



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899

March 24, 2010

Roy P. Zimmerman
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Zimmerman:

Item 10 of the March 1, 2010 Confirmatory Order issued by the NRC to NIST in connection with NRC Inspection Report 030-03732/2008-001 and NRC Investigation Report 4-2008-062 directs NIST to pay a civil penalty of \$10,000 in accordance with NUREG/BR-0254 and to provide you with a statement indicating when and by what method payment was made. In accordance with that requirement, I hereby provide the following statement:

Payment was made to the Nuclear Regulatory Commission (NRC) on behalf of the National Institute of Standards and Technology (NIST) on March 4, 2010 via the Intra-governmental Payment and Collection System (IPAC), with the effective date of funds transfer being March 4, 2010. The IPAC transaction number for this payment was 23114418 in the amount of \$10,000. The IPAC referenced NRC Inspection Report 030-03732/2008-001 and NRC Investigation Report 4-2008-062 and listed Mr. Stephen Willett as the point of contact.

NUREG/BR-0254 doesn't specifically name the IPAC method, but it does mention Electronic Funds Transfer. Wanting to make the payment as soon as possible, Ms. Sharon Whisenhunt of NIST Accounts Payable called NRC Finance and spoke with Accounts Receivable about whether it was permissible for NIST to pay via the IPAC method. NRC Accounts Receivable indicated that IPAC was an acceptable payment method and provided Ms. Whisenhunt with NRC's Area Location Code and requested that NIST provide information in the IPAC regarding the NRC judgment/report.

If you have any questions or concerns, please contact me at 301-975-4502 or at richard.kayser@nist.gov.

Sincerely,

Richard F. Kayser
Special Assistant for Environment, Safety, and Health

cc: Thomas J. O'Brien
Thomas W. Grove
Stephen C. Willett

NIST