



Department of Mechanical Engineering

THE UNIVERSITY OF TEXAS AT AUSTIN

Nuclear Engineering Teaching Laboratory • <http://www.me.utexas.edu/~netl>

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March 4, 2010

Nuclear Regulatory Commission
Attn: Document Control Desk
Washington D.C., 20555-0001

Ref: Letter of March 28 2008 (ML080920755) Docket 50-602

Subject: Request for Revision or amendment of License R-129, Docket 50-602 to Permit Receipt, Possession and Use of Byproduct Material related to Reactor Operation or Research

Sirs:

Amendment 6 to the Facility Operating License No. R-129, the University of Texas at Austin, Docket No., 50-602, permitted the facility to receive, possess, and use any byproduct material under the reactor license as long as the byproduct material was to be irradiated in the reactor within 31 days of receipt. The Safety Evaluation by the Office of Nuclear Reactor Regulation expressed NRC staff concerns that "the reactor license would become a substitute for a general byproduct material license by allowing the receipt and possession of byproduct material **not related to a licensee's reactor operations or research.**"

A significant expansion of UT reactor-based research programs has resulted in the need for byproduct material at the facility that will not be irradiated but are necessary to the conduct of research programs (such as calibration and testing of equipment and instruments for beam lines). In addition there is significant risk that irradiation of byproduct material permitted under Amendment 6 might be significantly delayed by coordination issues, scheduling problems, or other unforeseen circumstances beyond the control of the facility.

Therefore we are requesting paragraph 2.b.(3).(a).(vii), which currently specifies, "byproduct material to be irradiated in the reactor within 31 days of receipt," be revised to "byproduct material to be irradiated in the reactor, used in license maintenance or surveillance activities, or used in conjunction with reactor-based experimental programs."

Please contact me by phone (512-232-5373) or email (whaley@mail.utexas.edu) if you require clarification or further information.

A handwritten signature in black ink that reads "P. Michael Whaley".

P. Michael Whaley
Associate Director
Nuclear Engineering Teaching Laboratory
The University of Texas at Austin
512-232-5373

I declare under penalty of perjury that the foregoing is true and correct



Steven R. Biegalski
NETL Director

cc: S. Biegalski, Director
H. Liljestrang, Reactor Oversight Committee Chair
L Tran, Project Manager, NRC