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RECORD #174

TITLE: 10 CFR 50.72 Notification Requirement Applicability to Non-power Reactors

FICHE: 69896-141

8 APR 1981

Docket No. 50-225

MEMORANDUM FOR: Radiation Support Section
THRU: P. J. Knapp, Chief, Radiation Support Section ~~PJK~~
FROM: R. L. Nimitz, Radiation Support Section
SUBJECT: APPLICABILITY OF 10 CFR 50.72 NOTIFICATION REQUIREMENTS TO
OTHER THAN POWER REACTORS

During an inspection at Rensselaer Polytechnic Institute (RPI) Critical Facility the question came up as to whether or not the licensee was required to report occurrences at their facility in accordance with 10 CFR 50.72. The wording of 50.72 indicates that it applies to "each licensee of a nuclear power reactor licensed under 50.21 or 50.22...". The Critical Facility at RPI is licensed and is about a 1 watt training and research facility. Although the facility is not a nuclear power reactor used for generating electricity, it is a nuclear reactor and the licensee did not wish to be in noncompliance with this requirement for failing to report an occurrence meeting 50.72 requirements.

As a result, I ^{ERIC} contacted Jim Wigginton ^{AUTHOR of 50.72} (IE Headquarters) regarding the above. Jim contacted Bernard Weiss, Chief, Emergency Response Branch, IE, and asked him if the 50.72 requirements applied to non-power reactors. Jim's discussion with Mr. Weiss and members of his staff indicated that the 50.72 requirements did not apply to non-power reactors. Mr. Weiss did, however, indicate that a review is currently underway to determine if the 50.72 requirements should apply to these non-power reactor facilities.

Therefore, based on these discussions, the 10 CFR 50.72 requirements do not apply to non-power reactor facilities even though they may be licensed under 50.21.

R. L. Nimitz

R. L. Nimitz, Radiation Specialist
Radiation Support Section

cc:
J. Wigginton, IE:HQ ✓
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J. Joyner, RI