



DEFENSE LOGISTICS AGENCY
DEFENSE NATIONAL STOCKPILE CENTER
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FT. BELVOIR, VIRGINIA 22060-6223

IN REPLY
REFER TO

DNSC-E

APR 28 2006

Todd Jackson
Senior Health Physicist
Division of Nuclear Materials Safety
United States Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

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Dear Mr. Jackson:

This letter is in response to your letter of March 10, 2006, regarding the Statement of Intent associated with the financial assurance requirements of NUREG - 1757, Volume 3, "Consolidated NMSS Decommissioning Guidance."

In your letter, you state that the financial assurance provided by the Defense National Stockpile Center (DNSC) does not include the statutory authority for the head of the agency to request funds. The statutory authority for DNSC to engage in decommissioning activities is found in 50 U.S.C. § 98h (b)(J), which makes funds available for the purpose of "Performance of environmental remediation, restoration, waste management, or compliance activities at locations of the stockpile that are required under a federal law or are undertaken by the government under an administrative decision or negotiated agreement." 50 U.S.C. § 98h(b)(J). Decommissioning activities called for under the applicable NUREG fall into this category of permissible expenditures.

Thank you for your attention to this matter. Should you have any questions regarding this matter, please contact Scott Romans, DNSC Counsel, at (703) 767- 7647.

Sincerely,

ESSIE A. SCHLOSS
Deputy Administrator

