

January 9, 2013

Mr. Patrick Gallagher, Director
National Institute of Standards and Technology
Under Secretary of Commerce for
Standards and Technology
U.S. Department of Commerce
Gaithersburg, MD 20899

SUBJECT: REVIEW OF STATEMENT OF INTENT FOR DECOMMISSIONING ACTIVITIES
(TECHNICAL ASSIGNMENT CONTROL NO. L33287)

Dear Mr. Gallagher:

On September 13, 2013, you submitted an update to your funding for decommissioning activities at the National Institute of Standards and Technology (NIST), located at 100 Bureau Drive, Gaithersburg, MD 20889-1731. U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the Statement of Intent (SOI) for the NIST Special Nuclear Material (SNM) License, SNM-362, according to NUREG-1757, Volume 3, "Financial Assurance, Recordkeeping, and Timeliness."

Based on this review, NRC staff has determined that the SOI and supporting documentation submitted by the licensee meets the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 70.25, "Financial assurance and recordkeeping for decommissioning." Should the amount of financial assurance or estimated decommissioning cost increase to a level above the amount assured by the SOI, NIST must either (1) revise the statement of intent to assure the higher amount or, (2) obtain another financial assurance mechanism to make up the difference between the new coverage level and the amount of the SOI. The cost estimates for decommissioning must be updated at least every three years along with a certification of financial assurance.

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 Publicly Available Records System component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

P. Gallagher

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If you have any questions regarding this matter, please contact me at 301-287-9144, or via e-mail at Tyrone.naquin@nrc.gov.

Sincerely,

/RA/

Tyrone D. Naquin, Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No. 70-398

If you have any questions regarding this matter, please contact me at 301-287-9144, or via e-mail at Tyrone.naquin@nrc.gov.

Sincerely,

/RA/

Tyrone D. Naquin, Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
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Docket No. 70-398

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