

June 24, 2005

Mr. Mitchell S. Galanek  
MIT Campus Radiation Protection Officer  
Massachusetts Institute of Technology  
77 Massachusetts Avenue  
Room N52-496  
Cambridge, MA 02139

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION, LICENSE RENEWAL  
APPLICATION, MATERIALS LICENSE SNM-986 (TAC NO. L31828)

Dear Mr. Galanek:

We are continuing our review of the renewal application for Materials License SNM-986 dated April 29, 2004. During our review of your March 30, 2005 submittal of financial assurance for decommissioning, we have determined that additional information is needed to meet the requirements of 10 CFR 70.25. The additional information, specified in the enclosure, is needed before final action can be taken on your request and should be provided within 30 days of the date of this letter. Please reference the above TAC No. in future correspondence related to this request.

If you have any questions regarding this matter, I can be reached on (301) 415-8103 or by e-mail at [bmr@nrc.gov](mailto:bmr@nrc.gov).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>.

Sincerely,

**/RA/**

M. Breedon Reilly, Chemical Engineer  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket 70-938  
License SNM-986

Enclosure: Request for Additional Information

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License SNM-986  
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DISTRIBUTION:

FCFB r/f J. Kinnemann, RI J. Dwyer, RI D.Stout  
T.Fredrichs, DWMEP

**ML051800754**

\*See previous concurrence

<b>OFC</b>	FCFB		FCFB		FCFB			
<b>NAME</b>	BReilly*		BGarrett		JLubinski			
<b>DATE</b>	06/23/05		06/24/05		06/24/05			

**OFFICIAL RECORD COPY**

## **Request for Additional Information**

### **Missing Elements of Financial Assurance for Decommissioning Massachusetts Institute of Technology, SNM-986 License Renewal Application, April 29, 2004, Docket No. 70-938**

Under 10 CFR 70.25(a)(2), a licensee authorized to possess unsealed special nuclear material in excess of the threshold limit specified in the regulation must submit a Decommissioning Funding Plan (DFP).

Please submit a DFP which meets the requirements of 10 CFR 70.25(e) and includes the following information:

1. Provide a cost estimate for decommissioning the unsealed special nuclear material licensed under 10 CFR Part 70.

The U.S. Nuclear Regulatory (NRC) staff notes that the Part 70 material is stored in the licensee's Part 50 facility. In this case, it is acceptable to combine the cost estimates for the Part 50 and Part 70 licenses. You may either update your Part 50 decommissioning report (dated April 27, 1990) to address the cost of disposal of the Part 70 material or you may submit a separate DFP for the Part 70 material. If the Part 50 decommissioning report is revised, it must specifically identify the costs of decommissioning the facilities and materials licensed under Part 70.

NUREG-1757, Vol. 3, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness," provides the content and format for a cost estimate.

2. Provide a description of the method of assuring funds for decommissioning the Part 70 material, selected from the list provided in 10 CFR 70.25(f).
3. Describe the means for adjusting the cost estimate and associated funding levels periodically over the life of the facility.

NUREG-1757, Vol. 3, Appendix A.3.2, provides additional guidance on determining the means for adjusting the cost estimate.

4. Provide a certification that financial assurance for decommissioning has been provided in the amount of the cost estimate.

The format and content of the certification form is illustrated in NUREG-1757, Vol. 3, Appendix A.2.4.

5. Provide a signed original of the financial instrument obtained to satisfy the requirements of 10 CFR 70.25(f). The document may be an "original duplicate" - that is, a duplicate of the instrument held by the financial institution, but with originally signed signatures of the contracting parties.

Enclosure