

**NUCLEAR REGULATORY COMMISSION**

**[Docket No. 50-57; NRC-2012-0103]**

**Notice of Issuance of Amendment to Facility License R-77 Incorporating a  
Decommissioning Plan for the Buffalo Materials Research Center Reactor at the  
State University of New York at Buffalo**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of issuance.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) has approved the State University of New York at Buffalo (UB) decommissioning plan (DP) by amendment to the Facility License R-77 for the Buffalo Materials Research Center (BMRC) reactor.

**FOR FURTHER INFORMATION CONTACT:** Theodore Smith, Project Manager, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone: 301-415-6721; email: [Theodore.Smith@nrc.gov](mailto:Theodore.Smith@nrc.gov)

**ADDRESSES:** Please refer to Docket ID **NRC-2012-0103** when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly-available, using any of the following methods:

- **Federal Rulemaking Web site:** Go to <http://www.regulations.gov> and search for Docket ID **NRC-2012-0103**. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; e-mail: [Carol.Gallagher@nrc.gov](mailto:Carol.Gallagher@nrc.gov).

- **NRC's Agencywide Documents Access and Management System (ADAMS):**

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- **NRC's PDR:** You may examine and purchase copies of public documents at the NRC's PDR, Room O1-F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852.

## **I. Notice of Issuance**

The BMRC reactor is located at the UB in Buffalo, NY. The reactor is a PULSTAR heterogeneous open-pool type water cooled reactor. The reactor operated from March 24, 1961 until June 23, 1994. During operation, the reactor used 6% enriched uranium dioxide fuel clad in zirconium-alloy. The UB submitted the DP for the reactor to the NRC in a letter dated February 17, 2012 (ADAMS accession no. ML120540187), as supplemented by letters dated June 20, 2012 (ADAMS accession no. ML121870132), September 21, 2012 (ADAMS accession no. ML122780454), and October 15, 2012 (ADAMS accession no. ML12297A237).

Pursuant to sections 20.1405 and 50.82(b)(5) of Title 10 of the *Code of Federal Regulations* (10 CFR), the NRC published a notice and solicitation of comments for this DP in the *Federal Register* entitled, "License Amendment Request From The State University of New York, University of Buffalo Reactor Facility," on May 10, 2012 (77 FR 27487). No comments were received in response to this notice.

Subsequently, the NRC conducted a safety evaluation of the proposed DP (ADAMS accession no. ML12286A352). Based on this safety evaluation, the NRC concluded that, pursuant to 10 CFR 50.82(b)(5), the DP demonstrates that the proposed decommissioning will be performed in accordance with the Commission's regulations and will not be inimical to the common defense and security or to the health and safety of the public. Therefore, the Commission approved, by amendment to Facility License R-77, the DP subject to the safety evaluation.

The NRC is publishing this notice announcing the issuance of the amendment to Facility License R-77 pursuant to 10 CFR 2.106(a)(1), because a notice of proposed action regarding this amendment had been previously published.

Dated at Rockville, Maryland, this 11<sup>th</sup> day of February, 2013.

FOR THE NUCLEAR REGULATORY COMMISSION

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