



Maryland Department of Planning

Martin O'Malley
Governor,
Anthony G. Brown
Lt. Governor

Richard Eberhart Hall
Secretary
Matthew J. Power
Deputy Secretary

December 5, 2007

Mr. Eric Benner
Branch Chief, Environmental Branch A
U.S. Nuclear Regulatory Commission
Division of License Renewal
Office of Nuclear Reactor Regulation
Washington, DC 20555-0001

STATE CLEARINGHOUSE RECOMMENDATION

State Application Identifier: MD20070703-0722

Applicant: U.S. Nuclear Regulatory Commission

Project Description: Notice Of Availability of the Draft Environmental Impact Statement for License Renewal of the National Bureau of Standards (NIST) Reactor: license renewal last granted in 1984

Project Location: Montgomery County

Approving Authority: U.S. Nuclear Regulatory Commission

Recommendation: **Consistent with Qualifying Comments and Contingent Upon Certain Actions**

Dear Mr. Benner:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 14.24.04, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation based upon comments received to date. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of Natural Resources, the Environment, Transportation, Business and Economic Development, the Public Service Commission, Montgomery County, the City of Gaithersburg, and the Maryland Department of Planning, including the Maryland Historical Trust. As of this date, the Maryland Department of Business and Economic Development has not submitted comments. **This recommendation is contingent upon the applicant considering and addressing any problems or conditions that may be identified by their review. Any comments received will be forwarded.** The Public Service Commission mentioned that "this matter does not fall under the Public Service Commission's jurisdiction."

The Maryland Department of Transportation; Montgomery County and the City of Gaithersburg found this project to be generally consistent with their plans, programs, and objectives, but included certain qualifying comments summarized below.

The Maryland Department of Transportation stated that "as far as can be determined at this time, the subject has no unacceptable impacts on plans or programs of the Department of Transportation.

Montgomery County affirmed that this project concerns an "existing facility for renewal: no significant changes, no impact."

Mr. Eric Benner
December 5, 2007
Page 2

The City of Gaithersburg stated that the plans are consistent with operations at NIST and do not propose any changes, modifications, or additions.”

The Maryland Departments of Natural Resources, and the Environment; and the Maryland Department of Planning found this project to be consistent with their plans, programs, and objectives.

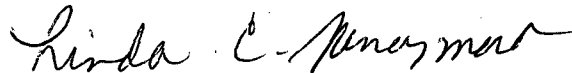
The Maryland Historical Trust has determined that the project will have "no effect" on historic properties.

Any statement of consideration given to the comments should be submitted to the approving authority, with a copy to the State Clearinghouse. The State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the approving authority cannot accommodate the recommendation.

Please remember, you must comply with all applicable state and local laws and regulations. If you need assistance or have questions, contact the State Clearinghouse staff person noted above at 410-767-4490 or through e-mail at brosenbush@mdp.state.md.us. **Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known. Any substitutions of this form must include the State Application Identifier Number. This will ensure that our files are complete.**

Thank you for your cooperation with the MIRC process.

Sincerely,



Linda C. Janey, J.D., Assistant Secretary
for Clearinghouse and Communications

LCJ:BR

cc: Beth Cole - MHT
Ray Dintaman - DNR
Joane Mueller - MDE
Cindy Johnson - MDOT

Tammy Edwards - DBED
Donald Eveleth - PSC
Lisa Rother - MTGM

Sidney A. Katz - GAITHERSBURG