



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20655

DEC 29 1992

Docket 50-146

Mr. Ernest Fuller
RR 1 Box 216
Six Mile Run, PA 16679

Dear Mr. Fuller:

I am responding to your letter dated November 20, 1992, to Chairman Selin in which you requested clarification of the regulatory status of the Saxton Nuclear Experimental Corporation site, given your belief that the site did not fit into the same category as sites listed in the Site Decommissioning Management Program (SDMP).

I would like to confirm for you that the Saxton site is not in the same category as sites listed in the SDMP. The regulatory requirements for a reactor decommissioning are contained in Title 10 the Code of Federal Regulations (CFR), Parts 2, 20, 50, 51, and 73. In 1972, the Saxton Nuclear Experimental Corporation was issued a Part 50 "Possession Only License (POL)," which expires in the year 2000. The Saxton Nuclear Experimental Corporation's POL was issued before the implementation of the Decommissioning Rule in June 1988, and the Nuclear Regulatory Commission will not require the licensee to begin decommissioning immediately and relinquish its license before the license expiration date. Saxton has until the expiration of its license (the year 2000) to submit a decommissioning plan to NRC for review. Additional delays beyond the license expiration date would be subject to the requirements in 10 CFR 50.82 (b)(ii). In essence, these requirements would only allow further delays in final decommissioning, beyond the license expiration date, if such delays were necessary to protect the public health and safety.

It should be noted, however, that the licensee has the prerogative of submitting a final decommissioning plan before the expiration of its license. The NRC staff would then initiate a review of the licensee's submittal. In accordance with the regulations in Part 2, a notice of the licensee's proposed action would appear in the Federal Register. When all technical and environmental issues are properly addressed, the NRC will approve the licensee's proposed decommissioning plan.

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Mr. Ernest Fuller

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December 18, 1992

If you have any additional questions on the matter, please address them to Lawrence Bell, of my staff, at (301) 504-2171, or to the Saxton Project Manager, Alexander Adams, Jr., of the Office of Nuclear Reactor Regulation at (301) 504-1127.

Sincerely,

Original signed by
Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

cc: See attached page
(Ticket EDO 8365) CRC No. 92-1025

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Attached CC List for Memorandum Dated: DEC 29 1992

Pennsylvania Department of
Environmental Resources
Bureau of Radiation Protection
ATTN: Margaret A. Reilly
P. O. Box 2063
Harrisburg, Pennsylvania 17120

Mr. Jim Tydeman
1402 Wall Street
Saxton, Pennsylvania 16678

Mr. James H. Elder, Chairman
Concerned Citizens for SNEC Safety
Wall Street Ext.
Saxton, Pennsylvania 16678

Saxton Borough Council
ATTN: Peggy Whited, Secretary
9th and Spring Streets
Saxton, Pennsylvania 16678

Mr. Joseph Clapper, Chairman
Bedford County Commissioners
County Court House
203 South Juliana Street
Bedford, Pennsylvania 15522

Mr. Larry Sather, Chairman
Huntingdon County Commissioners
County Court House
Huntingdon, Pennsylvania 16652

Saxton Community Library
911 Church Street
Saxton, Pennsylvania 16678

Ms. B. A. Good
Vice President and General Manager
Saxton Nuclear Experimental Corporation
2574 Interstate Drive
Harrisburg, Pennsylvania 17110

Carbon Township Supervisors
ATTN: Penny Brode, Secretary
R. D. #1, Box 222-C
Saxton, Pennsylvania 16678

Hopewell Township Supervisors
ATTN: Sally Giornesto,
Secretary
511 Tenth Street
Saxton, Pennsylvania 16678

Mr. D. Bud McIntyre, Chairman
Broad Top Township Supervisors
Broad Top Municipal Building
Defiance, Pennsylvania 16633

Pennsylvania Department of
Environmental Resources
Bureau of Water Quality Control
ATTN: James Flesher
One Ararat Boulevard
Harrisburg, Pennsylvania 17110

Mr. Don Weaver, Chairman
Liberty Township Supervisors
R. D. #1
Saxton, Pennsylvania 16678

U.S. Army Corps of Engineers
Baltimore District
ATTN: S. Snarski/P. Juhle
P. O. Box 1715
Baltimore, Maryland 21203

The Honorable Robert C. Jubelirer
President Pro-Tem Senate of
Pennsylvania
30th District
State Capitol
Harrisburg, Pennsylvania 17120

Mr. E. J. Pagan
Licensing Engineer
GPU Nuclear Corporation
One Upper Pond Road
Parsippany, New Jersey 07054

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