

From: [Tran, Frank](#)
To: [Bill Peters](#)
Subject: Request for additional information for NRC License No. 21-35144-04
Date: Wednesday, September 15, 2021 12:47:00 PM

Dear Dr. Peters:

In addition to the below, we could not locate the specific time frame that Niowave will notify the NRC when Niowave declares an emergency as specified in the emergency plan. In accordance with 10 CFR 30.32(i)(3)(viii), please provide the statement that Niowave will notify the NRC operations center immediately after notification of the appropriate offsite response organizations and not later than one hour after the licensee declares an emergency.

If you have any questions, please contact me at 630-829-9623 or frank.tran@nrc.gov.

Thank you,

Frank Tran

From: Tran, Frank
Sent: Wednesday, September 01, 2021 1:58 PM
To: Bill Peters <peters@niowaveinc.com>
Subject: Request for additional information for NRC License No. 21-35144-04

Dear Dr. Peters:

This refers to the proposed emergency plan (EP) for NRC License No. 21-35144-04 in your letter dated May 19, 2021 and additional information in the letter dated August 11, 2021. We have reviewed your submittals and will need the following information.

RAI-1

Requirement:

10 CFR 30.32(i)(4) states the licensee shall allow the offsite response organizations expected to respond in case of an accident 60 days to comment on the licensee's emergency plan before submitting it to NRC. The licensee shall provide any comments received within the 60 days to the NRC with the emergency plan.

Issue:

It is not clear to the NRC staff that the State of Michigan reviewed and was allowed to comment on the proposed emergency plan.

Request:

Please clarify if the State of Michigan was afforded the opportunity to review and comment on the proposed Niowave Emergency Plan. Specifically identify which department(s) or section(s) from the State (e.g., Michigan Emergency Management & Homeland Security,

Michigan Department of Environment, Great Lakes, and Energy, Radiation Safety Section, etc.) reviewed it.

RAI-2

Requirement:

- 10 CFR 30.32(i)(3)(iii), requires a classification system for classifying accidents as alerts or site area emergency.
- Associated guidance in Regulatory Guide 3.67, Appendix A, provides examples of initiating conditions.

Issue:

Section 3.1.1 of the revised EP, "Alert," states Niowave will use 0.1 rem projected radiation exposure at the site boundary as the threshold for declaring an Alert.

Section 3.1.2 of the revised EP, "Site Area Emergency," states Niowave will use 1 rem projected radiation exposure at the site boundary as the threshold for declaring a Site Area Emergency (SAE).

However, in page 1 of the cover letter dated August 11, 2021, Niowave states that it will use 2 rem projected radiation exposure at the site boundary as the threshold for declaring a Site Area Emergency. Based on information in Section 3.1.2 and Table 3.1 of the revised EP and a discussion with you on July 29, 2021, this should be 1 rem.

Request:

Please confirm if Niowave will use 1 rem projected radiation exposure at the site boundary as the threshold for declaring a Site Area Emergency (SAE).

To continue review of your application, we request that you submit your response with date and authorized signature to this correspondence within 30 days. In your response, please refer the license number, docket number and Mail Control No. 624914.

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

Health Physicist/License Reviewer

NRC Region III/Division of Nuclear Materials Safety

Phone: 630-829-9623

Fax: 630-515-1078

Email: Frank.Tran@nrc.gov



From: [Tran, Frank](#)
To: [Pavon, Sandy](#)
Cc: [Tomczak, Tammy](#)
Subject: Document for ADAMS
Date: Wednesday, September 15, 2021 2:28:26 PM
Attachments: [RAI for Niowave dated September 15 2021.pdf](#)
[NRC 665 RAI dated September 15, 2021 for EP.pdf](#)

Dear IM Center,

Please add the attachment to ADAMS for CN624914.

Let me know if you have any questions.

Thank you,

Frank