

WASHINGTON STATE UNIVERSITY

PULLMAN, WASHINGTON 99164

NUCLEAR RADIATION CENTER

August 30, 1979

Mr. James R. Prell
Safeguards and Standards Branch
Office of Standards Development
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Prell:

Enclosed you will find my comments on the proposed changes, 10 CFR 70, 73 and 150. My specific comments are addressed to 73.47 and the intent and requirements of this section as explained in Draft Regulation Guide 5.XX.

I realize that legally the comment period is over on 73.47. However, the intent of 73.47 and impact of 73.47 on nonpower reactors was not made known until 5.XX was published.

Sincerely,

W. E. Wilson

William E. Wilson
Associate Director

WEW:atp
Enclosure

8007110239

COMMENTS ON 73.47 AND DRAFT REG. GUIDE 5.XX

1) 10 CFR 73.47

10 CFR 73.47 will have a significant impact on non-power reactors in general, and on university research reactors in particular. 73.47 constitutes a substantive and significant change to the regulations that will have an impact on nuclear research and education on the U. S., which is a part of the human environment. According to the National Environmental Policy Act of 1969 (NEPA), as well as 10 CFR 51.5, a detailed impact statement and cost-benefit analysis for all portions of the environment must be made by the Commission and be available for public inspection. None is available that considers the effects on the educational system in the U. S. and thus the Commission has violated a Federal law, as well as its own regulations.

2) 73.41 (d.1) - Illumination

This paragraph would require the constant illumination of the pool room (CAA) of a typical pool-type educational research reactor. This is unnecessary and constitutes a waste of energy during this era of the Energy Crisis. The most effective method for detecting the theft of reactor fuel is from the radiation field, not via CCTV, motion detectors, etc. Thus (d.1) should only apply to unirradiated SNM.

3) 73.47 (d.4) - Screening

This paragraph would require the screening of all students who would at any time be unescorted in any area where SNM is used or stored, such as the pool room (CAA) of a university research reactor. Accordingly, all students taking a laboratory class or using the reactor in their research work who may be unescorted at some time in the reactor pool

room must be screened. On the other hand, Title IX regulations and Affirmative Action requirements prohibit the screening of students on any basis except academic qualifications. Thus, you end up with conflicting Federal requirements, as well as the curtailment of academic freedom, which is the cornerstone of the U. S. university system. This requirement is thus completely unacceptable to this and every other university.

Provisions should be made somewhere in 73.47 or 5.XX for exempting the screening of students in a regularly scheduled class or student theses research work, provided that an authorized individual checks the controlled access area at least once an hour and the student's entrance and egress from the controlled areas is observed by an authorized individual.

73.47 (d.5) - Badging

This section would require badging of students in classes, etc. and like (d.4) is not necessary and is unacceptable in a university environment. This requirement should only apply to CAA's where unirradiated fuel is stored, not to all CAA's.

73.47 (d.6 and 7)

Like (d.5) these should apply to CAA's with unirradiated SNM and not all CAA's such as the pool room of an educational research reactor.

73.47 (d.10) - Search

This section requires searching students, etc., leaving the pool room (CAA) and is unnecessary and unacceptable at a university. Should apply only to CAA's where unirradiated SNM is stored.