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Docket Number 50-59 / License No. R-23

2016-0056

Ms. Maureen Wylie  
Chief Financial Officer  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: Fee Exemption Request for Review and Approval for a Model 9979 Type AF Shipping Package

By letter dated May 3, 2016, Savannah River National Laboratory (SRNL) submitted a safety analysis report; on behalf of Texas A&M University (TAMU) to the Nuclear Regulatory Commission (NRC) for review and approval for a Model 9979 Type AF Shipping Package. Subsequently, TAMU has moved its AGN-201M reactor, fuel, and special nuclear material (SNM), which was housed in the Zachry Engineering Center at TAMU, to the TEES Nuclear Science Center (NSC). This Shipping Package was used as it assured safe storage, transportation, and handling of the TAMU AGN-201M fuel and SNM. NRC review and approval was required to authorize the usage of this shipping package to transport the AGN-201M fuel and SNM.

This letter provides clarification to our September 28, 2016, letter, which requested approval of a fee waiver for the NRC review and approval of the Model 9979 Type AF Shipping Package. Pursuant to Title 10 of the Code of Federal Regulations (CFR) Section 170.5, TAMU, requests a fee waiver pursuant to 10 CFR 170.11 for the work performed by the NRC in reviewing, approving and issuing a Certificate of Compliance for the Model 9979 Type AF Shipping Package. The package was used solely for the transportation of the TAMU AGN-201M fuel and SNM.

The TAMU AGN-201M reactor is a state-owned research reactor used primarily for educational training and academic research purposes. The AGN-201M reactor has been licensed by the NRC under section 104c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation and its licensed thermal power level is 5 watts.

Thus, we request that the NRC's review and approval of the Model 9979 Type AF Shipping Package be granted a fee waiver pursuant to the provisions of 10 CFR 170.11.(a)(9). The TAMU AGN-201M reactor meets the exemption requirement in 10 CFR 170.11.(a)(9), in that it is, "State-owned research reactors used primarily for educational training and academic research purposes. For purposes of this exemption, the term research reactor means a nuclear reactor that; (i) is licensed by the NRC under section 104c. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(c)) for operation at a thermal power level of 10 megawatts or less." Subparagraph (ii) of this section pertains only to research reactors licensed to operate at a thermal power level exceeding 1 megawatt and is therefore not applicable to the AGN-201M.



Oath of Affirmation

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Sincerely,

Sean M. McDeavitt, PhD  
Director, TEES Nuclear Science Center

*Submitted with Level 2 Delegate Authorization from Dr. Yassin Hassan in letter dated February 8, 2016 (ADAMS Accession No. ML16043A048)*

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