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# PUBLIC SUBMISSION

**Docket:** NRC-2011-0087  
Non-power Production or Utilization Facility License Renewal

**Comment On:** NRC-2011-0087-0023  
Non-Power Production or Utilization Facility License Renewal

**Document:** NRC-2011-0087-DRAFT-0037  
Comment on FR Doc # 2017-06162

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## Submitter Information

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## General Comment

See attached file(s)

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## Attachments

PUR1 - Proposed Rule Comments - Final - 20170613

U.S. NRC  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

June 13, 2017

SUBJECT: Comments on Non-Power Production or Utilization Facility License Renewal  
Proposed Rule - FRN Volume 82, Number 60, Pages 15643-15660

Purdue University Reactor staff would like to begin by acknowledging the work which has gone into this proposed rulemaking. We believe this would indeed reduce the regulatory burden on licensees while continuing the historic safe operation of NPUFs for many years to come. Below are comments and considerations which we believe will enhance the effectiveness and clarity of the proposed rule.

Page 15645 of the Federal Register Vol. 82, No. 60 notes, "For NPUFs operating under 2 MWt, the NRC completes an inspection once every 2 years." This statement is not completely correct. At the PUR-1, the NRC typically performs roughly half of an inspection annually and completes the remaining items the following calendar year. The two year inspection frequency should be revisited in the proposed rule to better match the FSAR re-submittal timeline of five years. An example inspection timeline for NPUFs other than testing facilities would be every 2.5 years not to exceed 3 years.

The proposed rule lacks language on NRC actions following non-compliance, be it intentional or inadvertent. With low staffing at many NPUFs and high turnover rates (which may be at inopportune times), a facility may find itself unable to meet the five year timeline. What action or exemptions may be granted in the event of a lapse of the five year period? A proposed solution is a submittal timeline of five years, not to exceed seven.

With respect to the "Specific Requests for Comments" in the Federal Register, the first question asks for any unintended consequences associated with removing license terms. There is some concern over the need to re-perform previous analyses if more advanced code or methods become available. For example, the requirement of performing better thermal hydraulic analysis, even though prior analysis remains conservative, would increase the burden on a licensee. Consideration should be given to analysis which was already completed.



The second specific request for comments discusses the means by which the rule should be implemented. PUR-1 staff believe the grouping for compliance with the proposed rule following the effective date of the final rule should be reviewed. Considering one purpose of the rule is to normalize the license considerations the NRC takes each year, the 31 facilities should be placed into five groups (six to seven facilities each) rather than the three groups proposed. The five groups would be determined by facility input, NRC direction, and time from previous license renewal. The initial grouping strategy via site-specific orders is most agreeable.

In conjunction with the time to come to compliance with the proposed rule, for those facilities who are on the intermediate to long spectrum since previous licensing renewal, Requests for Additional Information may be needed to approve the indefinite license. The re-licensing and RAI processes have, historically, taken from several months to nearly two decades. The NRC should consider mitigating strategies for those facilities who may need to move between groups as initial RAIs are answered.

Finally, the proposed accident dose criterion of 1 rem total effective dose equivalent for NPUFs other than testing facilities is a strong improvement over the prior limit. An item which could use some clarification is the definition of an unrestricted area following the onset of a postulated accidental release of licensed material. Some NPUFs exist within buildings that are shared by other entities but are easily evacuated when compared to nearby permanent housing structures which are continuously occupied. The 1 rem limit should be applied to those areas not directly managed by the licensee's organization.

The proposed rule will reduce the burden of the licensee and PUR-1 looks forward to continued progress toward minimum regulation and reduction of regulatory uncertainty.

Sincerely,

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