



Office of the Executive Vice Chancellor and Provost

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February 2, 2011

U.S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D.C. 20555

References: Docket 50-326. License R-116 UC Irvine Nuclear Reactor Facility  
NRC Inspection Report 50-326/2010-201 Notice of Violation

We are pleased that the recent inspection report cited concluded that our operation of the nuclear research reactor was generally found acceptable and within compliance. In one area your inspectors determined a violation of regulations had occurred:

“Contrary to Section 10.2 “Drills and Exercises” of the Emergency Plan for the University of California, Irvine Nuclear Reactor Facility, the licensee failed to conduct the required annual onsite emergency drill; the last record for an on-site drill was in 2007.”

As requested, we respond to the Notice of Violation as follows.

1. Discussion of Violation.

We regret that this has been seen as a violation of regulations or of our plan. Further we are concerned that this is seen as a “more than minor safety significance”, since we believe firmly that adequate emergency response continues to be assured.

Annual training exercises for response personnel were conducted with the objective of assuring appropriate emergency response to a radiologically related emergency at the facility. As explained below we are convinced our response team is adequately prepared to meet anticipated emergency incidents at the facility even though the exercise was conducted at an on-campus location that was not within the confines of the reactor facility itself. Records of these exercises were made available to your inspectors.

The University of California Irvine (UCI) maintains a comprehensive emergency response plan designed to provide effective 24/7 response by trained personnel to emergencies or disasters anywhere on campus. Rapidly available support is provided from off-campus (“off-site”) personnel (including Orange County Fire Authority, Irvine and Newport Beach Police Departments). The plan anticipates the use of other specialized groups to assist, when necessary, especially with clean-up and recovery operations. This is detailed in our ERT Response Plan “Red Book” that was made available to inspectors. A sub-group of ERT is highly experienced and trained to handle emergencies with potential radiological impact since these could occur at a large number of sites on campus only one of which is the nuclear reactor laboratory. This group is familiar through frequent visits and through membership on the Reactor Operations Committee (ROC), with the detailed specifics of the facility. Training emphasizes that these

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individuals will provide guidance to other responding personnel entering the reactor or other laboratory facilities where radioisotopes are used.

Training and practice may therefore occur at a number of locations. Suitable locations are selected based on incident likelihood, space available for the size of the group to be trained, and the availability of facilities for table-top exercises (seemingly now favored for better rehearsing responses). The nuclear reactor facility has not always been favored since its space is quite restricted and it has no conference accommodation.

The reactor staff itself is extremely small at our facility and relies on the rapid and properly equipped support from the ERT for effective action in the event of any incident needing emergency response.

We would further comment on the specific language concerning "on-site". The licensee of the UCI nuclear reactor is the "Regents of the University of California". They have designated responsibility to the Irvine campus Chancellor, with further designation to the Executive Vice-Chancellor and Provost. These individuals have the authority, in an emergency, to declare the entire campus, including all facilities and access roads, "closed" and to direct all emergency operations therein. Thus it is not unreasonable for us to have interpreted "onsite" to imply "the Irvine campus" and to plan exercises and drills based on our campus-wide approach to emergency response. We perhaps should consider modifying the language in our reactor facility emergency plan to clarify this approach.

2. Corrective Steps Taken

We have noted the concerns and will, pending a re-interpretation as noted above, assure that an emergency exercise/drill be conducted annually within the confines of Rowland Hall at the reactor facility. Planning personnel will design and designate this as the "site".

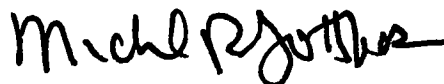
3. Further Corrective Steps

We believe that our commitment to this change needs no further corrective action.

4. Full Compliance

We will implement this exercise on our normal schedule, which is during the first half of the calendar year 2011, so it should be completed by June 30<sup>th</sup> of this year. The previous exercise on campus (which did not meet your on-site criterion) was held in May 2010. Subsequent exercises will be conducted each year on this schedule.

Sincerely



Michael R. Gottfredson  
Executive Vice Chancellor and Provost

C: Mr. Greg Schoenbeck, NRC Office of Nuclear Reactor Regulation  
Mr. Craig Bassett, NRC Office of Nuclear Reactor Regulation  
Dean Ken Janda, UCI School of Physical Sciences  
Members, UCI Reactor Operations Committee