

From: [Frank Tran](#)
To: [Mack, Kenneth](#)
Subject: Request additional information for Point Beach Nuclear Facility, Docket No. 030-39380
Date: Wednesday, July 17, 2024 2:55:00 PM

Dear Mr. Kenneth Mack:

We have reviewed your new materials license application dated May 17, 2024 in accordance with the NRC regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material" and the licensing guidance in NUREG-1556, Volume 7, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope, Including Electron Capture Devices and X-Ray Fluorescence Analyzers", and Volume 20, Revision 1, "Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures". Based on the review, we will need the following. Please note that, some statements requested are suggestions based on our licensing guidance, you can provide the alternative responses and we will evaluate case by case.

1. NextEra Energy Point Beach, LLC applied for this license. It stated that the company holds two NRC licenses (License Nos. DPR-24 and DPR-27) with Docket Nos. 050-00266 and 050-00301. Based on those licenses, the licensee's name is NextEra Energy Point Beach, LLC. According to the licensing guidance, the name on the license should be the legal name of the applicant's corporation. However, Item 2 of the application lists the name of the applicant as Point Beach Nuclear Facility. Please let us know if the name for the license application (Item 2) should be NextEra Energy Point Beach, LLC.
2. The application was prepared and submitted for a new materials license as permitted by 10 CFR part 30 for research and development purposes. However, Section 6 of the application stated that licensed materials will be distributed to other authorized licensees. Please let us know if licensed material will be transferred to other authorized licensees for the purpose of analyzing/studying the composition of the irradiated material (as described in the definition of research and development in 10 CFR 30.4) or that the licensed material will be commercially distributed to other authorized licenses.
3. The NRC requires the licensee to maintain records related to the decommissioning or license termination purpose. Based on the licensing guidance, provide the following statement: "Pursuant to 10 CFR 30.35(g), 10 CFR 40.36(f), and 10 CFR 70.25(g) and 10 CFR 70.51(b)(3), as appropriate, NextEra Energy Point Beach, LLC (NextEra) will maintain records important to decommissioning and transfer these records to an NRC or Agreement State licensee before licensed activities are transferred or assigned, in accordance with 10 CFR 30.34(b), 10 CFR 40.46, and 10 CFR 70.36, as appropriate. Furthermore, pursuant to 10 CFR 30.51(f), 10 CFR 40.61(f), and 10 CFR 70.51(a)(3), as appropriate, prior to license termination, NextEra will forward the records required

by 10 CFR 30.35(g), 10 CFR 40.36(f), and 10 CFR 70.25(g), as appropriate, to the appropriate NRC Regional Office.”

4. Based on the NRC’s policy, a materials license will have a Radiation Safety Officer (RSO) named in the license. As you indicated that Brian Eick is the current Radiation Protection Manager for License Nos. DPR-24 and DPR-27, is it your plan to name Brian Eick the RSO for the materials license? In addition, please let us know how long Brian Eick has performed the role of the RPM and provide a copy of the memo of delegation of authority for the RSO confirming that Brian Eick is aware of the position and RSO’s responsibility for the materials license as described in Appendix E to NUREG-1556, Volume 7, Revision 1. For your reference, a sample of the memo is also in that appendix.
5. For the proposed sealed sources which will be possessed and used under this license, provide the description of the sealed sources (manufacturer, source design (dimension, construction material, maximum activity per source) and address the conditions of use (operating/maximum temperature, vibration, pressure, corrosive environment, humidity, and/or margins, as applicable, and potential of explosion, if any, to ensure the integrity of the sources during storage, transport, and use).
6. Provide information related to sealed source leak test to ensure the sources is not leaked when receiving, before irradiating, after irradiating, and before transferring offsite, as applicable. In addition, what will be the minimum frequency to perform a leak test if the sources will be in storage for more than 6 months.
7. Provide a description of the process for the use of licensed material (how the sources will be made, tested, and used) and where the licensed material will be used/irradiated.
8. The applicant stated that licensed material will be possessed in the owner-controlled area which includes the Protected Area (as defined in 10 CFR 73.2) and maybe the areas adjacent to the Protected Area. Please indicate the areas/facilities, which are outside the Protected Area, where licensed material may be stored and how licensed material will be secured. If the licensed material will not be stored in an area outside the Protected Area, please state.
9. Please confirm that the applicant will: a) develop, maintain, and implement the operating and emergency procedures related to the use of licensed material, b) provide training on the procedures for individuals who will work with licensed materials, c) ensure those individuals are competent to perform the licensed activities before using licensed material, and d) record of the training completion will be maintained for three years following the last use of licensed material by the individual.
10. For licensed material receipt and accountability, provide the following statement: “The

applicant will develop, implement, and maintain procedures for ensuring accountability of licensed materials at all times” and provide a description of the procedures for ensuring that sealed sources will not be lost, stolen, or misplaced.

11. For the calibration of radiation survey instrument, provide the following: “The applicant or a licensee licensed by the NRC or Agreement State to perform instrument calibration will calibrate the radiation survey instrument before first use, at least annually thereafter, and after any repair. The applicant will calibrate the survey instrument in accordance with the manufacturer/vendor instruction or national recognized standard”. Alternatively, the applicant could submit the equivalent procedures for instrument calibrations.

To continue the review of your application, we request that you submit your response under a dated and signed cover letter by August 16, 2024. In the cover letter, please reference the Mail Control No. 640976. If you have questions, require additional time to respond, or require clarification on any of the information stated above, please contact me at 630-829-9623 or reply to this email.

In accordance with 10 CFR 2.390 of the NRC’s “Rules of Practice,” a copy of this correspondence will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Best regards,

Frank Tran

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References:

NRC Regulations: <https://www.nrc.gov/reading-rm/doc-collections/cfr/index.html>

NUREG-1556 Series: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/index.html>

NUREG-1757, Series: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/index.html>

NRC Forms: <https://www.nrc.gov/reading-rm/doc-collections/forms/index.html>

NRC License Fees: <https://www.nrc.gov/about-nrc/regulatory/licensing/fees.html>