



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

January 18, 2006

Docket No. 03006569

License No. 45-07112-01

Thomas W. Grose  
Director, Safety & Environmental Programs  
The College of William and Mary  
Virginia Institute of Marine Science  
P.O. Box 1346  
Gloucester Point, VA 23062-1346

**SUBJECT: THE COLLEGE OF WILLIAM AND MARY, SIGNATURE AUTHORITY FOR  
FINANCIAL ASSURANCE DOCUMENTS**

Dear Mr. Grose:

This letter is in reference to our telephone conversation on January 17, 2006.

In a letter dated August 9, 2005, you submitted a Statement of Intent (SI) as the Decommissioning Financial Assurance instrument for your NRC license. The SI is signed by Mr. John T. Wells, Dean and Director of the Virginia Institute of Marine Science (VIMS), and lists Title 23, Chapter 5 of the Code of Virginia as establishing his signature authority. In a recent internal audit of all NRC Region I financial assurance instruments, NRC staff reviewed this document. From this review, a question arose to whether Mr. Wells has the authority to sign documents which allocate funds.

NUREG-1757, Vol.3, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness", Appendix A.16.1, states that the signatory of a SI must have the authority to request funding or be designated this authority by the agency head. Appendix A.16.3 states that documentation must be provided verifying that the person signing the SI is authorized to represent the licensee in the transaction.

Section 23-49.1:1 of the Virginia Code states that the VIMS shall be "subject to the supervision, management, and control of the board of visitors of the College of William and Mary in Virginia." The Bylaws of the College of William and Mary, Article II, Section 1, states that "The President or Vice President for Finance shall have the authority to transact business in the name of the College of William and Mary in Virginia", including the assignment of cash or equivalent assets. Section 8 of this Article states that the Director of VIMS "under the direction of the President, has general purview of and administrative responsibility for the affairs of the Institute, except [emphasis added] that the director shall work directly with the Provost and Vice President for Finance on all financial and budgetary matters for recommendation as appropriate to the President."

T. Grose  
The College of William and Mary

2

Please submit either a letter from the College President delegating signature authority to the Dean and Director of VIMS or resubmit the financial assurance documents with the appropriate signatures. Refer to NUREG-1757, Vol. 3, Section 4.3.2.13 and Appendix A.16 (provided as enclosures) for guidance. If you have any questions on the requested documentation or on the requirements for decommissioning financial assurance, please contact Marjorie McLaughlin at (610) 337-5240.

Thank you for your cooperation.

Sincerely,

***Original signed by James P. Dwyer***

James P. Dwyer, Chief  
Commercial and R&D Branch  
Division of Nuclear Materials Safety

Enclosure:

NUREG-1757, Vol.3 "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness", Section 4.3.2.13 and Appendix A.16

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**SISP Review Complete: FGaskins**

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