

From: [Boyle, Patrick](#)
To: [John Zwolinski](#)
Cc: [Adams, Alexander](#); [Chris Crouch](#); [Morlang, Gary](#); [Hsueh, Kevin](#); [Boyle, Patrick](#); [Hassan, Yassin A](#)
Subject: NRC response to the need for a construction permit to relocate the Texas A&M AGN Reactor
Date: Thursday, February 26, 2015 9:01:49 AM

John,

Thanks for sharing your thoughts with me. An open dialog will greatly help this project.

These replies have not been fully vetted yet, but I wanted to share my thoughts before I head out for training next week. I discussed my approach with Al Adams and he agreed with my position, but has not seen this wording.

Yes, you should submit a "Letter of Intention." This will provide us with a starting point and a forum for additional public exchange of information. Keeping the information public and getting it on the docket ensures openness at the agency. Possessing the letter of intention will facilitate communication with other NRC offices, including legal counsel, allowing us to ensure engagement of stakeholders. If you develop any information that would be considered sensitive or proprietary, you can request that it be withheld via 10 CFR 2.390.

I do not agree with your assessment that a construction permit (CP) would not be required since "the new building will have specifications very similar to those used for the TRIGA reactor." While this is a true statement, it does not preclude the requirement for a CP. A CP application should be submitted consistent with 10 CFR 50.45. 10 CFR 50.45(a) lists the sections of Part 50 that shall be addressed in the application. The function of the CP application is to perform a safety analysis of the proposed construction and describe its relationship to operation of the reactor and potential dose consequences and environmental impact. 10 CFR 50.33(h) contains the requirement to state the earliest and latest completion dates of the construction or alteration. The NRC staff would then perform an evaluation of the application and issue the CP per 10 CFR 50.50.

I would anticipate the actions to be very similar to what was done the last time that the AGN was relocated and CPPR-112 was issued for the relocation. As you observed the CP should not be very complex as only a simple structure is required, but the details of the design do need to be evaluated along with the license amendment request to determine if: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

I look forward to our continued dialog on this subject.

Sincerely,
Patrick G. Boyle
Project Manager for Texas A&M AGN Reactor
Docket 50-59
License R-23

From: John Zwolinski [mailto:jaz1127@yahoo.com]
Sent: Monday, February 23, 2015 11:27 AM
To: Boyle, Patrick
Subject: Subject: Keeping you informed

Patrick,

While we are completing the draft feasibility study this week, every indication is that the new Director to be responsible for both reactors when he actually comes on board, strongly supports moving forward with the movement of the AGN 201M Reactor and he is of the opinion that the new building to house the AGN 201M Reactor be located on the TRIGA Reactor site. He also would like to see the building constructed ASAP. I have been researching to try to identify NRC requirements regarding this new building. Clearly items such as security and emergency plan and other related matters affecting the TRIGA facility must be addressed, but likewise for the new building. What I have been unable to determine and am beginning to think, that a Construction Permit issued by NRC is not required as the new building will have specifications very similar to those used for the TRIGA reactor. I am expected to make a recommendation to management regarding licensing matters and believe we should send NRC a letter informing the staff of our intent and the details of the typical issues required for any new facility. Alternatively a lot of the information I believe should be provided could be included in a licensing action which would require the same information etc. Any thoughts on my efforts, thanks, John