



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 22, 1999

Pamela Blockey-O'Brien
D23 Golden Valley
7631 Dallas Hwy
Douglasville, Georgia 30134

Dear Ms. Blockey-O'Brien:

This letter provides responses to your February 28, 1999, comments on the Georgia Tech Research Reactor Decommissioning Plan.

1. The comment of the first paragraph asked if Georgia Tech was lying about the need for the research reactor when they applied for license renewal and are they lying now when they propose to decommission the facility. A similar comment is posed in the ninth paragraph that relates to the Decommissioning Plan "operating history" section.

Response: As long as a licensee acceptably meets applicable regulations, they have the right to make decisions about continued operation or not, and the extent of operations. Georgia Tech has and continues to meet the regulations in the questioned applications acceptably.

2. The first comment in the second paragraph comments that there are no details on expenditure of funds for decommissioning. The thirty-sixth paragraph comments that the cost will be greater than estimated.

Response: In the Decommissioning Plan starting on page 71, a tabulation of the expenditures was provided. This tabulation was acceptable to show detailed planning and cost estimate for the current stage of decommissioning.

3. The second comment in the second paragraph states that the Georgia taxpayers should not pay for the decommissioning.

Response: From an NRC perspective, Georgia Tech, as a State of Georgia institution, is responsible for decommissioning costs and has committed to do so in accordance with the applicable regulations.

4. The third paragraph has a comment that is similar to several other comments throughout the letter (e.g., the eleventh paragraph on the Decommissioning Plan Section 1.7 "Program Quality Assurance," the twelfth paragraph on Section 1.8, "Executive Engineer," the fourteenth paragraph that starts "2) As to Tech and the ALARA issue," and the twenty-fifth paragraph that starts "The Radiation Safety Officer is . . . "). This comment related to various incidents and applications by Georgia Tech, and the use of Georgia Tech personnel for oversight and management of the decommissioning activities. These comments question Georgia Tech's capability to provide oversight and overall management of the decommissioning.

Response: The various incidents have been previously identified. The incidents show that Georgia Tech can continue to acceptably act as an NRC licensee. Georgia Tech has in the past and continues to show this capacity, including the capacity to provide oversight of the decommissioning activities, organizations and personnel.

5. A comment toward the end of the third paragraph and several other comments (e.g., part of thirteenth, fourteenth, twenty-second and thirty-eighth paragraphs) were on the Cobalt-60 source.

Response: The Cobalt-60 is a State of Georgia licensed facility and falls under that jurisdiction.

6. The fourth paragraph and the fifth paragraph comment that the entire structure for the reactor from foundation up should be dismantled and not allowed to continue to be used for other activities (unrestricted release) because of residual radioactivity. Similar comments were in part of the seventeenth paragraph marked "[u]nder 2.2.3 Release Criteria" and in the twentieth and thirty-fifth paragraphs.

Response: The NRC regulation 10 CFR 50.82(b)(6) requires that a facility license may be terminated and the facility released for unrestricted use if it meets specific requirements 10 CFR Part 20 Subpart E. Therefore, dismantlement of the facility is not required and after released for unrestricted use the facility can be used as Georgia Tech deems appropriate.

7. The sixth paragraph (on reactor facility description), the seventh paragraph (on containment description), and the eighth paragraph (on fuel storage facilities) comment that the facilities and activities should be isolated and controlled to a greater extent and evacuated. The tenth paragraph comments that control and disposal of radioactive waste should be more tightly controlled. The thirteenth paragraph on Section 2.1, "Decommissioning Alternative," in part, comments for tighter controls of radioactive material during decommissioning. Related comments were also made in the eighteenth paragraph starting "[w]ith regard to methods of cleanup," the twenty-second paragraph starting with "[c]oncerning the site survey," the thirtieth paragraph on no releases to the sewerage system, the thirty-second paragraph on "3.1.2.4 Radiation Protection Equipment," and the thirty-fifth paragraph.

Response: The proposed control of radioactive areas, work and waste is consistent with controls that have acceptably met the NRC regulations in the past. Therefore, no additional requirements for evacuation or isolation are needed.

8. The fifteenth, sixteenth, twenty-third, and thirty-fourth paragraphs include comments that Georgia Tech contamination was not completely nor conservatively characterized.

Response: The NRC review of the Georgia Tech characterizations studies found them acceptable and consistent with other acceptably conducted radiological characterizations.

9. The seventeenth paragraph on "2.2.3 Release Criteria" comments that Georgia Tech should not be allowed to use the provisions of the Site Decommissioning Management Plan in accordance with 10 CFR 20.1401, but should be required to meet the 10 CFR 20.1402 for radiological criteria for unrestricted use.

Response: Georgia Tech is required to meet the provisions of the regulations that apply. If Georgia Tech complies with 10 CFR 20.1401, they are not required to meet the requirements of 10 CFR 20.1402. If the provisions of 10 CFR 20.1401 cannot be met, then appropriate decommissioning plans will be required.

10. The nineteenth paragraph on "2.3 Decommissioning Activities" comments that the NRC should mandate review by various state, local and federal agencies to oversee the decommissioning of the Georgia Tech Research Reactor. The twenty-ninth paragraph on "3.1.2.2.4 Environmental Program Plan," makes a similar comment.

Response: The NRC is the responsible agency for the regulation of the radiological decommissioning activity at the Georgia Tech Research Reactor and will apply its requirements to this activity. This includes solicitation of comments from the public; and appropriate agencies.

11. The twenty-first paragraph on Decommissioning Plan Section 2.3.1.2 "Site Mobilization and General Employee Training" comments that the Georgia Tech one-day training is inadequate and specifies additional training. The thirty-third paragraph in part questions the acceptability of radiation protection training for workers.

Response: Training is more fully detailed in Section 2.5 "Training Program" of the Decommissioning Plan. This section includes compliance with the requirements of 10 CFR Parts 19 and 20, which ensures acceptable radiation protection qualifications and training for workers at NRC licensed facilities.

12. The twenty-fourth paragraph on Decommissioning Plan Section 2.3.8, "Prepare Final Project Report," says that the draft report should be provided to the public for review.

Response: Licensees are not required to provide draft reports to the public.

13. The twenty-sixth paragraph comments that the Decommissioning Contractor and its track record should be specified.

Response: The Decommissioning Plan specifies the general requirements for the Decommissioning Contractor. A specific contractor and its qualifications are not now required. NRC will ensure that the Decommissioning Plan requirements are met.

14. The twenty-seventh paragraph says that Envirocare does not exist.

Response: Envirocare has an authorized low-level waste disposal facility in Utah.

15. The twenty-eighth paragraph on Decommissioning Plan Section 3.1.2 comments that the Decommissioning Contractor should not be responsible for the health physics program during decommissioning and that the Radiation Safety Officer should be part of the effort.

Response: Licensees can use contractors to carry out various aspects of their programs, including a health physics program. The plan does specify that the Radiation Safety Officer will approve and audit the contractor's programs.

16. The thirty-first paragraph on Section 3.1.2.2.5, Emergency Plan comments that the emergency plan does not exist.

Response: The emergency planning for the Georgia Tech Research Reactor is consistent with applicable NRC regulatory requirements. The decommissioning plan review ensures that this situation is acceptably maintained.

17. The thirty-third paragraph comments that the daily administrative limit of 100 millirem in Table 3.2 would result in 500 millirem over five days as compared with the allowable weekly administrative limit of 250 millirem in Table 3.2. It also states that the allowable doses are unacceptable.

Response: Regarding the first comment, the weekly administrative limit would be limiting. As for the second comment, the proposed dose limits are acceptable in accordance with 10 CFR Part 20 requirements.

18. The thirty-fourth paragraph, in part, comments that NRC should insist that records be put in order and examined.

Response: The regulations, 10 CFR 50.75(g) requires "[e]ach licensee shall keep records of information important to the safe and effective decommissioning of the facility in an identified location until the license is terminated by the Commission." The NRC staff will ensure that records are available and acceptably used during the decommissioning process.

19. The thirty-sixth paragraph on Section 5.0, "Technical and Environmental Specifications," comments that the use of 10 CFR Part 30 is not appropriate for a facility that used Special Nuclear Material.

Response: The authority to possess Special Nuclear Material has been removed. The remaining material is byproduct material. The License correctly includes requirements to comply with 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material."

20. The thirty-seventh paragraph asked where and when the notice of solicitation of comment was published. It also said the comment period should be extended and other publications.

Response: The notice was published in the Atlanta Journal Constitution on February 14, 1999, and in the Georgia Tech "Technique" on February 12, 1999. The comment period of 60 days from the date of these publications and the accessibility to the public acceptably complies with applicable regulations and policy.

21. The thirty-seventh paragraph states that there should be additional availability of docketed material in the Region II and a local public document room.

Response: NRC docketed information is provided to all on the Georgia Tech distribution list. The use of the public docket room was assessed and it was terminated in accordance with NRC policy and procedures.

Other comments were (1) not specific nor germane to the proposed Decommissioning Plan, (2) related to matters resolved in the 10 CFR 2.206 petition on the Georgia Tech Research Reactor, or (3) addressed in other communications as summarized in NRC's December 4, 1998, letter.

We will continue as we have in the past, to provide you courtesy copies of NRC's evaluations on the Georgia Tech Research Reactor, so that you will be on distribution for the NRC's evaluation of the decommissioning plan.

Sincerely,

ORIGINAL SIGNED BY:

Marvin M. Mendonca, Senior Project Manager
Events Assessment, Generic Communications and
Non-Power Reactors Branch
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No. 50-160
cc: See next page

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Docket File 50-160

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Pamela Blockey-O'Brien

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Marvin M. Mendonca, Senior Project Manager
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Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No. 50-160

cc: See next page

Georgia Institute of Technology

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cc:

Mr. Charles H. Badger
Office of Planning and Budget
Room 608
270 Washington Street, S.W.
Atlanta, GA 30334

Mr. E. F. Cobb
Southern Nuclear Company
42 Inverness Center
Birmingham, AL 35242

Mayor of City of Atlanta
55 Trinity Avenue, S.W.
Suite 2400
Atlanta, GA 30303

Dr. G. Wayne Clough, President
Georgia Institute of Technology
Carnegie Building
Atlanta, GA 30332-0325

Dr. William Vernetson
Director of Nuclear Facilities
Department of Nuclear Engineering
Sciences
University of Florida
202 Nuclear Sciences Center
Gainesville, FL 32611

Ms. Glenn Carroll
139 Kings Highway
Decatur, GA 30030

Charles Bechhoefer, Chairman
Atomic Safety and
Licensing Board Panel
U.S. NRC, MS: T3-F23
Washington, D.C. 20555-0001

Mr. Pedro B. Perez, Associate Director
Nuclear Reactor Program
North Carolina State University
P.O. Box 7909
Raleigh, NC 27695-7909

Mr. James C. Hardeman, Jr.
Manager Environmental
Radiation Program
Environmental Protection Division
Dept. of Natural Resources
State of Georgia
4244 International Parkway
Suite 114
Atlanta, GA 30354

Dr. R. U. Mulder, Director
UVA Reactor Facility
Dept. of Nuclear Engineering
Charlottesville, VA 22903-2442

Joe D. Tanner, Commissioner
Department of Natural Resources
47 Trinity Avenue, S.W.
Atlanta, GA 30334

Dr. Jean-Lou Chameau, Vice Provost
Research and Dean of Graduate
Studies
Georgia Institute of Technology
225 North Avenue
Atlanta, GA 30332-0325

Dr. Rodney Ice, MORS
Neely Nuclear Research Center
Georgia Institute of Technology
900 Atlantic Drive
Atlanta, GA 30332-0425

Dr. Nolan E. Hertel, Director
Neely Research Center
Georgia Institute of Technology
900 Atlantic Drive
Atlanta, Georgia 30332-0425

Ms. Pamela Blockey-O'Brien
D23 Golden Valley
Douglasville, GA 30134

Georgia Institute of Technology

Docket No. 50-160
(PAGE 2 OF 2)

cc:

Dr. Peter S. Lam
Atomic Safety and Licensing Board Panel
U.S. NRC, MS: T3-F23
Washington, D.C. 20555-0001

Dr. J. Narl Davidson, Interim Dean
Chair, Technical and Safety Review
Committee
Georgia Institute of Technology
225 North Avenue
Atlanta, Georgia 30332-0360

Dr. Charles Liotta, Vice Provost
of Research and Dean of Graduate
Students
Georgia Institute of Technology
225 North Avenue
Atlanta, Georgia 30332