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**SAFETY EVALUATION REPORT**

DOCKET NO.: 70-1374

LICENSE No.: SNM-1373

LICENSEE: Idaho State University

SUBJECT: AMENDMENT 1 – IDAHO STATE UNIVERSITY UPDATED ROSTER OF OFFICIALS

**I. INTRODUCTION**

By letter dated August 7, 2023 (Agencywide Documents Access and Management System Accession No. ML23237A272), Idaho State University (ISU) submitted an application for amending Special Nuclear Materials License No. 1373 (SNM-1373) to update their roster. Specifically, ISU requested that the U.S. Nuclear Regulatory Commission (NRC) amend SNM-1373 to include Dr. Martin Blair as the Vice President for Research. Dr. Blair would be replacing Dr. Donna Lybecker in this position. In addition, ISU requested to add Mr. Larry Foulkrod as the new reactor supervisor in training. The NRC staff reviewed the information provided and noted that the submittal was missing information regarding Mr. Foulkrod. The NRC staff then contacted ISU via a brief phone call on September 25, 2023, to, specifically, inform ISU that the incoming was missing information regarding the qualifications for Mr. Foulkrod. During the call, the NRC staff requested ISU to supplement their submittal by providing the missing information. Following the call, by letter dated November 14, 2023 (ML23348A218), ISU submitted the requested information.

In its November 14, 2023, supplemental letter, which provided Mr. Foulkrod's qualifications, the ISU also included a revision to Attachment IV, "Minimum Qualifications of University Personnel Responsible for Materials License SNM-1373." The revision to Attachment IV changed the minimum qualifications for the reactor supervisor. The ISU requested that Mr. Foulkrod's qualifications be reviewed against these qualifications. The NRC staff reviewed the information provided and identified an issue with the revisions to the reactor supervisor qualifications. The NRC staff noted that ISU revised the reactor supervisor qualifications to require that the individual's minimum qualifications be holding a Bachelor of Science (BS) in an engineering or physical science field or "equivalent experience." The NRC staff reviewed this information and determined that the requirement for "equivalent experience" should be more specific and/or clarified, and on November 30, 2023, again contacted ISU to briefly discuss this matter. Following this brief call, by letter dated November 30, 2023 (ML23342A159), the ISU provided the additional, supplemental information revising the reactor supervisor qualifications to require that the individual held a BS in an engineering or physical science field or "10 or more years of experience in the nuclear industry." The NRC staff reviewed the information and determined that ISU had provided sufficient information to proceed with detailed technical review.

**II. REGULATORY REQUIREMENTS**

The regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Paragraph 70.23(a) state that an application for a license will be approved if the Commission determines, in part, that the applicant is qualified by reason of training and experience to use licensed material for the purpose requested.

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### III. DISCUSSION

In its November 7, 2023, submittal, the ISU nominated Dr. Blair for replacing Dr. Lybecker as the new Vice President for Research and provided his qualifications. The NRC staff reviewed the minimum qualification requirements described in the revised Attachment IV of ISU's license application for the Vice President of Research and noted that the requirements for the position are as follows:

- (1) Doctor of Philosophy (PhD) or equivalent education,
- (2) Senior manager at ISU, and
- (3) At least 5 years of supervisory/administrative experience.

The NRC staff noted that Dr. Blair holds a Doctor of Philosophy degree (PhD) in Education/Disability Disciplines from Utah State University since 2008. Dr. Blair holds the position of Vice President for Research at ISU and has held this position since June 2022. With regards to Dr. Blair's supervisory and administrative experience, the NRC staff noted that he currently holds the ISU's Vice President for Research position within the ISU's senior management team. In addition, the NRC staff noted that he has held administrative positions since 1998 including, amongst others, Project Director at the Center for Persons with Disabilities, Utah State University, Logan, UT (1998-99); Associate Director, Mountain Plains Regional Resource Center (MPRRC), U.S. Department of Education (2008-2012); Co-Chair, Human and Family Development Minor Program, College of Humanities and Sciences, University of Montana (2013-2022); and Executive Director, University of Montana Rural Institute (2013-2022). Based on the review of this information, the NRC staff finds that Dr. Blair meets the ISU requirements for Vice President for Research.

Attached to its November 30, 2023, supplemental letter, the ISU provided the qualifications for Mr. Foulkrod. The ISU nominated him for the reactor supervisor in training position. The ISU also provided a revision to its required qualifications for the reactor supervisor position as an attachment to the November 30, 2023, supplemental letter. The revised qualifications for the position are as follows:

- (1) BS in an engineering or science field or 10 or more years of experience in the nuclear industry.
- (2) At least 2 years of experience related to nuclear reactor operations (need not have power reactor experience).
- (3) Pass the requirements, or equivalent, for having a reactor operator license, and obtain a senior reactor operator license within one year of qualifying for the reactor operator license.
- (4) Must maintain certification as a senior reactor operator (SRO).

The NRC staff reviewed Mr. Foulkrod's qualifications (i.e., resume - non-public - contains personally identifiable information) and noted that he does not possess a bachelor's degree in an engineering or science field. However, the NRC staff noted that Mr. Foulkrod's resume, as provided by ISU, shows that he has completed 43 college credits at the ISU. In addition, Mr. Foulkrod has more than 30 years of experience in the nuclear industry including conducting work for the United States Navy, the Argonne National Laboratory, and most recently, for the for the U.S. Department of Energy's Office of Nuclear Energy, Idaho National laboratory (INL). The NRC staff also noted that Mr. Foulkrod possesses the following additional education and credentials in the nuclear field:

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- Advanced Test Reactor Experiment Operator School (Basic Operator Qualification Equivalent)
- Certified Residential Radon Mitigation Provider and Residential Measurement Provider (National Environmental Health Association)
- Oak Ridge Associated University Gamma Spectroscopy Training
- Radiological Worker Training for Managers and Supervisors
- Management and Independent Assessments
- INL Performing Assessments
- Naval Nuclear Power
- Naval Nuclear Prototype Training Unit
- Engineering Laboratory Technician
- Radiological Controls Maintenance

Based on this information, the NRC staff determined that Mr. Foulkrod meets the ISU requirements for the reactor supervisor in training position.

**III. ENVIRONMENTAL REVIEW**

A proposed action is excluded from an environmental review under 10 CFR 51.22(c)(14)(v) if it is an amendment to a license issued pursuant to 10 CFR Part 70 authorizing the use of radioactive materials for research and development and for educational purposes. The changes to Attachment I of ISU's application meet this requirement.

The NRC staff determined that the proposed action does not adversely impact public health and safety or the environment and is categorically excluded from the requirement to conduct an environmental review. Therefore, in accordance with 10 CFR 51.22(c)(14)(v), neither an environmental assessment nor an environmental impact statement is warranted for this action.

**IV. CONCLUSION**

Based on the information discussed above, the NRC staff finds that Dr. Martin Blair meets the ISU requirements for Vice President for Research. In addition, the NRC staff finds that Mr. Larry Foulkrod meets the minimum requirements for Reactor Supervisor in training. The NRC staff finds these individuals to be qualified for the positions by reason of training and experience to use licensed material for the education, research, and training activities authorized by the license. Therefore, the nominated individuals are acceptable for inclusion in ISU's roster.

**PRINCIPAL CONTRIBUTORS**

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