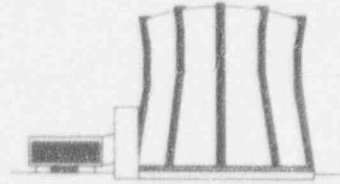


TEXAS ENGINEERING EXPERIMENT STATION

TEXAS A&M UNIVERSITY
COLLEGE STATION, TEXAS 77843-3575



NUCLEAR SCIENCE CENTER
409/845-7551

April 15, 1997

97-0081

Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555-0001

Subject: Request for Amendment to License R-83

Reference: Reactor Facility License R-83 Amendment 13, Docket 50-128

Dear Sir:

It has come to our attention from a recent inspection, that when the Nuclear Science Center (NSC) facility license was amended in October 1993 we inadvertently requested a change that did not include all forms of radioactive materials produced, used and stored at an operating research reactor.

Specifically, license condition II.B.3 was changed to

Pursuant to the Act and 10 CFR, Chapter I, Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," to receive, possess, and use in amounts as required, any byproduct material without restriction to chemical or physical form, for analysis or instrument calibration but not to separate such byproduct material as may be produced by operation of the reactor

The amendment was initiated by a combined NRC and State of Texas radioactive material license inspection in 1992. The State of Texas requested that the NSC transfer all radioactive material within the NSC site boundary to an amended NRC facility license (see attachments). The NSC staff and management have been incorrectly interpreting the license by the original intent and not how the license was written. With further review and Region IV guidance it appears the license condition II.B.3 does not address the bulk of the radioactive material at the NSC site.

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The Texas A&M University NSC reactor is a 1 MW TRIGA used for isotope production and radiation research. It would be impossible to operate the reactor and only produce radioactive material "for analysis and calibration". Activated structure and experiment materials are produced in and around the reactor during the normal daily operations. Experimental devices that have failed or become obsolete are stored on site for decay or possible reuse. During routine handling operations, an amount of low-level radioactive waste is produced and is stored at the facility. High-activity isotopes are regularly produced and shipped for commercial and research purposes.

The NSC management respectfully requests license condition II.B.3 be amended as follows

Pursuant to the Act and 10 CFR, Chapter I, Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," to receive, possess, and use in amounts as required in connection with operation of the reactor, any byproduct material without restriction to chemical or physical form but not to separate such byproduct material

In the 1970's and again in 1994 the NSC received low-level radioactive material shipments that included material and equipment to be put into use at the facility. Unfortunately, not all of the material received was in a salvageable condition and was stored on site for decay. This material was transferred from the Texas State license and received on the amended NRC license because of the license misinterpretation. It is currently cost prohibitive for the NSC facility to dispose of this material in a commercial landfill. It is requested that a license condition be added that would allow the storage and decay of the material that is already on the NSC site, but prevent receiving additional materials that could not be used for research or development at the facility. Therefore, in addition to the above amendment, it is requested that an additional condition II.B.7 be added as follows

To possess and store for decay such materials as are within the facility boundary at the time of this amendment, but to not receive additional byproduct material that can not be shown to have a definite nuclear research and development purpose

Finally, the NSC staff would like to add a license condition for disposal of low-level waste similar to conditions in NRC materials licenses as follows:

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The licensee is authorized to hold radioactive material with a physical half-life of less than 65 day for decay-in-storage before disposal in ordinary trash provided:

Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.

Before disposal as ordinary waste, radioactive waste shall be surveyed to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.

Please contact Sean O'Kelly or me at 409-845-7551 if you need any additional information. Your attention to this matter is appreciated.

Respectfully,



Dr. Warren D. Reece
Director

WDR/sjm

Attachment: TX Dept. of Health letter

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