



Oregon

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To: Energy Facility Siting Council

From: Thomas Jackman, Rules Coordinator

Date: October 11, 2024

Subject: Agenda Item D (Action Item):
Consideration of Permanent Order for Research Reactor Rulemaking, for the
October 25, 2024 EFSC Meeting

Attachments: Attachment 1: Draft Redline of Rules

BACKGROUND

Oregon State University and Reed College both operate Training, Research, Isotopes and General Atomic (TRIGA) Class nuclear research reactors. Like other nuclear installations, the research reactors operate under licenses issued by the Nuclear Regulatory Commission, and the Council provides state level monitoring and oversight of the facilities as provided by their site certificates and the administrative rules in OAR chapter 345, division 030.

The changes to Division 030, discussed below, will ensure consistency with federal reporting and notification requirements. Staff solicited feedback from the operators of these research reactors and also discussed the proposed rule changes with the Oregon Department of Energy Nuclear Safety Team as well as Hillary Haskins, the Emergency Response Manager for the Oregon Health Authority, who have each expressed their approval of these changes.

RULE CHANGE OVERVIEW

There are three proposed rule changes:

- 1) Change the annual reporting requirement in 345-030-0010(1) from August 1 to October 1
- 2) Change the written report deadline in 345-030-0010(2)(a) from 10 days to 14 days
- 3) Clarify the timeline for reporting under 345-030-0010(2)(a) and (3)(a) by inserting "(no later than the following working day)"

Each of these changes is designed to align the Council's reporting requirements more closely with the U.S. Nuclear Regulatory Commission reporting requirements and the technical specifications that describe the specific federal reporting requirements each research facility is required to follow.

The operators of the two research reactors, Steve Reese at OSU and Jerry Newhouse at Reed College, specifically requested clarification for incident reporting that is now addressed by the third change above. They both requested that reporting requirements found in OAR 345-030-0010(2)(a) and (3)(a) be modified to remove “promptly notify the Council” and replaced with “notify the Council by the following working day,” which is what their respective technical specifications require. The technical specifications are the specific federal requirements for each research reactor and for the two research reactors in Oregon both use “the following working day” as the deadline for reporting events at issue in OAR 345-030-0010(2)(a) and (3)(a).

At its July hearing, Council recommended the adoption of the “no later than the following working day” language identified above. Steve Reese and Jerry Newhouse provided no further comments after the notice of proposed rulemaking was filed with the above language.

PUBLIC COMMENT PERIOD

No comments were submitted during the public comment period.

STAFF RECOMMENDATION

Staff requests Council’s authorization to file a Permanent Rulemaking Order with the rule language shown in Attachment 1.