PUBLIC SUBMISSION

As of: 6/23/17 8:30 AM
Received: June 13, 2017
Status: Pending_Post
Tracking No. 1k1-8wxr-ole0
Comments Due: June 13, 2017
Submission Type: Web

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-0035
Comment on FR Doc # 2017-06162

Submitter Information

Name: Steve Reese

General Comment

See attached file(s)

Attachments

NPUF Proposed Rule Comment Letter

Radiation Center
Oregon State University, 100 Radiation Center, Corvallis, Oregon 97331-5903
T 541-737-2341 | **F** 541-737-0480 | http://ne.oregonstate.edu/facilities/radiation_center

June 13, 2017

U.S. Nuclear Regulatory Commission
Secretary
ATTN: Rulemakings and Adjudications Staff
Washington, DC 20555-0001

Reference: Proposed Rule Comment
Non-Power Production or Utilization Facility License Renewal
ID: NRC-2011-0087

Respectfully, this letter is intended to provide public comment on the above referenced rulemaking.

General Comment:

The effort to create an infinite license and require a updated FSAR on a five year revolving basis is a step in the positive direction provided that the expectation of the review is more clearly articulated. In the discussion section there are several places that try to address this, such as:

> "The inspection program would be enhanced to place additional focus on surveillance, maintenance and repair, and changes to the facility made under 10 CFR 50.59."
>
> And
>
> "For power reactors, license renewal reviews have a defined scope, primarily focused on aging management, as described in 10 CFR part 54For NPUFs, there are no explicit requirements on the scope of issues to be addressed during license renewal. Therefore, the scope of review for license renewal is the same as that for an original license."
>
> And
>
> "To maintain the licensing basis over time, the NRC staff would propose a license condition or regulation that requires licensees to revise their SARs on a periodic basis such as every 2 years. The inspection program would be enhanced to place additional focus on surveillance, maintenance and repair, and changes to the facility made under 10 CFR 50.59. The licensee would still be required to adhere to changes in the regulations."

I believe that it would be of mutual benefit to both the USNRC and the licensees to provide a draft guidance document describing what the expectations will be for the FSAR review. This is distinct from the draft guidance document, DG-2006, which provides guidance to the licensees on how to update the FSAR.

It would seem that the benefit of this process would only be achieved if the USNRC accepts the *initial* FSAR submission as a solid safety basis document and only reviews *changes* (essentially) to the existing FSAR in the future. This assumes that recent round of license renewals have produced an adequate FSAR going into the future. I believe seeing a draft of a FSAR review procedure would go a long way to reducing apprehension on the part of the RTR community.

Specific Requests for Comments:

Below are comments for some, but not all, of the questions asked under Section IV, Specific Requests for Comments.

As discussed in Section III, "*Discussion*," of this document, the NRC is proposing that license terms for NPUFs, other than testing facilities, licensed under 10 CFR 50.21(a) or (c) would be removed from existing licenses via order. Are there any unintended consequences associated with removing license terms in this manner? Provide the basis for your answer.

> As long as the process follows that which was outlined in the Proposed Rule, I do not believe there will be any unintended consequences. As long as the expectation is clearly identified, unintended consequences should be minimal. However, while there appears to be an expectation that those facilities which have submitted their SAR under the guidance found in NUREG-1537 and the supplemental ISG ("Group 1") will require minimal (if any) changes before submittal, those facilities that submitted a license renewal under NUREG-1537, but before the ISG was issued ("Group 2") may find that a two-year timeline for the *initial* submission to be challenging. This is particularly true of additional discussion and requirements related to instrumentation and control. Perhaps an additional year, extending it to three years for the *initial* submission, would provide some relief.

Proposed § 50.71 would require all NPUFs to submit an update to the FSAR originally submitted with the facility's license application every 5 years. The NRC staff plans to specify the first submittal date in orders issued to each facility. Should the NRC specify the date by which each facility or category of facility must submit its first updated FSAR in the rule language instead of using site-specific orders? Are there any unintended consequences of establishing the first submittal dates through orders? Please provide the basis for your answer.

> Please see the answer to the previous comment. For the initial submittal, adding one extra year would provide some relief for submission of the FSAR.

For NPUFs licensed under § 50.22 and testing facilities licensed under § 50.21(c), does the revision to the timely renewal provision from 30 days to 2 years provide an undue burden on licensees? If so, in addition to your response, please provide information supporting an alternate provision for timely renewal.

> I do not believe that the timely renewal of 2 years would cause an undue burden to licensees, provided that the expectation of the USNRC is to minimize the review of the application to aging issues and changes to the facility. Establishing these expectations through issuance of some draft USNRC procedure on reviewing FSARs would go a long way to clarify uncertainty on the part of the licensees.

The NRC is considering requiring each NPUF licensee, other than testing facilities, to demonstrate in its accident analysis that an individual located in the unrestricted area following the onset of a postulated accidental release of licensed material, including consideration of experiments, would not receive a dose in excess of 1 rem (0.01 Sv) TEDE for the duration of the accident. Is the accident dose criterion 1 rem (0.01 Sv) TEDE in proposed § 50.34(a)(1)(ii)(D)(*2*) appropriate for NPUFs, other than testing facilities? If not, what accident dose criterion is appropriate? Please provide the basis for your answer.

> The proposal to create an accident 1 rem TEDE for research reactors if very appropriate and a long time in coming. The historic use of the general public limit as the de facto accident limit for research reactors was inappropriate, used more as convenience due to a lack of a definition. The 1 rem TEDE is appropriate for two reasons. First, exceeding the 1 rem TEDE is essentially the point at which sophisticated off-site emergency response planning is required because this is this point of the first Protective Action Guide. Second, accidents for 1 MW research reactors typically result in off-site doses on the order of 50 mrem for the maximum hypothetical accident. Simply assuming that the off-site dose will be proportional to power shows that the most research reactors will meet the new criteria up to 10 MW, the definition of a test reactor. Taken together, these two reasons indicate that it would be inclusive with existing research reactors and consistent (relatively) with the power at which test reactors are defined.

Sincerely,

Steven R. Reese
Director