

November 5, 2012

Mr. David R. Vasbinder, Director
Buffalo Materials Research Center
University at Buffalo
220 Winspear Avenue
Buffalo, NY 14215-1034

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF THE STATE
UNIVERSITY OF NEW YORK AT BUFFALO LICENSE AMENDMENT
APPLICATION FOR THE BUFFALO MATERIALS RESEARCH CENTER
REACTOR

Dear Mr. Vasbinder:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has reviewed the State University of New York at Buffalo license amendment application for the Buffalo Materials Research Center (BMRC) reactor, Facility License No. R-77. The NRC received the application by letter dated February 17, 2012, as supplemented by letters dated June 20, 2012, September 21, 2012, and October 15, 2012. The application involved amending Facility License No. R-77 to incorporate a Decommissioning Plan (DP). Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 20.1405 and 10 CFR 50.82(b)(5), the NRC published a notice and solicitation of comments for this DP in the *Federal Register* on May 10, 2012. The NRC also conducted a safety evaluation of the proposed DP. Based on these actions, the NRC has concluded that the DP demonstrates that the proposed decommissioning will be performed in accordance with the Commission's regulations and will not be inimical to the common defense and security or to the health and safety of the public.

Therefore, the Commission approves the application and amends Facility License No. R-77 by replacing Technical Specifications Amendment No. 26 in Appendix A with Technical Specifications Amendment No. 27 and amending the language of paragraph 2.C.2. to read "Amendment No. 27." The approved DP is subject to such conditions and limitations as the Commission deems appropriate and necessary and as provided in the enclosed Safety Evaluation Report (SER). The approved DP will be a supplement to the Safety Analysis report or equivalent.

A Notice of Issuance of this amendment will be published in the *Federal Register*.

State University of New York
At Buffalo

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Any questions that you may have regarding this matter should be directed to Ted Smith at 301-415-6721 or Theodore.Smith@nrc.gov.

Sincerely,

/RA/

Andrew Persinko, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 50-57

Enclosures:

1. Amendment No. 27
to Facility License R-77
2. Safety Evaluation Report

cc: see next page

cc:

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