



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

July 10, 2008

U.S. Department of Commerce
National Institute of Standards and Technology
ATTN: Richard F. Kayser, Chief Scientist
100 Bureau Drive, Stop 1000
Gaithersburg, MD 20899-1000

SUBJECT: RESPONSE TO CONFIRMATORY ACTION LETTER (CAL No. 4-08-003)

Dear Mr. Kayser:

Thank you for your letter dated July 9, 2008, which provided your 30 day licensee event report pursuant to 10 CFR 30.50(c)(2). Your response also provides information pursuant to subpart 4(b) of our July 2, 2008, Confirmatory Action Letter (CAL No. 4-08-003). The NRC staff will review the information provided and contact you should the staff have any questions regarding your submission.

In a second letter, also dated July 9, 2008, the National Institute of Standards and Technology (NIST) documented discussions between NIST and the U.S. Nuclear Regulatory Commission regarding the request by NIST to provide the information in Subpart 4(a) of CAL No. 4-08-003 on July 11, 2008, rather than on July 9, 2008. The basis for this request was the need by NIST to address information that was recently obtained as part of its assessment of the release of plutonium into the sanitary sewerage system pursuant to the provisions of 10 CFR 20.2003 and the applicable limits specified in Table 3 of Appendix B to 10 CFR Part 20. The NRC verbally granted the request on July 9, 2008. Therefore, you have until July 11, 2008, to provide NRC with the information requested in item 4(a) of the CAL. This information should be submitted as a supplement to your July 9, 2008, licensee event report.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your responses will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or security-related information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

U.S. Department of Commerce
National Institute of Standards
and Technology

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Should you have any questions regarding this matter, please contact me at 817-860-8106.

Sincerely,

/RA/

Arthur T. Howell III, Director
Division of Nuclear Materials Safety

Docket No. 030-03732
License No. 05-03166-05

cc:

U.S. Department of Commerce
National Institute of Standards and Technology
ATTN: Tom O'Brian, Director
325 Broadway – MC 104.02
Boulder, CO 80305-3328

Department of Public Health and Environment
Hazardous Materials & Waste Management Division
Attn: Joe Vranka, Director
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

City of Boulder
Water Quality and Environmental Services
Attn: Mr. Ridge Dorsey
4049 North 75th St.
Boulder, Colorado 80301

bcc (via E-Mail distribution):

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Elmo.Collins@nrc.gov
Art.Howell@nrc.gov
Karla.Fuller@nrc.gov
Michael.Vasquez@nrc.gov
Christi.Maier@nrc.gov
Bill.Maier@nrc.gov
Victor.Dricks@nrc.gov
Marisa.Herrera@nrc.gov
Brian.McDermott@nrc.gov
William.Jones@nrc.gov

Chuck.Casto@nrc.gov
Chuck.Cain@nrc.gov
Vivian.Campbell@nrc.gov
Jack.Whitten@nrc.gov
Blair.Spitzberg@nrc.gov
Randy.Erickson@nrc.gov
Linda.Mclean@nrc.gov
Mark.Shaffer@nrc.gov
Crystal.Holland@nrc.gov
Mark.Haire@nrc.gov

Nick.Hilton@nrc.gov
Suzanne.Woods@nrc.gov
Leelavathi.Sreenivas@nrc.gov
Sally.Merchant@nrc.gov
Michelle.Burgess@nrc.gov
Greg.Morell@nrc.gov
Ashley.Tull@nrc.gov
Amy.Powell@nrc.gov
Terrence.Reis@nrc.gov
Robert.Lewis@nrc.gov

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