

September 2, 2014

Robert D. Busch, Ph.D, P.E.
Chief Reactor Supervisor
Chemical and Nuclear Engineering Dept., FEC 209
MSC01 1120
University of New Mexico
Albuquerque, NM 87131-0001

SUBJECT: UNIVERSITY OF NEW MEXICO - NRC ROUTINE INSPECTION REPORT NO. 50-252/2014-201 AND NOTICE OF VIOLATION

Dear Dr. Busch:

On July 28-31, 2014, the U.S. Nuclear Regulatory Commission (NRC, the Commission) conducted an inspection at the University of New Mexico (UNM) AGN-201M Research Reactor facility (Inspection Report No. 50-252/2014-201). The enclosed report documents the inspection results, which were discussed on July 31, 2014, with you, Mr. Kenneth Carpenter, Reactor Supervisor, and representatives of the UNM's Department of Safety & Risk Services (SRS), Radiation Safety Division.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspector reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy included on the NRC's Web site at www.nrc.gov; select **What We Do, Enforcement**, and then **Enforcement Policy**. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The violation is being cited in the Notice because it constitutes a failure to meet regulatory requirements that has more than minor safety significance and the licensee failed to identify the violation.

The NRC has concluded that information regarding the reason for the violation, the corrective actions planned and taken to correct the violation and prevent recurrence were adequately addressed during the inspection and documented in this inspection report. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice. In accordance with 10 CFR 2.390, "Public inspections, exemptions, and requests for withholding" a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public

R. Busch

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Document Room or from the NRC's document system (Agencywide Document Access Management System (ADAMS)). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (Public Electronic Reading Room). Should you have any questions concerning this inspection, please contact Johnny Eads at (301) 415-0136 or by electronic mail at Johnny.Eads@nrc.gov.

Sincerely,

/RA/

Kevin Hsueh, Chief
Research and Test Reactors Oversight Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No.: 50-252

License No.: R-102

Enclosures:

1. Notice of Violation
2. NRC Inspection Report No. 50-252/2014-201

cc: Please see next page

University of New Mexico

Docket No. 50-252

cc:

City Manager
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Test, Research, and Training
Reactor Newsletter
University of Florida
202 Nuclear Sciences Center
Gainesville, FL 32611

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Document Room or from the NRC's document system (Agencywide Document Access Management System (ADAMS)). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (Public Electronic Reading Room). Should you have any questions concerning this inspection, please contact Johnny Eads at (301) 415-0136 or by electronic mail at Johnny.Eads@nrc.gov.

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Kevin Hsueh, Chief
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NOTICE OF VIOLATION

University of New Mexico
AGN-201M Reactor Facility

Docket No. 50-252
License No. R-102

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted July 28-31, 2014, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

The Operator and Senior Operator Requalification Program for the University of New Mexico Reactor Facility requires that each certified individual take an annual operational exam to demonstrate competency.

Contrary to the above requirements, on July 29, 2014, the NRC inspector found that one reactor operator had failed to complete the required annual operational exam in 2013.

This has been determined to be a Severity Level IV violation (Section 6.1).

The NRC has concluded that information regarding the reason for the violation, the corrective actions planned and taken to correct the violation and prevent recurrence were adequately addressed during the inspection and documented in this inspection report. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," include the violation number, and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Director, Office of Nuclear Reactor Regulation within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001. Because your response 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), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at (the Public Electronic Reading Room) <http://www.nrc.gov/reading-rm/adams.html>. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information.

ENCLOSURE 1

If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 2nd day of September 2014

U. S. NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION

Docket No.: 50-252

License No.: R-102

Report No.: 50-252/2014-201

Licensee: University of New Mexico

Facility: AGN-201M Reactor Facility

Location: Albuquerque, New Mexico

Dates: July 28-31, 2014

Inspector: Johnny Eads

Approved by: Kevin Hsueh, Chief
Research and Test Reactors Oversight Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

EXECUTIVE SUMMARY

University of New Mexico
AGN-201M Research Reactor Facility
NRC Inspection Report No.: 50-252/2014-201

The primary focus of this routine, announced inspection included onsite review of selected aspects of the University of New Mexico (UNM, the licensee) Class II research reactor safety program including: 1) Procedures, 2) Requalification Training, 3) Experiments, 4) Health Physics, 5) Design Changes, 6) Committees, Audits, and Reviews, and 7) Transportation activities since the last U.S. Nuclear Regulatory Commission (NRC) inspection. The licensee's program was acceptably directed toward the protection of public health and safety, and in compliance with NRC requirements. One violation was identified.

Procedures

- Procedural control and implementation satisfied Technical Specification (TS) requirements.

Requalification Training

- The licensee's requalification program was up-to-date and plan requirements were generally met. However, one violation was identified as described in the report.

Experiments

- The approval and control of experiments met TS requirements.

Health Physics

- The radiation protection program was being maintained and implemented as required.

Design Changes

- The licensee's design change program was being implemented as required.

Committees, Audits, and Reviews

- Review and oversight functions required by the TS were acceptably completed by the Reactor Safety Advisory Committee.

Transportation of Radioactive Materials

- The licensee did not ship any radioactive material from the facility using the reactor license.

REPORT DETAILS

Summary of Facility Status

The University of New Mexico (UNM, the licensee) Aerojet General Nucleonics-201 Modified (AGN-201M) research reactor was licensed to operate at a maximum steady-state thermal power of 5 Watt (W). The licensee continued to operate the reactor in support of operator training, surveillances, and teaching and classroom experiments/demonstrations. During the inspection, the reactor was operated for the performance and completion of the monthly surveillance tests.

1. Procedures

a. Inspection Scope (IP 69001)

The inspector reviewed the following to ensure that the procedural control requirements of Technical Specifications (TS) Section 6.6 were being met:

- Records of changes to procedures
- Reactor Safety Advisory Committee (RSAC) meeting minutes dated October 30, 2012, April 26, 2013, November 8, 2013, and June 4, 2014
- Selected procedures from the Reactor Operation and Training Manual (ROTM), revised June 2011

b. Observations and Findings

The inspector reviewed the licensee's written procedures and revisions to procedures. The procedures were organized to address the full scope of activities conducted at the reactor facility. The inspector noted that procedural changes were being reviewed and approved as required by TS. Training of personnel on procedures and changes was acceptable. Through observation of various activities at the facility, including reactor operation, the inspector determined that licensee personnel conducted activities in accordance with applicable procedures.

c. Conclusion

Procedural control and implementation satisfied TS requirements.

2. Operator Requalification

a. Inspection Scope (IP 69001)

The inspector reviewed the following to verify compliance with the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 55 and the requalification program:

- Operator active license status
- University of New Mexico AGN-201M Reactor Operations Log," manual revision dated February 2009
- Training requirements stipulated in ANSI/ANS 15.4 – 1977, "Standards for the Selection and Training of Personnel for Research Reactors"

b. Observations and Findings

At the time of the inspection, there were three qualified Senior Reactor Operators (SROs) working at the facility and two qualified Reactor Operators (ROs). The inspectors verified the operating licenses were current for the SROs and ROs. It was also noted that annual operating examinations (exams) and biennial written exams had been generally completed by the operators as required. However, the inspector identified that one RO had not completed the required annual operational exam in 2013 as required.

The Operator and Senior Operator Requalification Program for the University of New Mexico Reactor Facility requires that each certified individual take an annual operational exam to demonstrate competency.

Contrary to the above requirements, on July 29, 2014, the NRC inspector found that one reactor operator had failed to complete the required annual operational exam in 2013.

The facility determined that the cause of the violation was a personnel error due to confusion related to which operational activities satisfied the annual operational examination requirements. The operator completed the required operation exam the next day following the identification of the violation. Additionally, a discussion with all current ROs and SROs on the requirements for annual operational exams was completed.

Compliance with the TS was re-established on July 30, 2014 when the reactor operator completed the required annual operational exam.

The licensee was informed that failure to complete the required annual operational exam was a violation (VIO) of the NRC-approved requalification program (VIO 50-252/2014-201-01).

c. Conclusion

The licensee's requalification program was up-to-date, and plan requirements were generally met with the exception of the violation identified above.

3. Experiments

a. Inspection Scope (IP 69005)

The inspector reviewed selected aspects of the following to verify compliance with TS Sections 3.8, 4.8, and 6.5:

- Request for Use Authorizations (RFU) No. 535, "AGN-1", for the period October 2012 to present.

b. Observations and Findings

The UNM AGN-201M reactor was primarily used as a training reactor for undergraduate and graduate students. Experiments that had been performed typically consisted of operations performed for semester coursework, including: sample activation, approach to critical, reactor period and reactivity measurements, control rod calibrations, importance function measurements, and transfer function measurements.

No experiments were performed during the inspection. The inspector reviewed how experiments are performed in order to verify compliance with the TS and procedures. Additionally, from a random sampling of forms for experiments performed since the previous inspection, the inspector found that experiments were being reviewed and performed in accordance with TS requirements and the licensee's written procedures.

c. Conclusion

The program for reviewing and conducting experiments satisfied TS and procedural requirements.

4. Health Physics

a. Inspection Scope (IP 69001)

The inspector reviewed the following to verify compliance with TS Section 4.4 as well as 10 CFR Part 19 and 10 CFR Part 20 requirements:

- Radiological signs and posting and area control
- Quarterly dosimetry records for the reactor room for 2013 and 2014.
- Quarterly dosimetry records for reactor staff and students for 2013 and 2014
- Maintenance and calibration of portable radiation survey instruments, records for 2013 and 2014
- Completed AGN-201 Monthly Non-Operational Radiation Survey forms, which included documentation of an inventory of decontamination equipment, for the period from January 2013 to present
- Nuclear Engineering AGN-201 Reactor Radiation Surveys during periods

of operation and for laboratory preparation

b. Observations and Findings

The inspector toured the Nuclear Engineering Laboratory (NE Lab) and observed the use of dosimetry and radiation monitoring equipment. Licensee personnel were interviewed as well. The inspector also discussed the subjects of surveys, dosimetry, training, and radioactive effluents with UNM Department of Safety & Risk Services (SRS), Radiation Safety Division representatives.

(1) Surveys

The inspector reviewed monthly radiation and contamination surveys of the licensee's controlled areas completed by the SRS Radiation Safety Division personnel. The surveys had been completed in accordance with procedure and the results were documented on the appropriate forms and evaluated as required. It was noted that the SRS Radiation Safety Division personnel also completed an annual radiation survey of the facility while the reactor was at power in accordance with TS. No readings in excess of those noted in the past were discovered. The inspectors noted that the surveys clearly included the date, survey instrument used with calibration date, reactor power level and the type of survey.

(2) Postings and Notices

The inspector toured the NE Lab and reviewed the postings required by 10 CFR Parts 19 and 20 at the entrances to various controlled areas including the Reactor Facility, the Reactor Room, and radioactive material storage areas. The postings were acceptable and indicated the radiation and contamination hazards present. The facilities' radioactive material storage areas were noted to be properly posted. No unmarked radioactive material was found in the facility. Control of radioactive material and control of access to radiation and high radiation areas were acceptable.

(3) Dosimetry

The inspector determined that the licensee typically used thermoluminescent dosimeters (TLD) for whole body monitoring of beta and gamma radiation exposure. The TLDs also contained a component to measure neutron radiation. The dosimetry was supplied and processed by a National Voluntary Laboratory Accreditation Program (NVLAP) accredited vendor, MIRION Technologies. An examination of the TLD results indicating radiological exposures at the facility for the past two years showed that the highest occupational doses, as well as doses to the public, were within 10 CFR Part 20 limitations.

(4) Radiation Monitoring Equipment

The calibration of portable survey meters and friskers was completed either by Radiation Safety Division personnel or by a company that specializes in calibrations. Fixed area radiation monitors were calibrated at the facility by reactor staff personnel using a portable source. The calibration records of portable survey meters and fixed radiation detectors in use at the facility were reviewed. The calibration frequencies of the various instruments examined met the requirements established in TS 4.4.a and records were being maintained as required.

(5) Radiation Protection Program

The licensee's Radiation Protection Program (RPP) was established through the UNM Radiation Safety Manual. The inspector verified that the RPP was being reviewed annually as required. The review of the program did not identify issues related to radiation protection at the NE Lab.

(6) Training

The Radiation Safety Manual required that all personnel who worked with radioactive materials receive training in radiation protection, policies, procedures, requirements, and the facilities prior to having unescorted access at the facility. UNM SRS Radiation Safety Division personnel were responsible for conducting the training and all of the training was typically conducted by a radiation safety specialist. A test was administered at the end of the training to verify that the individuals understood the material presented. The training covered the topics required to be taught in 10 CFR Part 19 and a review of training materials and tests indicated that reactor staff and student personnel were instructed on the appropriate subjects.

(7) Environmental Monitoring

The licensee complied with NRC regulations for environmental monitoring by ensuring that all doses at the site boundary were less than the dose limits specified in 10 CFR 20.1301. Several TLDs were strategically placed in several locations around the inside perimeter of the facility; there were no abnormal doses noted. There were no liquid or gaseous effluents discharged from the facility since the last inspection.

c. Conclusion

The radiation protection program was being maintained and implemented as required.

5. Design Changes

a. Inspection Scope (IP 69001)

To verify compliance with the licensee's procedures, Technical Specifications, and 10 CFR 50.59, the inspector reviewed selected aspects of:

- 2012 and 2013 Annual Reports for the AGN-201M reactor
- Selected "Request For Use" forms from October 2012 to the present
- Completed "Reactor Maintenance Log Sheet – The University of New Mexico AGN-201M Reactor Facility" forms for the period from 2012 to the present

b. Observations and Findings

The inspector reviewed the records related to experiments and requested maintenance since the last inspection. The inspector determined that there were no new experiments or maintenance requests (i.e., design changes) since the last NRC inspection.

The inspector reviewed the Requests for Use forms and maintenance log sheets to determine if they conformed to the screening and vetting process as described under 10 CFR 50.59. None of the changes involved a change to the technical specifications or met any of the criteria in 10 CFR 50.59(c)(2).

c. Conclusion

The licensee's design change program was being implemented as required.

6. Committees, Audits, and Reviews

a. Inspection Scope (IP 69001)

To verify that TS requirements were being met since the last inspection, the inspectors reviewed selected aspects of:

- RSAC Meeting Minutes dated October 30, 2012, April 26, 2013, November 8, 2013, and June 4, 2014

b. Observations and Findings

The functions and responsibilities of the RSAC were defined in the TS. The inspectors verified that the RSAC held semiannual meetings and a quorum was present as required. The inspectors followed up on the RSAC audits required under TS 6.4.3. Typically, the audit findings were noted in the meeting minutes.

The inspectors determined that the RSAC was performing the audits within the periodicity outlined in TS 6.4.3. Audit results and comments were captured within the meeting minutes and during this inspection it was noted that there were no corrective action items needed to be addressed. The inspectors noted that there were no safety significant issues recorded during the audits since the last inspection.

c. Conclusion

Review and oversight functions required by the TS were acceptably completed by the RSAC.

7. Transportation

a. Inspection Scope (IP 86740)

To verify compliance with procedural requirements for shipping radioactive material, the inspector interviewed licensee personnel, Radiation Safety Division personnel, and reviewed operational logs and records.

b. Observations and Findings

Through records review and discussions with licensee and UNM Radiation Safety Division personnel, the inspector determined that the licensee had not shipped any radioactive material from the reactor facility under the auspices of the reactor license. If the licensee needed to ship radioactive material, it would likely be transferred to the UNM's Broad Scope license and shipped or disposed of under that license.

c. Conclusion

No radioactive material was shipped from the reactor facility under the reactor license.

8. Exit Meeting

The inspector presented the inspection results to licensee management at the conclusion of the inspection on July 31, 2014. The inspector discussed the findings for each area reviewed. The licensee acknowledged the findings and did not identify as proprietary any of the material provided to or reviewed by the inspector during the inspection.

PARTIAL LIST OF PERSONS CONTACTED

Licensee

R. Busch	Chief Reactor Supervisor
K. Carpenter	Reactor Supervisor

Other Personnel

C. Anderko	Radiation Safety Officer
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INSPECTION PROCEDURES USED

IP 69001	Class II Research and Test Reactors
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ITEMS OPENED, CLOSED, AND DISCUSSED

OPENED:

50-252/2014-201-01	VIO	Failure to complete the required annual operational exam
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CLOSED:

50-252/2014-201-01	VIO	Failure to complete the required annual operational exam
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DISCUSSED:

None

LIST OF ACRONYMS USED

10 CFR	Title 10 of the <i>Code of Federal Regulations</i>
ANSI/ANS	American National Standards Institute/American Nuclear Society
CRS	Chief Reactor Supervisor
E-Plan	Emergency Plan
IFI	Inspector Follow-up Item
IP	Inspection Procedure
NRC	U. S. Nuclear Regulatory Commission
OJT	On-the-job training
ROTM	Reactor Operation and Training Manual
RS	Reactor Supervisor
RSO	Radiation Safety Officer
RSAC	Reactor Safety Advisory Committee
SRO	Senior Reactor Operator
TS	Technical Specifications
UNM	University of New Mexico
U-235	Uranium 235
VIO	Violation