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## RESEARCH REACTOR CENTER

**March 28, 2012**

Ms. Cindy K. Bladey  
Chief, Rules, Announcements, and Directives Branch (RADB)  
Office of Administration  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**Subject:** Comments on Draft Regulatory Guide DG-4014, "Decommissioning Planning During Operations" (Docket ID NRC-2011-0286)

Dear Ms. Bladey,

The University of Missouri Research Reactor (MURR) submits these comments on the Nuclear Regulatory Commission's (NRC) Draft Regulatory Guide DG-4014, "Decommissioning Planning During Operations".

MURR is a 10 MW research reactor located on the campus of the University of Missouri in Columbia, MO. Our mission is to provide opportunities for research, education, service and economic development in the field of nuclear science with particular emphasis on radiopharmaceuticals for the detection and treatment of cancer.

MURR is committed to safety and supports the NRC's effort to protect the public both from adverse health effects and the burden of providing financial support for decommissioning contaminated sites that have been abandoned. However, MURR believes that the Draft Regulatory Guide does not provide adequate guidance for all licensees.

**Although the scope recognizes the large variety of licensees affected by the DPR, no concrete examples are provided for implementation of the rule by nonpower reactor licensees.**

For instance, the flowchart provided in Figure 1 and its explanatory notes in Appendix A do not acknowledge the Part 50 licensees who are not nuclear power plants. The last sentence on Page A-1-2 states, "If the answer to the second question is no (the licensee is not licensed under Part 50)..." Similarly, the decision block on page 6 asks: "Is Licensee NPP (10 CFR Part 50 or 10 CFR Part 52)?" The answer, for some facilities, is both yes and no: yes, the license is part 50, no, the license is not a power plant license.



If we assume that the intention is for nonpower licensees, including materials licensees like hospitals and universities, as well as test, research, and training reactors, to proceed to Figure 2, and thence to 3a or 3b, we could expect to see some guidance in the related explanatory sections of the Appendix to apply to these types of institutions.

**Despite the identification of a risk-informed approach to implementation of the DPR in the Scope, guidance is not provided for scaling the proposed activities to appropriately monitor a variety of sites.**

On Page A-1-4, various paths are identified through which contamination might make its way outside of controlled areas. Some of these possibilities will be inapplicable at a given facility, but the guidance does not provide direction for determining which are inapplicable and for acceptable means of documenting this determination, as is standard in a risk-informed approach.

For instance, in the case of a physically spread out materials licensee such as a college or university, the possession limit of the license is a poor indicator of the potential for contamination in any one location or building. Risk assessment may determine that the level and/or type of materials at a given location, even over time, render lingering site contamination extremely unlikely. It is unclear what approach is suggested to ensure compliance without requiring "complex detailed surveys," as noted on Page 3.

**There appears to be a typographical error affecting meaning on Page A-1-2.**

In the last sentence of the second paragraph on page A-1-2, it appears that a word is missing: "If the answer is no, THEN NO further actions are necessary because...."

If you have questions regarding these comments, please contact John Ernst, Associate Director-Regulatory Assurance, at (573)882-5226 or ernstj@missouri.edu.

Thank you,



FOR RALPH BUTLER

Ralph Butler

Director

University of Missouri Research Reactor