

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
BRIGHAM YOUNG UNIVERSITY)	Docket No. 50-262
)	
(Brigham Young University)	
L-77 Research Reactor))	

ORDER TERMINATING FACILITY LICENSE

By application dated June 28, 1990, as supplemented on July 2, 1991, and March 9, 1992, Brigham Young University (BYU or the licensee) requested from the U.S. Nuclear Regulatory Commission (the Commission) authorization to dismantle and dispose of the component parts of the BYU L-77 Research Reactor located on the licensee's campus in Provo, Utah. The July 2, 1991, letter contained a request that upon completion of decommissioning, authorization be given for termination of Facility License No. R-109. A "Notice of Proposed Issuance of Orders Authorizing Disposition of Component Parts and Terminating Facility License," was published in the Federal Register on August 1, 1991 (56 FR 36851). No requests for a hearing were received. By Order dated July 23, 1992 (57 FR 33979), the Commission authorized dismantling of the facility and disposition of component parts as proposed in the decommissioning plan of the licensee. By letter dated April 15, 1994, as supplemented on May 30, October 9, and December 7, 1995, the licensee submitted the Decommissioning Survey for the L-77 Research Reactor.

The reactor fuel has been removed from the core and was shipped to a Department of Energy (DOE) facility. The reactor facility has been completely dismantled and all requirements pertaining to residual radioactivity, personnel and external radiation exposure, and fuel disposition have been satisfied. The termination radiation survey and associated documentation demonstrate that the facility and site are suitable for release. Confirmatory radiological surveys verified that the facility complied with the recommended regulatory guidance for release of the facility for unrestricted use. Accordingly, the Commission has found that the licensee decommissioned the facility in accordance with the approved decommissioning plan and the facility has been dismantled and decontaminated pursuant to the Commission's Order dated July 23, 1992. The component parts and fuel have been disposed of in accordance with the Commission's regulations in 10 CFR Chapter I, and in a manner not inimical to the common defense and security, nor to the health and safety of the public. Therefore, on the basis of the application filed by BYU, and pursuant to Sections 104 and 161 b, and i, of the Atomic Energy Act of 1954, as amended, and in accordance with 10 CFR 50.82(b)(6), Facility License No. R-109 is terminated as of the date of this Order. In accordance with 10 CFR Part 51, the Commission has determined that the issuance of this termination Order will have no significant environmental impact. The Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on October 28, 1996 (61 FR 55672).

For further details with respect to this action see (1) the application for termination of Facility License No. R-109, dated July 2, 1991, as supplemented, (2) the Commission's Safety Evaluation related to the

termination of the license, (3) the Environmental Assessment and Finding of No Significant Impact, and (4) the "Notice of Proposed Issuance of Orders Authorizing Disposition of Component Parts and Terminating Facility License," published in the Federal Register on August 1, 1991 (56 FR 36851). Each of these items is available for public inspection at the Commission Public Document Room, 2120 L Street, N.W., Washington, D.C. 20037.

Copies of items 2, 3, and 4 may be obtained upon request from the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Director, Division of Reactor Program Management.

Dated at Rockville, Maryland, this 29th day of October 1996.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "Thomas T. Martin", with a stylized flourish at the end.

Thomas T. Martin, Director
Division of Reactor Program Management
Office of Nuclear Reactor Regulation