

## UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D. C. 20555

February 18, 1983

Lawrence Brenner, Esq.
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Peter A. Morris Administrative Judge Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555 Dr. Jerry Harbour Administrative Judge Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555

In the Matter of NUCLEAR FUEL SERVICES, INC. AND

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (Western New York Nuclear Service Center)

Docket No. 50-201 OLA

Dear Administrative Judges:

Enclosed is a copy of AMENDMENT NO. 13 TO INDEMNITY AGREEMENT NO. B-29, dated February 9, 1983. It is provided for the information of the Board and parties, in accordance with note 2 of the Board's December 31, 1981 MEMORANDUM AND ORDER DIRECTING THE FILING OF FURTHER INFORMATION AND ISSUES, inasmuch as the Board retains jurisdiction to rule on the pending NRC STAFF MOTION FOR CLARIFICATION OF BOARD MEMORANDUM AND ORDER dated May 10, 1982.

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Enclosure: As stated

James R. Wolf Counsel for NRC Staff

Sincerely,

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# UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D. C. 20555

Docket No. 50-201

### AMENDMENT TO INDEMNITY AGREEMENT NO. B-29 AMENDMENT NO. 13

Indemnity Agreement No. B-29, between Nuclear Fuel Services, Inc., (NFS), the New York State Energy Research and Development Authority (the Authority), and the Atomic Energy Commission (the Commission), dated May 27, 1965, as amended, is hereby further amended as follows:

- 1. Effective as of September 16, 1982, the date the Nuclear Regulatory Commission terminated NFS's authority under the license, the term "Licensee" as used in this Indemnity Agreement shall thereafter refer only to the Authority, and, except as provided in paragraph 2 below, NFS shall no longer be a party to this Indemnity Agreement.
- 2. This amendment shall not affect any obligation of NFS, the Authority, or NRC with respect to any nuclear incident occurring prior to the time of transfer of the location to the U.S. Department of Energy pursuant to License Amendment No. 31.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Jerome Saltzman, Assistant Director State and Licensee Relations

Office of State Programs

FOR NUCLEAR FUEL SERVICES, INC.

Accepted \_ January 14 , 1983

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FOR THE NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

Accepted February 9 , 1983

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#### UNITED STATES OF AMERICA NUCLEAR REGULATORY COMMISSION

#### BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

NUCLEAR FUEL SERVICES, INC.

AND

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (Western New York Nuclear Service Center) Docket No. 50-201 OLA

#### CERTIFICATE OF SERVICE

I hereby certify that copies of the attached AMENDMENT NO. 13 TO INDEMNITY AGREEMENT NO. B-29 dated February 9, 1983 have been served on the following by deposit in the United States mail, first class or, as indicated by an asterisk, through deposit in the Nuclear Regulatory Commission's internal mail system, this 18th day of February 1983.

Lawrence Brenner, Chairman \*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Jerry Harbour \*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. Peter A. Morris \*
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety and Licensing Board Panel \* U.S. Nuclear Regulatory Commission Washington, D.C. 20555

Atomic Safety and Licensing
Appeal Panel \*
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Counsel for NRC Staff