



HITACHI

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M240052

March 15, 2024

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555-001

10 CFR 50.90

Subject: GEHA/NorthStar Response to NRC Request for Additional Information Regarding Direct Transfer of R-33 NTR License

- References:**
- 1) Application for Consent to Direct Transfers of Control of Licenses and Related Conforming License Amendments, 9/1/23 (ML23244A246, ML23244A247)
 - 2) NRC License R-33, Docket 0500073, General Electric Hitachi (GEH) Nuclear Test Reactor (NTR), Amendment 26 Issued 2/28/24
 - 3) Telecom, Chris Allen (NRC) with Scott P. Murray (GEH), "Request for Additional Information Regarding the Direct Transfer of VNC Licenses," 3/12/24

On September 1, 2023, GE Hitachi Nuclear Energy Americas, LLC ("GEHA") and NorthStar Vallecitos, LLC ("NorthStar Vallecitos") (together, "Applicants") submitted a request for the direct transfers of control of GEHA's Vallecitos Nuclear Center (VNC) NRC licenses in Sunol, CA (Reference 1).

GEHA and NorthStar hereby respond to the NRC request for additional information as we discussed on March 12, 2024 (Reference 3).

Attachment 1 provides a red line draft of R-33 Amendment 27 and Attachment 2 provides a red line draft of the R-33 Technical Specifications, Rev 9.

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

For GE Hitachi Nuclear Energy Americas, LLC

Scott P. Murray
Facility Licensing, Manager
GE Hitachi Nuclear Energy Americas, LLC

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U.S. NRC
March 15, 2024
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For the NorthStar Companies:



Gregory G. DiCarlo
Vice President, General Counsel & Secretary
NorthStar Group Services, Inc.

Attachments 1) R-33 Amendment 27 Draft Redline Mark Up
2) R-33 Technical Specifications Revision 9 Draft Redline Mark Up

cc: NRC Region IV Administrator
J. D. Parrott, USNRC/NMSS/DUWP/RDB
J. M. Borromeo, Branch Chief, USNRC/NRR/DANU/UNPL
G. A. Wertz, USNRC/NRR/DANU/UNPL
SPM 24-019



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

GE-HITACHI NUCLEAR ENERGY AMERICAS, LLC
NORTHSTAR VALLECITOS, LLC

DOCKET NO. 50-73

NUCLEAR TEST REACTOR

AMENDMENT TO ~~RENEWED~~ FACILITY ~~OPERATING~~ LICENSE

Amendment No. 276
License No. R-33

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A.—The application for amendment ~~to Renewed Facility Operating License No. R-33~~, filed by ~~GE Hitachi Nuclear Energy Americas, LLC (the licensee) on October 6, 2023, as supplemented by letters dated December 15, 2023, and~~
 - A. ~~January 26, February 12, and February 23, 2024~~NorthStar Vallecitos, LLC* dated September 1, 2023, as supplemented on September 5, 2023, October 19, 2023, November 1, 2023 and January 22, 2024, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance that (i) the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public;
 - E. This issuance of this amendment is in accordance with 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," of the Commission's regulations, and all applicable requirements have been satisfied; and
 - F. Prior notice of this amendment was not required by 10 CFR 2.105, "Notice of proposed action," and publication of a notice of issuance for this amendment is not required by 10 CFR 2.106, "Notice of issuance."

*This License was transferred from GE-Hitachi Nuclear Energy Americas, LLC to NorthStar Vallecitos, LLC, in accordance with the Order for this Amendment.

G The receipt, possession, and use of byproduct and special nuclear materials as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," and 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material."

2. Accordingly, Facility ~~Operating~~ License No. R-33 is hereby amended ~~renewed~~ in its entirety to read as follows:

A. This license applies to the NTR, which is owned by ~~GE Hitachi Nuclear Energy Americas~~ ~~NorthStar Vallecitos~~, LLC and located at its Vallecitos Nuclear Center in Alameda County, California, and described in the application for license renewal dated November 19, 2020, as supplemented.

B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses ~~GE Hitachi Nuclear Energy Americas~~ ~~NorthStar Vallecitos~~, LLC:

(1) Pursuant to Section 104c of the Act and 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to possess the reactor at the designated location in Alameda County, California, in accordance with the procedures and limitations described in the application and set forth in this license.

(2) Pursuant to the Act and 10 CFR Part 70, to possess, but not separate:

- a. up to 4 kilograms of contained uranium-235 of an enrichment of 20 percent or greater in the isotope uranium-235, in the form of in-core reactor fuel; and
- b. such special nuclear material as may have been produced by the operation of the reactor.

(3) Pursuant to the Act and 10 CFR Part 30, to possess:

- a. up to 0.2-curie radium-beryllium sealed startup source, and up to 0.03 curies of byproduct materials, in the form of sealed sources, for instrument calibration and source checks; and
- b. but not to separate, such byproduct material as may have been produced by the operation of the reactor.

- C. This license shall be deemed to contain and is subject to the conditions specified in 10 CFR Parts 20, 30, 50, 51, 55, 70, and 73 of the Commission's regulations; is subject to all applicable provisions of the Act, and to the rules, regulations, and orders of the Commission now, or hereafter in effect, and to the additional conditions specified below:

(1) Maximum Power Level

The licensee is not authorized to operate the reactor at any power level.

(2) Technical Specifications

The Technical Specifications contained in Attachment A, as revised by Amendment No. 2627, are hereby incorporated in their entirety in the license. The licensee shall maintain the facility in accordance with the Technical Specifications.

(3) Physical Security Plan

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54, "Conditions of licenses," paragraph (p). The approved physical security plan, entitled "VNC Site Physical Security Plan," dated April 4, 2022, consists of documents withheld from public disclosure pursuant to 10 CFR 73.21, "Protection of Safeguards Information: Performance requirements."

~~(4) GE Hitachi Nuclear Energy Americas, LLC~~ NorthStar Vallecitos, LLC, as stated in the ~~General Electric Company's (GE's)~~ NorthStar Vallecitos, LLC application dated ~~January 19, 2007~~ September 1, 2023, ~~and~~ as supplemented by letters dated September 5, 2023, October 19, 2023, November 1, 2023, and January 22, 2024 ~~on January 25, 2007, February 23, 2007, March 2, 2007, March 26, 2007, May 16,~~

~~(4) 2007, May 18, 2007, June 4, 2007, July 6, 2007, and August 9, 2007,~~ will abide by all commitments and representations previously made by GE with respect to the license. These include, but are not limited to, maintaining decommissioning records, implementing decontamination activities, and eventually decommissioning the facility.

(5) The Manager of the Vallecitos Nuclear Center, the Vice-President, Reactor Facility Safety and Security of ~~GE Hitachi Nuclear Energy Americas~~ NorthStar Vallecitos, LLC, and the Manager of ~~GE Hitachi Nuclear Energy Americas~~ NorthStar Vallecitos, LLC shall be U.S. citizens. These individuals shall have the responsibility and exclusive authority to ensure and shall ensure that the business and activities of ~~GE Hitachi Nuclear Energy Americas~~ NorthStar Vallecitos, LLC, with respect to this license, are at all times conducted in a manner consistent with the protection of the public health and safety and the common defense and security.

- ~~(6)~~ The commitments/representations made in the ~~GE's NorthStar Vallecitos, LLC's~~ application dated ~~September 1, 2023, as supplemented by letters dated September 5, 2023, October 19, 2023, November 1, 2023, and January 22, 2024~~
~~January 19, 2007, and supplemented on January 25, 2007, February 23, 2007,~~
~~March 2, 2007, March 26, 2007, May 16, 2007, May 18, 2007, June 4, 2007,~~
(6) ~~July 6, 2007, and August 9, 2007,~~ regarding reporting relationships and authority over safety and security issues and compliance with NRC requirements shall be adhered to and not be modified without the prior written consent from the Director, Office of Nuclear ~~Reactor Regulation~~ Material Safety and Safeguards, or designee.
- (7) ~~GE Hitachi Nuclear Energy Americas~~ NorthStar Vallecitos, LLC shall cause to be transmitted to the Director, Office of Nuclear ~~Reactor Regulation~~ Material Safety and Safeguards within 30 days of filing with the U.S. Securities and Exchange Commission (SEC), any schedule 13D or 13G filed pursuant to the Securities Exchange Act of 1934 that discloses beneficial ownership of a registered class of General Electric stock.

D. The license is effective as of the date of its issuance and until the Commission notifies the licensee in writing that the license is terminated.

FOR THE NUCLEAR REGULATORY COMMISSION

~~/original signed by Andrea D. Veil/~~

~~Andrea D. Veil~~ John W. Lubinski, Director
Office of Nuclear ~~Reactor Regulation~~ Material Safety and Safeguards

~~Attachment:
Appendix A, Technical Specifications~~

~~GE HITACHI NUCLEAR ENERGY~~

NEDO 32765

Revision 98

~~January-April XX, 2024~~

**TECHNICAL SPECIFICATIONS FOR
THE
NUCLEAR TEST REACTOR FACILITY
LICENSE R-33**

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Amendment 27
April XX, 2024

1 INTRODUCTION

This document constitutes the Technical Specifications for the ~~GEH~~NorthStar Vallecitos, LLC Nuclear Test Reactor as required by 10 CFR 50.36 and supersedes all prior Technical Specifications. This document includes the "basis" to support the selection and significance of the specifications. The Technical Specifications are based on the guidance provided in American National Standards Institute/ American Nuclear Society (ANSI/ANS) 15.1-2007, "The Development of Technical Specifications for Research Reactors" as modified by NUREG-1537, Part 1, Appendix 14.1, "Format and Content of Technical Specifications for Non-Power Reactors."

These Technical Specifications provide limits that assure reactor-related activity will be controlled in a way that protects the health and safety of the public, the environment, and *on-SITE* personnel. Areas addressed are Definitions, Limiting Conditions for *POLSC* (LCP), Surveillance Requirements, Design Features, and Administrative Controls.

1.1 DEFINITIONS

ADMINISTRATIVE CHANGE(S):

An editorial, non-technical change, which does not affect nuclear safety, personnel safety, security, quality, or change the intent of the document being changed.

CHANNEL(S):

The combination of sensors, lines, amplifiers, and output devices which are connected for the purpose of measuring the value of a parameter.

CHANNEL CAL/BRATION:

A comparison and/or an adjustment of the *CHANNEL* so that its output corresponds with acceptable accuracy to known values of the parameter which the *CHANNEL* measures. Calibration *SHALL* encompass the entire *CHANNEL*, including equipment actuation, alarm, or trip test and *SHALL* include the *CHANNEL TEST*.

CHANNEL CHECK:

A qualitative verification of acceptable performance by observation of *CHANNEL* behavior. This verification where possible *SHALL* include comparison of the *CHANNEL* with other independent *CHANNELS* or systems measuring the same parameter.

CHANNEL TEST:

The introduction of a signal into the *CHANNEL* to verify that it is *OPERABLE*.