filings. With respect to copyrighted works, except for limited excerpts that serve the purpose of the adjudicatory filings and would constitute a Fair Use application, Participants are requested not to include copyrighted materials in their works.

If a hearing is requested, an Order designating the time and place of any hearing will be issued.

In the absence of any request for hearing, the provisions as specified in Section IV shall be final twenty (20) days after the date of publication of this Order in the Federal Register.

In accordance with 10 CFR 51.10(d) this Order is not subject to Section 102(2) of the National Environmental Policy Act, as amended. The NRC staff notes, however, that with respect to environmental impacts associated with the changes imposed by this Order as described in the safety evaluation, the changes would, if imposed by other than an Order, meet the definition of a categorical exclusion in accordance with 10 CFR 51.22(c)(9). Thus, pursuant to either 10 CFR 51.10(d) or 51.22(c)(9), no environmental assessment nor environmental impact statement is required.

Detailed guidance which the NRC uses to review applications from research reactor licensees can be found in the document NUREG-1537, entitled "Guidelines for Preparing and Reviewing Applications for the Licensing of Non-Power Reactors," which can be obtained from the Commission's PDR. The detailed review guidance (NUREG-1537) may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS Accession Nos. ML041230055 for Part one and ML041230048 for Part two.

For further information see the application from the licensee dated August 15, 2007 (ADAMS Accession Nos. ML072410493 and ML080170058), as supplemented on December 14, 2007 (ADAMS Accession No. ML080090628) and January 15, 2008 (ADAMS Accession No. ML080170037), the NRC staff's request for additional information (ADAMS Accession No. ML073240018), and the cover letter to the licensee and the staff's safety evaluation dated January 23, 2008 (ADAMS Accession No. ML073550839), available for public inspection at the Commission's PDR, located 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 ADAMS Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who have problems in 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](mailto:pdr@nrc.gov).

Dated this 23rd day of January 2008.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

J. E. Dyer, Director  
Office of Nuclear Reactor Regulation

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

SUPPORTING ORDER ON

POSSESSION LIMIT CHANGES TO ALLOW CONVERSION

FROM HIGH-ENRICHED TO LOW-ENRICHED URANIUM FUEL

FACILITY OPERATING LICENSE NO. R-76

WASHINGTON STATE UNIVERSITY TRIGA RESEARCH REACTOR

DOCKET NO. 50-027

1.0 INTRODUCTION

By letter dated August 15, 2007, as supplemented on December 14, 2007, and January 15, 2008, Washington State University (the licensee or WSU) requested a change to the Washington State University TRIGA Research Reactor license to increase the possession limit of low-enriched uranium (LEU) in the form of reactor fuel. The request was needed to allow for the timely conversion from the use of high-enriched uranium (HEU) fuel to LEU fuel in accordance with Section 50.64 of Title 10 of the Code of Federal Regulations (10 CFR). This regulation was promulgated to reduce the risk of theft and diversion of HEU fuel used in non-power reactors (research and test reactors). The U.S. Nuclear Regulatory Commission (NRC) staff has determined, as discussed below, that the addition of License Condition 2.B.(4) to allow receipt and possession, but not use in the reactor, of up to 15.0 kilograms of contained uranium-235 in the form of reactor fuel at enrichments less than 20 percent (LEU fuel) is acceptable.

2.0 BACKGROUND

In August 2007, the licensee submitted its application for conversion of the WSU TRIGA Research Reactor from the use of HEU fuel to LEU fuel. The NRC staff is currently reviewing the application. At that time, the licensee also identified the need to possess the LEU fuel sooner than the current NRC schedule for completion of the review of the application for conversion.

The licensee is working with the U.S. Department of Energy (DOE), DOE contractors, and the NRC to convert the WSU TRIGA Research Reactor from HEU fuel to LEU fuel in support of the Global Threat Reduction Initiative. The WSU license currently includes a possession limit on uranium to allow for operation of the facility to conduct licensed research reactor activities. The licensee indicated that an increase to the possession limit is required to allow for the timely conversion to LEU fuel. In order to minimize shut down time of the facility the licensee has requested authorization to receive and possess the new LEU fuel that will be needed for conversion of the facility. This will allow the licensee to assemble new fuel assemblies prior to receiving the order to convert the facility to LEU fuel. In addition, the cask certification for the

shipping cask used to ship the LEU fuel from the manufacturer in France will expire before the reactor conversion takes place. This order will allow the licensee to receive the fuel before the cask certification expires. Therefore, the possession limit order is needed in advance of the conversion order.

### 3.0 EVALUATION

The WSU license currently authorizes the possession of 25 kilograms of contained uranium-235. Up to 10 kilograms of this uranium may be LEU (enriched to less than 20 percent uranium-235). Up to 15 kilograms may be HEU which has a total external radiation dose rate in excess of 100 rems per hour at a distance of 3 feet from any accessible surface without intervening shielding. Up to 4.9 kilograms may be HEU without dose rate limitation.

The licensee has not requested any changes to the Technical Specifications (TSs) or its security plan. Thus, all fuel material will be received and possessed under the current terms of the reactor license. The NRC staff reviewed the license, TSs, and security plan requirements for the facility and finds that the possession of the additional LEU fuel will not require additional safety or security controls or conditions beyond those already in place.

The increased possession limit allows receipt and possession of the LEU fuel. It does not allow use of the LEU fuel in the reactor. The licensee will be allowed to assemble new fuel assemblies using the new fuel under the conditions of the existing license. This order does not authorize conversion of the reactor to LEU fuel. Conversion of the reactor to allow the use of LEU fuel is currently undergoing a separate evaluation by the NRC staff. Therefore, the radioactive fission product inventory will not be increased by the increased fuel possession limit and the routine effluent or potential accident release levels will not increase beyond those already analyzed and accepted under the current license and TSs.

DOE is providing the LEU fuel to WSU. The LEU fuel elements will be placed in the dry storage racks. The licensee also has fuel storage racks in the reactor pool.

In accordance with the existing TS 5.5(1), all reactor fuel assemblies shall be stored in a geometric array where the multiplication factor, K-eff, is less than 0.8 for all conditions of moderation and reflection. The licensee provided information on the storage of the LEU fuel in the fuel storage racks. For the five dry fuel storage racks, the licensee's analysis shows that the TS limit is satisfied with a considerable margin for both the normally dry condition (K-eff of 0.033) and under the assumption that the storage rack is flooded with water (K-eff of 0.376).

The licensee also performed a calculation of the multiplication factor assuming that either LEU fuel or Fuel Lifetime Improvement Program (FLIP) HEU fuel is stored in the four reactor pool storage racks. The analysis shows that the TS limit is satisfied in both cases (K-eff of 0.649 for LEU fuel and K-eff of 0.635 for FLIP fuel). These values are within the multiplication factor limit of 0.8, so the fresh and spent fuel elements can be safely stored until used or removed.

The method used by the licensee for the analysis was the Monte Carlo code MCNP. MCNP is a state-of-the-art code frequently used for this type of analysis. The staff has reviewed the licensee's use of the code for all other aspects of its conversion analysis and found that it was knowledgeable in the application of the code. Hence, the staff has a high level of confidence in these results.

In reviewing the licensee application for conversion, the NRC staff verified that all fuel handling will be done under the supervision of licensed Senior Reactor Operators. Therefore, the staff concludes that the licensee will have approved procedures and appropriate staff for receipt and possession of the LEU fuel. The staff also concludes that the potential for accidental criticality during fuel movement and storage is not increased.

The increase in the uranium possession limit does not impact the security requirements for the facility. In accordance with 10 CFR 73.2, this possession limit is consistent with special nuclear material of moderate strategic significance (Category II). The licensee's current security plan meets the requirements for this level of material under 10 CFR 73.67(d).

The inspection program has found that the licensee has routinely used such material safely and securely.

The licensee has requested an increase in the possession limit for enrichments of less than 20 percent uranium-235 of 15 kilograms. Therefore, a change in License Condition to allow for the receipt and possession, but not use, of the LEU fuel is warranted. The new License Condition reads as follows:

- 2.B.(4) Pursuant to 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to receive and possess, but not use in the reactor, in addition to the amount specified under License Condition 2.B.(2), up to 15.0 kilograms of contained uranium-235 in the form of reactor fuel, at enrichments less than 20 percent.

The licensee did not specify a specific wording of the new license condition in its application. The NRC project manager discussed the above wording with the Acting Director of the WSU Nuclear Radiation Center on December 20, 2007. The licensee agreed with the above wording.

Because the licensee has demonstrated that nuclear fuel can be stored safely and securely under the terms of the existing TSs and security plan, the increase in LEU possession limit as proposed by the licensee is acceptable to the NRC staff. Further, the NRC staff has determined that the public health and safety and the common defense and security require the licensee to receive and possess the LEU fuel so that the LEU fuel may be configured into fuel assemblies to convert from HEU fuel in accordance with a schedule that allows WSU to meet its educational mission while meeting the schedule planned by the DOE to support U.S. non-proliferation policies.

#### 4.0 ENVIRONMENTAL CONSIDERATION

In accordance with 10 CFR 51.10(d), an Order is not subject to Section 102 of the National Environmental Policy Act. The NRC staff notes, however, that even if these changes were not being imposed by an Order, the changes would not require an environmental impact statement or environmental assessment. The license changes involve use of a facility component located within the restricted area as defined in 10 CFR Part 20 or changes in inspection and surveillance requirements. The NRC staff has determined that the changes involve no significant increase in the amounts or types of any effluents that may be released off site and no significant increase in individual or cumulative occupational radiation exposure. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.10(d) or 51.22(b), no environmental impact statement or environmental assessment is required.

## 5.0 CONCLUSION

The NRC staff has concluded, on the basis of the considerations discussed above, that (1) the proposal by the licensee for possession of LEU fuel is consistent with and in furtherance of the requirements of 10 CFR 50.64; (2) there is reasonable assurance that the health and safety of the public will not be endangered by the proposed activities; and (3) such activities will be conducted in compliance with the Commission's regulations and will not be inimical to the common defense and security or the health and safety of the public. Accordingly, it is concluded that an enforcement order should be issued pursuant to 10 CFR 50.64(c)(3) to allow receipt and possession of LEU fuel.

Principal Contributors: A. Adams Jr., NRC  
W. Schuster, NRC  
R. Deem, Brookhaven National Laboratory (BNL)  
D. Diamond, BNL  
A. Hanson, BNL

Date: January 23, 2008

ENCLOSURE TO LICENSE AMENDMENT NO. 19

FACILITY OPERATING LICENSE NO. R-76

DOCKET NO. 50-027

REPLACEMENT PAGE FOR LICENSE

Replace the following page of the License with the enclosed page. The revised page is identified by amendment number and contains a vertical line indicating the area of change.

Remove

3

Insert

3

- (2) Pursuant to the Act and Title 10 CFR, Chapter I, Part 70, "Special Nuclear Materials", to receive, possess, and use up to a maximum of 25 kilograms of contained Uranium-235 at various enrichments and 32 grams plutonium contained in a plutonium-beryllium neutron source in connection with operation of the reactor. Without exceeding the foregoing maximum possession limits, the specific categories of maximum limits are as follows:

<u>Maximum U-235</u>	<u>Maximum PU</u>	<u>% Enrichment</u>	<u>Exempt Status*</u>
10.0 kg		< 20	Exempt 10 CFR 73.6(a)
15.0 kg		> 20	Exempt 10 CFR 73.6(b)
4.90 kg		> 20	Not Exempt
	32 grams		Exempt 10 CFR 73.6(c)

\* Material is exempt provided that it meets the requirements for exemption pursuant to the cited provision of 10 CFR 73.

- (3) Pursuant to the Act and 10 CFR Part 30, "Rules of General Applicability to Licensing of Byproduct Material," and Part 70, to possess, but not separate, such byproduct and special nuclear materials as may have been produced and may be produced by the operation of the facility.
- (4) Pursuant to 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to receive and possess, but not to use in the reactor, in addition to the amount specified under License Condition 2.B.(2), up to 15.0 kilograms of contained Uranium-235 in the form of reactor fuel, at enrichments less than 20 percent.

Amendment  
19  
1/23/2008

- C. This license shall be deemed to contain and is subject to the conditions specified on the following Commission regulations in 10 CFR Chapter I; Part 20, Section 30.34 of Part 30, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70, is subject to all applicable provisions of the Act and to the rules, and orders of the Commission now, or hereafter, in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady state power levels not in excess of 1000 kilowatts (thermal) and to pulse the reactor in accordance with the limitations in the Technical Specifications.

Amendment  
12  
1/23/1990