

From: [DM S](#)
To: [Helvenston, Edward](#)
Cc: [Wertz, Geoffrey](#); [Borromeo, Joshua](#); [Tate, Travis](#); [Bowen, Jeremy](#); [Anderson, Shaun](#); [Shams, Mohamed](#); [Watson, Bruce](#); [Parrott, Jack](#); [Cruz Perez, Zahira](#)
Subject: [External_Sender] Re: Re: Aerotest Draft Possession-only License Amendment License Conditions and Technical Specifications, and opportunity for conference call.
Date: Thursday, December 2, 2021 5:05:32 PM

Hi Ed,

I trust your Thanksgiving was safe and enjoyable.

Geoffrey must have erroneously sent the document with a draft label since you are telling me no changes can be made. Based on your comments, the document sent November 23 2021 was not a draft but a final and should have been labeled as such. Please send the final document; its date should be November 23, 2021.

This is an important document. We have not been able to review the document in its entirety until it was received on November 23, 2021 (which includes the agency denials.) While I understand that Aerotest made an error in 11.1. the opportunity should have been given during a final review of the draft to make adjustments.

As for the December 8 deadline, your organization was not concerned about missing the two-year deadline and responses from your agency have been tardy at best resulting in significant delays. Unfortunately, your agency did not produce a draft document in a timely manner so adjustments could be made.

Again based on this document being finalized on November 23, 2021, a followup phone meeting will not be beneficial and cost effective. I will address my concerns elsewhere.

Thank you,

Mike

On Thu, Dec 2, 2021 at 11:33 AM Helvenston, Edward <Edward.Helvenston@nrc.gov> wrote:

Hi Mike, based on your email dated Nov. 23, 2021, we were under the impression that you were going to propose some dates/times so we could schedule a conference call. Sorry for the confusion.

With respect to draft TS 11.1, the only change in the Possession-only License Amendment, was the addition of the words "when fuel is present," as requested by your letter dated June 28, 2019. Otherwise, TS 11.1 remains unchanged from its original version. We have reviewed the previously proposed "when fuel is present" change to the TS and find it acceptable. If you desire to further amend TS 11.1, you can submit a separate amendment request following the issuance of the

Possession-only License Amendment.

With respect to draft page 4 of the Possession-only License Amendment, the only change was to license condition, LC 2.F. As such, the reference to "Change No. 8" is unchanged from the current version, and the license page otherwise remains unchanged and in its original state. The Possession-only License Amendment is amendment no. 6, as indicated at the bottom of each license and technical specification pages. (The last issued amendment was no. 5, issued July 17, 2017, associated with the license transfer.) This is consistent with the current practice at the NRC.

If you still wish to discuss these items, the partial approval and partial denial, or the draft Possession-only License Amendment license conditions or technical specifications previously sent to you by email dated Nov. 23, 2021, please provide some dates and times so I can schedule with our management.

In order to meet our December 8, 2021 completion date, if a call is needed, we need to conduct it in the next couple of days.

Otherwise, please confirm by response to this email if no call is needed.

Thanks,

Ed

From: DM S <dmsraven@gmail.com>
Sent: Wednesday, December 1, 2021 3:41 PM
To: Wertz, Geoffrey <Geoffrey.Wertz@nrc.gov>
Cc: Helvenston, Edward <Edward.Helvenston@nrc.gov>; Borromeo, Joshua <Joshua.Borromeo@nrc.gov>; Tate, Travis <Travis.Tate@nrc.gov>; Bowen, Jeremy <Jeremy.Bowen@nrc.gov>; Anderson, Shaun <Shaun.Anderson@nrc.gov>; Shams, Mohamed <Mohamed.Shams@nrc.gov>; Watson, Bruce <Bruce.Watson@nrc.gov>; Parrott, Jack <Jack.Parrott@nrc.gov>
Subject: [External_Sender] Re: Aerotest Draft Possession-only License Amendment License Conditions and Technical Specifications, and opportunity for conference call.

Hi Geoffrey,

I have not heard back concerning a time to discuss the draft documents. We see little concern about the draft and are submitting the document for review by the RSC members. Two items are confusing and need to be rewritten or clarified.

Under Section 11.0 Fuel Transfer and Storage, Section 11.1 is confusing as written. The storage pits are not in the reactor room but in nearby rooms. The nineteen elements stated is the maximum allowed for each pit. (MCNP modeling confirmed the limit of nineteen elements per pit to ensure radiation fields are acceptable and avoid criticality concerns.) We have six pits but only five will be allowed for storage; the sixth is part of our air sampling system and is not available for fuel storage. Also, interpretation of the language suggests that we must have fuel stored in the pits. There is currently no fuel in the pits and will remain so if not needed for safe and secure fuel storage.

Rewritten:

11.1 There are five fuel storage pits located in the floor near the reactor room with each fuel storage pit accommodating up to a maximum of nineteen fuel elements (700 gm U-235) in storage racks dry or flooded with water. The fuel storage pits shall be secured with lock and chain when fuel is present except during fuel transfer operations.

Please clarify:

Page 4 of the draft license suggests that the Draft TS amendment is No. 8; the document attached document states amendment 6. Should the amendment number be 9?. We show a change 8 (10-22-74) on the current TS.

Thank you,

Mike

On Tue, Nov 23, 2021 at 6:15 AM Wertz, Geoffrey <Geoffrey.Wertz@nrc.gov> wrote:

Hello Dr. Slaughter,

The NRC staff has completed its review of Aerotest's possession-only license (POL) license amendment request (LAR) for the Aerotest Radiography and

Research Reactor (ARRR) submitted by letter dated March 21, 2019 (ADAMS Accession No. ML19084A051), as supplemented. Attached to this electronic mail message (email) is a draft of the ARRR POL license conditions (LCs) and technical specifications (TSs) change pages that the NRC staff is prepared to issue with the amendment. Most LC and TS language is consistent with the proposed LCs and TSs Aerotest submitted by letter dated June 22, 2021 (ADAMS Accession No. ML21181A123); however, the draft LCs and TSs include some changes the NRC staff needed to make in order to find the LCs and TSs acceptable. Because the NRC staff had to make changes to some of your proposed LCs and TSs, the issuance of the POL amendment would be a partial approval, and a partial denial. The NRC staff-initiated changes, and the reasons for the changes, are described in detail in the safety evaluation that will be issued with the POL. A brief summary of the NRC staff's changes, compared to the proposed LCs and TSs Aerotest submitted by letter dated June 22, 2021, is provided below. Because the issuance of the amendment would be a partial approval, and partial denial, Aerotest would have an opportunity to request a hearing on the portion of the LAR that is denied. Additional information will be provided in the cover letter of the POL.

Before we proceed to issue the amendment, we encourage you to take an opportunity to discuss the partial denial, and the NRC staff-initiated changes, via telephone conference including NRC division management. The purpose of the telephone conference would be to explain the partial approval and partial denial, and answer any questions.

Please reply to this email to let us know your availability for a teleconference, and we can set something up. Although we would encourage you to take the opportunity to discuss the partial approval and partial denial of the LAR, if you do not believe a teleconference is necessary, we request that you still confirm this by response to this email, and we will proceed to finalize the amendment without delay. A copy of this email and the attachment will be placed into NRC ADAMS prior to issuance of the POL and referenced in the POL amendment cover letter.

The following list summarizes the NRC staff changes:

- LC 2.B.(2) – added SNM produced from previous operation of ARRR and other reactors.
- LC 2.B.(3) - added byproduct material produced from previous operation of ARRR and other reactors.
- LC 2.C.(2) – added a period.

- LC 2.C.(3) – corrected title and date.
- LC 2.C.(4) – corrected typographical errors.
- LC 2.F – revised for clarity.
- TS 2.2 – removed proposed restricted area changes.
- TS 2.3 – deleted.
- TS 4.2 – replaced “?” with correct symbol “μ”
- TS 7.2 – removed quotation mark and added a period.
- TS 7.3 – added a period.
- TS 7.7 – added a period.
- TS 11.3 – changed “Handling” to “Handler.”
- TS 12.1.4 – added hyphen to “college-level.”
- TS 12.1.5 – capitalized “Level”, changed “need” to “needed,” and changed “handing” to “handling.”

Thanks

Geoffrey Wertz, P.E.

Non-Power Production and Utilization Facility Licensing Branch (UNPL)

Division of Advanced Reactors and Non-Power Production and Utilization
Facilities (DANU)

Office of Nuclear Reactor Regulation

Work 301-415-0893

Mobile 434-485-6159

geoffrey.wertz@nrc.gov



David M. Slaughter, PhD
Nuclear and Chemical Engineer
Nuclear Labyrinth

801 631-5919

--

David M. Slaughter, PhD
Nuclear and Chemical Engineer
Nuclear Labyrinth

801 631-5919