

March 10, 2011

Henry C. Foley
Vice President for Research
Dean of the Graduate School
Pennsylvania State University
304 Old Main
University Park, PA 16802-1504

SUBJECT: NON-ACCEPTANCE OF AMENDMENT REQUEST TO ADD PLUTONIUM TO
SPECIAL NUCLEAR MATERIALS LICENSE SNM-95: PENNSYLVANIA STATE
UNIVERSITY (TAC NO. L33089)

Dear Dr. Foley:

We received your application for an amendment of Materials License SNM 70-113 that was transmitted by a letter dated December 20, 2010. Your request has been assigned TAC No. L33089.

We completed our acceptance review of your application and have determined that the application has not incorporated all essential elements to enable an adequate safety review. Thus, the NRC has not accepted your amendment request for formal review. NRC acceptance of your substandard request would impact efforts to maintain effective and timely licensing reviews, because of the potential for multiple rounds of Request for Additional information (RAI).

You may resubmit the application after correcting the deficiencies identified below. Myself and my staff are available to discuss efforts for assuring that the next application will be adequate for NRC review.

The specific deficiencies include the following:

1. Description on procedures for handling un-encapsulated material, including contamination control practices.
2. Description of the facilities in which un-encapsulated material will be handled (e.g., hoods or glove boxes) and how the facilities are adequate to contain a release of materials during handling operations.
3. Descriptions of ventilation/waste treatment and effluent monitoring in areas in which un-encapsulated materials will be handled, and how this is assured to be adequate to control and monitor releases.
4. Descriptions of container properties and how the sample containers are considered suitable for the proposed usage or storage (e.g., susceptibility to breakage, manner of sealing, type of materials).

5. Description of procedures to identify un-intentional releases and procedures for emergency response to a release.
6. Description of procedures to determine who needs to be monitored for internal exposures and how this will be done.
7. Description of personnel experience with handling plutonium and training personnel to handle plutonium (i.e., qualifications of personnel).
8. Description of the properties (e.g. chemical, physical) of the plutonium solution.
9. Description how the costs for decommissioning are affected by changes in the proposed possession limits.

Information about the facilities and equipment is required per Title 10 of the *Code of Federal Regulations* 70.22(a)(7) and (8). Information about financial assurance of decommissioning is required by §70.25.

If you have any questions regarding this matter, please contact me at (301) 492-3189 or via e mail at Christopher.Ryder@nrc.gov. Please reference the above TAC No. in future correspondence related to this request.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publically Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Christopher Ryder, Licensing Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-113
License No.: SNM-95

5. Description of procedures to identify un-intentional releases and procedures for emergency response to a release.
6. Description of procedures to determine who needs to be monitored for internal exposures and how this will be done.
7. Description of personnel experience with handling plutonium and training personnel to handle plutonium (i.e., qualifications of personnel).
8. Description of the properties (e.g. chemical, physical) of the plutonium solution.
9. Description how the costs for decommissioning are affected by changes in the proposed possession limits.

Information about the facilities and equipment is required per Title 10 of the *Code of Federal Regulations* 70.22(a)(7) and (8). Information about financial assurance of decommissioning is required by §70.25.

If you have any questions regarding this matter, please contact me at (301) 492-3189 or via e mail at Christopher.Ryder@nrc.gov. Please reference the above TAC No. in future correspondence related to this request.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publically Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Christopher Ryder, Licensing Project Manager
 Fuel Manufacturing Branch
 Division of Fuel Cycle Safety
 and Safeguards
 Office of Nuclear Material Safety
 and Safeguards

Docket No.: 70-113
 License No.: SNM-95

DISTRIBUTION:
 FMB r/f

ML110660334

OFFICE	FMB	FMB	FMB
NAME	CRyder	LAllen	RJohnson
DATE	3/ 09 /11	3/ 09 /11	3/ 10 /11

OFFICIAL RECORD COPY