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White Paper on a Conceptual Example of a Proposed Risk Management Regulatory Framework Policy Statement

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9

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General Comment

The application of a formalized Defense-In-Depth (DID) policy to non-power research reactors is unmerited since there is no credible "high hazard" or significant release potential. Additionally, imposition of further licensing and design criteria on non-power research reactors, without appropriate consideration of the level of hazard, is inconsistent with the limitations imposed by Section 104c of the Atomic Energy Act of 1954.

From NUREG-2150 Section 4.2.2a:
"The licensing of NPRs includes an analysis of a maximum hypothetical accident (MHA). Analysis of the MHA is necessary because many NPRs are designed and operated so that an accident involving a radioactive release is not credible."

Additionally, NUREG-2150 Section 4.2.2b states:
"While significant conservatism has contributed to the demonstrated safety of NPRs, it is reasonable to assume that conservative design beyond some point does not yield an equivalent safety benefit. The imposition of excessively conservative NPR design and licensing criteria could be viewed as inconsistent with Section 104c of the Act. As presented previously, Section 104c requires the Commission to impose the minimum amount of such regulation and terms of license that will permit the agency to fulfill its obligation under this Act to promote the common defense and security and to protect the health and safety of the public with the intent of permitting the conduct of widespread and diverse research and development. The imposition of more stringent design requirements once an adequate level of safety or an acceptable level of risk has been achieved could be viewed as exceeding the requirements of the Act."

NUREG-2150 Section 4.2.2b goes on to state:
"Excessive conservatism or the imposition of requirements that do not result in a proportional benefit to safety

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or only add minimally to safety beyond an already existing adequate level of safety can be contrary to an efficient and effective regulatory framework. The combination of the conservatisms introduced through the consideration of an incredible accident scenario (e.g., the MHA), the use of restrictive 10 CFR Part 20 standards for evaluation of the effects of a postulated accident at research reactors, and large safety margins associated with the traditional engineering analyses, may result in an overly conservative NPR regulatory framework. If that is the case, the expenditure of resources in the execution of licensing activities and oversight may not be providing a corresponding safety or security benefit."

Thank you for the opportunity to comment. I appreciate your thoughtful consideration of these comments.