



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

September 16, 2020

Dr. Rusty Towell
Director of NEXT Lab
Abilene Christian University
ACU Box 27963
Abilene, TX 79699

SUBJECT: ABILENE CHRISTIAN UNIVERSITY – ASSIGNMENT OF PROJECT NUMBER
99902088 (EPID NO. L-2020-LRM-0081)

Dear Dr. Towell:

By letter dated March 20, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20241A070), Abilene Christian University (ACU) informed the U.S. Nuclear Regulatory Commission (NRC) of its intent to submit an application for a construction permit (CP) and operating license (OL) for a non-power utilization facility, specifically, a non-power molten salt research reactor (MSRR). By letter dated July 24, 2020 (ADAMS Accession No. ML20241A071), ACU provided the NRC with a Regulatory Engagement Plan (REP) to present aspects of its anticipated pre-application interactions with the NRC staff prior to its submission of a CP application (in its REP, ACU stated that it planned to submit its CP and OL applications separately). Prior to the submittal of a CP application, ACU may engage in pre-application activities, such as public meetings and formal requests for interpretations of regulations. To facilitate these activities, the NRC staff has assigned ACU a project number (No.). As such, ACU should reference Project No. 99902088 in all future correspondence supporting pre-application licensing activities with the NRC.

In its REP, ACU stated that it will own, and apply for and obtain the CP and OL for, the MSRR. ACU also stated that it is a nonprofit educational institution as defined in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 170, "Fees for Facilities, Materials, Import and Export Licenses, and Other Regulatory Services Under the Atomic Energy Act of 1954, as Amended," and 10 CFR Part 171, "Annual Fees for Reactor Licenses and Fuel Cycle Licenses and Materials Licenses, Including Holders of Certificates of Compliance, Registrations, and Quality Assurance Program Approvals and Government Agencies Licensed by the NRC."

Pursuant to 10 CFR 170.11(a)(4), "No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for ... A construction permit or license applied for by, or issued to, a non-profit educational institution for a production or utilization facility, other than a power reactor" Pursuant to 10 CFR 171.11(b)(1), "An annual fee is not required for ... A construction permit or license applied for by, or issued to, a nonprofit educational institution for a production or utilization facility, other than a power reactor"

Because ACU is a nonprofit educational institution as defined in 10 CFR Parts 170 and 171, pursuant to 10 CFR 170.11(a)(4), ACU will not be charged for hours NRC staff apply to Project No. 99902088 related to pre-application licensing activities.

Following the receipt and acceptance of a CP application, ACU will be assigned a formal docket number. Also pursuant to 10 CFR 170.11(a)(4), as a nonprofit educational institution, ACU would not be charged for hours NRC staff apply to review of a CP or OL application. Furthermore, pursuant to 10 CFR 171.11(b)(1), as a nonprofit educational institution, ACU would not be charged an annual fee following the issuance of an OL.

If you have any questions, please contact me at (301) 415-4067, or by electronic mail at Edward.Helvenston@nrc.gov.

Sincerely,

/RA/

Edward M. Helvenston, Project Manager
Non-Power Production and Utilization
Facility Licensing Branch
Division of Advanced Reactors and Non-Power
Production and Utilization Facilities
Office of Nuclear Reactor Regulation

Project No. 99902088

cc:

Phil Schubert, Ed.D.
President
Abilene Christian University
Office of the President
206 Hardin Administration Building
ACU Box 29100
Abilene, TX 79699-9100

Test, Research and Training
Reactor Newsletter
Attention: Ms. Amber Johnson
Dept. of Materials Science and Engineering
University of Maryland
4418 Stadium Drive
College Park, MD 20742-2115

SUBJECT: ABILENE CHRISTIAN UNIVERSITY – ASSIGNMENT OF PROJECT NUMBER
99902088 DATED: SEPTEMBER 16, 2020

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NRR-106

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