



ARMED FORCES RADIOBIOLOGY RESEARCH INSTITUTE
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50-170

June 06, 2019

U.S. Nuclear Regulatory Commission
 Washington, DC 20555-0001

Attn.: Document Control Desk
 Subject: Reply to Notice of Violation Dated May 10, 2019, Docket No. 50-170, License R-84.

Reason for the violation: During an NRC follow-up inspection conducted April 9-10, 2019, the NRC inspector found that the licensee had installed a new reactor console and performed several reactor startups for low power testing, but failed to complete the written evaluation to include all of the items specified under 10 CFR 50.59(c)(2). Specifically, the licensee's 10 CFR 50.59 evaluation of the new reactor console, dated March 2, 2018 did not address item 10 CFR 50.59(c)(2)(iv), "Result in more than a minimal increase in the consequences of a malfunction of an SSC important to safety previously evaluated in the final safety analysis report (as updated)." Furthermore, low power testing with the new reactor console occurred during the months of March, April and May of 2018, without a completed 10 CFR 50.59 evaluation. This has been determined to be a Severity Level IV violation, Section 6.1.d of the Enforcement Policy.

Corrective steps that have been taken: The 10 CFR 50.59 evaluation related to the new reactor console has been tabled in favor of a license amendment package. Also, in a letter dated December 06, 2018, AFRRRI informed the NRC of a fuel movement operation designed to provide a minimum amount of reactivity, allowing the reactor to be operated in a subcritical state while conducting training and maintenance activities. This is the only operation performed since May of 2018. The current configuration of the reactor core will not allow criticality to be achieved.

Corrective steps that will be taken: In lieu of a 10 CFR 50.59 evaluation, a license amendment package will be prepared and submitted to the NRC for review and approval.

Date when full compliance will be achieved: AFRRRI will present the proposed License Amendment Request to the NRC no later than September 30, 2020.

Should you need additional information, please contact Mr. Walter (Dale) Tomlinson at (301) 295-9247.

John Gilstad, MD
 CAPT, MC, USN
 Institute Director

Enclosures:
 1. Notice of Violation 05000170/2019202

Copy to:
 U.S. Nuclear Regulatory Commission
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 Washington, DC 20555-0001

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