

April 30, 2004

Dr. Seymour Weiss
Chief, Reactor Operations and Engineering
Center for Neutron Research
National Institute of Standards and Technology
U.S. Department of Commerce
100 Bureau Drive
Gaithersburg, MD 20899

SUBJECT: RECEIPT AND AVAILABILITY OF THE LICENSE RENEWAL APPLICATION
FOR THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
REACTOR (THE NBSR)

Dear Dr. Weiss:

On April 9, 2004, the U.S. Nuclear Regulatory Commission (the staff) received the National Institute of Standards and Technology's application for renewal of Operating License TR-5 for the NBSR. We are currently performing an acceptance review for docketing in accordance with the requirements of 10 CFR 2.101, and will notify you of the results of our review. Should the NRC staff determine that the application is acceptable for docketing, a schedule for the review will then be provided to you.

We have enclosed for your information a copy of the notice relating to your application that is being sent to the Office of the Federal Register for publication.

If you have any questions on this matter, please contact either Mr. Marvin Mendonca by telephone at (301) 415-1128 or Mr. Kevin Witt by telephone at (301) 415-4075. You may contact Mr. Mendonca and Mr. Witt via electronic mail at mmm@nrc.gov and kmw@nrc.gov, respectively. Please forward copies of all license renewal correspondence to Mr. Mendonca and Mr. Witt.

Sincerely,

/RA/

Patrick M. Madden, Section Chief
Research and Test Reactors Section
New, Research and Test Reactors Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket No.: 50-184
Enclosure: As stated
cc w/enclosure: See next page

National Institute of Standards and Technology

Docket No.: 50-184

cc w/encl:

Montgomery County Executive
County Office Building
Rockville, MD 20858

Director
Department of State Planning
301 West Preston Street
Baltimore, MD 21201

Director
Department of Natural Resources
Power Plant Siting Program
Energy and Coastal Zone Administration
Tawes State Office Building
Annapolis, MD 21401

Honorable Michael L. Subin
Montgomery County Council
Stella B. Werner Council Office Building
Rockville, MD 20850

Test, Research, and Training
Reactor Newsletter
202 Nuclear Sciences Center
University of Florida
Gainesville, FL 32611-8300

Mr. David Brown, Senior Health Physicist
Reactor Group
Occupational Health and Safety Division
National Institute of Standards
and Technology
U.S. Department of Commerce
Gaithersburg, MD 20899

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UNITED STATES NUCLEAR REGULATORY COMMISSION
NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (NIST)
NOTICE OF RECEIPT AND AVAILABILITY OF APPLICATION FOR RENEWAL OF
THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY REACTOR (THE NBSR)
FACILITY OPERATING LICENSE NO. TR-5
FOR AN ADDITIONAL 20-YEAR PERIOD
DOCKET NO. 50-184

The U.S. Nuclear Regulatory Commission (NRC or Commission) has received an application, dated April 9, 2004, from the National Institute of Standards and Technology (NIST), filed pursuant to Sections 104c of the Atomic Energy Act of 1954, as amended, and 10 CFR Part 50.51(a), to renew Operating License No. TR-5 for the National Institute of Standards and Technology Reactor (the NBSR). NIST requested renewal of the license to authorize operation of the facility for an additional 20-year period beyond the period specified in the current operating license. The current operating license for the NBSR (TR-5) expires on May 16, 2004. In accordance with 10 CFR 2.109(a), NIST's application for renewal was at least 30 days prior to the expiration of an existing license, and therefore the existing license will not be deemed to have expired until the application has been finally determined. The reactor is located on the NIST campus in Gaithersburg, Maryland. The acceptability of the tendered application for docketing, and other matters including an opportunity to request for a hearing, will be the subject of subsequent *Federal Register* notices.

Copies of the application are available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, or electronically from the NRC's Agencywide Documents Access and

Management System (ADAMS) Public Electronic Reading Room under accession number ML041120161. The ADAMS Public Electronic Reading Room is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>. In addition, the application is available on the NRC web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html>, while the application is under review. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR Reference staff by telephone at 1-800-397-4209, extension 301-415-4737, or by email to pdr@nrc.gov.

Dated at Rockville, Maryland, this 29th day of April 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Patrick M. Madden, Section Chief
Research and Test Reactors Section
New, Research and Test Reactors Program
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation