



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 14, 2023

Dr. Elizabeth A. Mackey
Chief Safety Officer
National Institute of Standards and Technology
100 Bureau Drive
Gaithersburg, MD 20889

SUBJECT: DEPARTMENT OF COMMERCE TRIENNIAL UPDATE TO
DECOMMISSIONING FUNDING PLAN: SUPPLEMENTAL INFORMATION
SUBMITTAL AND CONTINUATION OF REVIEW (ENTERPRISE PROJECT
IDENTIFICATION NUMBER L-2022-DFA-0010)

Dear Dr. Mackey:

By letter dated September 27, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML22293A269), the U.S. Department of Commerce, National Institute of Standards and Technology (NIST), submitted its triennial update to the Decommissioning Funding Plan (DFP), for U.S. Nuclear Regulatory Commission (NRC) review and approval.

The NRC staff performed an acceptance review of your submittal and, by letter dated December 17, 2022 (ML22348A172), issued a request for supplemental information (RSI) in which you were notified that additional technical information was still needed for the NRC staff to complete the acceptance review of your license application. In response, by letter dated January 24, 2023 (ML23060A262), you provided NIST's responses to the RSI. In your letter, you stated that NIST had engaged in a procurement effort for a new decommissioning cost estimate (DCE) to be completed in April 2023 and noted that NIST would provide the DCE to the NRC as soon as it was completed. The NRC staff reviewed the responses to the RSI and, by letter dated March 15, 2023 (ML23067A220), notified you that, based on this review, it had determined that the responses to the RSI did not fully address the NRC staff's RSI. However, since NIST noted that it was going to have a new DCE completed by April 2023, the NRC staff decided to place the technical review of the September 27, 2022, submittal on hold pending the receipt and evaluation of the new DCE. Subsequently, by letter dated May 16, 2023 (ML23136B285), you submitted the new DCE.

The NRC staff has completed its review of your May 16, 2023, submittal and determined that you have provided sufficient information to proceed with the full technical review of the September 27, 2022, updated DFP and supplemental information. Please note that the NRC staff's technical review of your submittal may identify issues that would require additional information to be provided. Based on our evaluation of the information provided and projection of current review schedules, we anticipate completing our formal review of the updated DFP by October 2023. This schedule includes the issuance, if needed, of a request for additional information (RAI) by July 11, 2023, and receiving your responses to the RAIs within 30 days after issuance. Please note that this date could change depending on the findings of our technical review, urgent assignments, or other factors. We will promptly communicate any

significant changes to this schedule. In addition, the NRC staff estimates that completing the review of your submittal will require approximately 80 staff hours which corresponds to about \$23,200.00.¹

Your submittal has been assigned Enterprise Project Identifier (EPID) Number L-2022-DFA-0010. Please ensure you reference this EPID number and Docket Number 07000398 in any future correspondence associated with this request.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this communication will be available electronically for public inspection in the NRC Public Document Room (PDR) or from the Publicly Available Records component of the NRC's ADAMS. The NRC's ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). The PDR is open by appointment only. You may submit your request to the PDR via e-mail at PDR.Resource@nrc.gov or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays.

If you have any questions concerning this letter, please contact me at 301-415-7827, or via email at Osiris.Siurano-Perez@nrc.gov.

Sincerely,



Signed by Siurano-Perez, Osiris
on 06/14/23

Osiris Siurano-Pérez, Project Manager
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 07000398
License No. SNM-362

cc: Manny Mejías, RSO

¹ Based on the current rate of \$290.00/hr., which may change once the Fiscal Year 2023 Fee Rule is issued and implemented.

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DATED: June 14, 2023

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