

November 23, 2010

Ms. Susan T. Masih  
Radiation Safety Officer  
University of Missouri-Kansas City  
Administrative Center  
5115 Oak Street  
Kansas City, MO 64110

Dear Ms. Masih:

We have reviewed a Statement of Intent (SOI) submitted by the University of Missouri-Kansas City dated April 27, 2007, for conformance to the U.S. Nuclear Regulatory Commission (NRC) regulations and NUREG-1757, Vol. 3, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness."

On May 1, 2007, the University of Missouri-Kansas City in Kansas City, Missouri, submitted a revised decommissioning SOI in the amount of \$1,125,000. The SOI is signed by the University Chancellor, who states that he exercises express authority and responsibility to request sufficient funds, when necessary, for decommissioning activities associated with NRC's license number 24-00513-37, issued under Title 10 of the Code of Federal Regulations (10 CFR) Part 30.

Based on our review of the submission, we have identified the following two issues.

**(1) Submit supporting documentation for the delegated authority described in the SOI for the Chancellor**

Your submission does not include any document supporting the authority of the Chancellor to request funding from the appropriate funding body. NUREG-1757, Volume 3, Appendix A, Page 157 recommends that a submission include the following:

Documentation verifying that the person signing the statement of intent is authorized to represent the licensee in the transaction (i.e., has the authority to request and obtain decommissioning funds from the appropriate funding body when necessary). The authority should originate in a statute authorizing the head of the agency, department, or institution to request funds. If the agency head designates another person within the agency to exercise that authority, the delegation of authority should be controlled by appropriate procedures issued by the agency and documented in written form. Documentation to be submitted with the statement of intent should include a copy of the relevant portion of the statute granting authority.

The supporting documentation submitted by you, Collected Rules and Regulations §70.010, "General Execution of Corporate or Board Instruments," pertaining to the authority to execute contracts and other agreements, does not reference the authority of the University Chancellor to seek funds or identify the potential appropriate funding body. Please provide supporting documentation for the delegated authority described in the SOI for the Chancellor to seek funding for decommissioning costs associated with the license.

**(2) Submit an original Statement of Intent**

Title 10 CFR Part 30, Section 35.b(2) states that the licensee must submit a signed original of the financial instrument. In addition, NUREG-1757, Vol. 3, Section 4.3.1 states, in part, that the financial assurance mechanism is an originally signed duplicate. Contrary to this requirement, your submission dated May 1, 2007 was a copy of the Statement of Intent. Please provide an original signed duplicate Statement of Intent dated April 27, 2007.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

In your response, please reference as additional information to Control Number 300404. Please contact me at 630-829-9623 if you have any questions.

Sincerely,

*/RA/*

Frank P.D. Tran  
Materials Licensing Branch

Docket No.: 030-32693  
License No.: 24-00513-37

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Docket No.: 030-32693  
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\*See previous concurrence

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