



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Docket No. 50-129

AMENDMENT TO INDEMNITY AGREEMENT NO. E-27
Amendment No. 11

Effective September 7, 1984, Indemnity Agreement No. E-27, between West Virginia University and the Atomic Energy Commission, dated November 30, 1962, as amended, is hereby terminated.

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "Jerome Saltzman".

Jerome Saltzman, Assistant Director
State and Licensee Relations
Office of State Programs

Accepted October 11, 1984

William E. Collins Chair Radiological Safety Committee

By A handwritten signature in cursive script, appearing to read "William E. Collins".

WEST VIRGINIA UNIVERSITY
PRESIDENT

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WEST VIRGINIA UNIVERSITYDOCKET NO. 50-129ORDER TERMINATING FACILITY LICENSE

By application dated September 27, 1979, as supplemented by letter dated November 30, 1979, West Virginia University (WVU) requested authorization to dismantle the AGN-211P Reactor (the facility), a research reactor located on the campus in Morgantown, West Virginia, and to dispose of the component parts in accordance with the plan submitted as part of the application, and to terminate Facility Operating License No. R-58. A "Notice of Proposed Issuance of Orders Authorizing Dismantling of Facility, Disposition of Components Parts, and Termination of Facility License" was published in the Federal Register on October 29, 1979 (44 FR 62087). No request for a hearing or petition for leave to intervene was filed following notice of the proposed action.

By letter dated May 23, 1983, WVU indicated compliance with the dismantling and residue disposal plan submitted in 1979, and requested termination of the Facility Operating License No. R-58. The facility area has been inspected by a Nuclear Regulatory Commission Region II inspector. Radiation surveys confirm that radiation levels meet the values defined in the dismantling plan, and the area is available for unrestricted access.

Accordingly, the Commission has found that the facility has been dismantled and decontaminated pursuant to the Commission's Order dated January 22, 1980. Satisfactory disposition has been made of the component parts and fuel in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not

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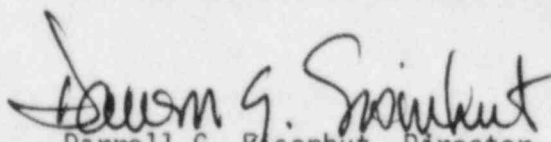
inimical to the common defense and security, or to the health and safety of the public. In accordance with 10 CFR, the Commission has determined that the issuance of this termination Order will have no significant impact. The Finding of No Significant Environmental Impact was published in the Federal Register on

For further details with respect to this action see (1) the application for authorization to dismantle the facility and dispose of component parts and for termination of facility operating license dated September 27, 1979, as supplemented, (2) the Commission's Order Authorizing Dismantling of Facility and Disposition of Component Parts, dated January 22, 1980, and (3) the Commission's related Safety Evaluation. Each of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. A copy of items (2) and (3) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

This termination Order is effective as of its date of issuance.

Dated at Bethesda, Maryland, this 7th day of September 1984.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Eisenhut, Director
Division of Licensing

UNITED STATES NUCLEAR REGULATORY COMMISSION
FINAL FINDING OF NO SIGNIFICANT ENVIRONMENTAL IMPACT
REGARDING PROPOSED TERMINATION OF
FACILITY OPERATING LICENSE NO. R-58
WEST VIRGINIA UNIVERSITY
DOCKET NO. 50-129

The Nuclear Regulatory Commission (the Commission) is considering issuance of an Order terminating Facility Operating License No. R-58 for the West Virginia University, Morgantown, West Virginia.

The Order will terminate the Operating License in accordance with the licensee's request dated September 27, 1979, as supplemented.

Environmental Assessment

Identification of Proposed Action

The Order would terminate Operating License No. R-58, issued to the West Virginia University research Reactor in Morgantown, West Virginia.

Need for the Proposed Action

The West Virginia University research reactor has been decommissioned and dismantled. The final inspection and termination approval have been completed and show that all relevant regulatory requirements have been satisfied. Therefore, there is no longer any need for the Operating License to be in effect.

Environmental Impacts of the Proposed Action

Since the reactor is completely dismantled and residual contamination has been decreased to acceptable levels, termination of the license is the next appropriate administrative action. This action will have no environmental impact.

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Alternative Use of Resources

This action does not involve the use of resources beyond those needed for its administrative processing.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's decommissioning plan and conducted the final inspection of the site. No other agencies or persons were consulted.

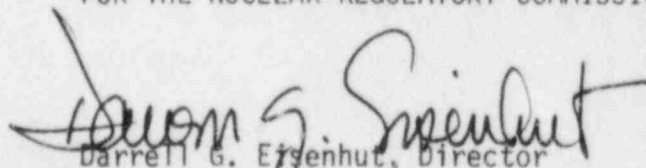
Finding of No Significant Impact

On the basis of the Environmental Assessment, the Commission has concluded that termination of the license will have no significant environmental impact. The Commission has determined not to prepare an Environmental Impact Statement for the proposed action.

For further details with respect to this action see the licensee's request for decommissioning and termination dated September 27, 1979, and the Commission's Order Authorizing Dismantlement of the Facility and Disposition of Component Parts dated January 22, 1980, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, Washington, D. C. 20555.

Dated at Bethesda, Maryland, this 7 day of September 1984.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Etsenhut, Director
Division of Licensing



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION REPORT
BY THE OFFICE OF NUCLEAR REACTOR REGULATION
FOR THE TERMINATION OF THE
WEST VIRGINIA UNIVERSITY RESEARCH REACTOR
DOCKET NO. 50-129

Background

By letter dated September 27, 1979 as supplemented the West Virginia University (WVU) requested that the facility license for their AGN-211P reactor be dismantled in accordance with a plan set out in the application. A Possession Only license was issued on January 22, 1980.

By letter dated May 23, 1983, WVU requested that Facility Operating License No. R-58 be terminated. Reactor fuel had been previously shipped to the University of Oklahoma for re-use and the facility had been dismantled and decontaminated in accordance with the licensee's dismantling plan and our dismantling Order.

On June 22-23, 1983 Region II staff conducted an inspection to close out the license for the AGN-211P reactor. At that time the radiation readings were found to be less than 5 μ R/hr, except for residual contamination found at the facility in the form of paint chips which had sloughed off one fuel assembly.

Region II has received copies of the shipping papers showing that the residual contamination was shipped for disposal. Based on this review, review of a letter from WVU and a telephone call confirming shipment of the contaminated paint chips, the staff at Region II recommended, by memo dated April 20, 1984 from D. M. Verrelli, Chief Projects Branch, to Cecil O. Thomas, Chief Standardization and Special Projects Branch, that the license be terminated.

Evaluation

The residual contamination is less than the values indicated in Table 1 of Regulatory Guide 1.86. Accordingly, all requirements for terminating the license have been met by the licensee.

Environmental Consideration

The Commission has determined that this Order will not result in any significant environmental impact and that it does not constitute a major Commission action significantly affecting the quality of the human environment. On the basis of the above, the Commission has determined not to prepare an Environmental Impact Statement in connection with the issuance of this termination Order.

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Conclusion

The Commission has concluded, based on the considerations discussed above, that the Facility Operating License R-58 should be terminated. We have further concluded that: (1) because the action does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant decrease in a safety margin, the action does not involve a significant hazards consideration, (2) there is reasonable assurance that the health and safety of the public will not be endangered by termination of the facility license in the proposed manner, and (3) such activities have been conducted in compliance with the Commission's regulations and the issuance of this Order will not be inimical to the common defense and security or to the health and safety of the public.

Dated: September 7, 1984.