

November 23, 2010

Mr. G. Raymond Bono
Radiation Safety Officer
Missouri University of Science and Technology
108 Campus Support Facility
1201 State Street
Rolla, MO 65409-0110

Dear Mr. Bono:

We have reviewed a Statement of Intent (SOI) submitted by the Missouri University of Science and Technology dated April 23, 2008, 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 April 23, 2008, the Missouri University of Science and Technology in Rolla, 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 24-00513-40, issued under Title 10 of the Code of Federal Regulations (10 CFR) Part 30.

Based on our review of the submission, we have identified one issue. 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.

R. Bono

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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 300416. Please contact me at 630-829-9623 if you have any questions.

Sincerely,

/RA/

Frank P.D. Tran
Materials Licensing Branch

Docket No.: 030-32692
License No.: 24-00513-40

R. Bono

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Docket No.: 030-32692
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*See previous concurrence

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