



UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

License No. SNM-362
Docket# 70-398

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

Subject: REPLY TO REQUEST FOR FINAL 2022 DECOMMISSIONING COST
ESTIMATE AND DECOMMISSIONING FUNDING PLAN - ENTERPRISE
PROJECT IDENTIFICATION NUMBER L-2023-RNW-0017

Dear Mr. Siurano-Pérez,

By letter dated May 16, 2024 (ML24113A292), the U.S. Nuclear Regulatory Commission (NRC) transmitted its approval of the Department of Commerce, National Institute of Standards and Technology (NIST) 2022 triennial update of its decommissioning cost estimate and decommissioning funding plan (DCE/DFP). In its letter, the NRC requested NIST to submit a copy of its final 2022 DCE/DFP revision incorporating the information provided in its January 24, 2023, May 16, 2023, and January 10, 2024, supplemental letters. This response provides the complete list of documents that comprise the final 2022 DCE/DFP.

In addition, NIST would like to provide the information discussed below, which, as noted by the NRC in its report documenting its technical evaluation of the 2022 DC/FP, was provided by NIST in its initial submittal dated September 27, 2022, but inadvertently excluded from the April 25, 2023, updated DCE/DFP (ML23136B278) provided by NIST in support of its response (ML24022A295) to NRC's September 12, 2023, request for additional information (ML23221A355). Please note that this information is no different from what was originally provided in the September 2023 submittal.

The regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) 30.35(e)(2), require that, at the time of license renewal and at intervals not to exceed 3 years, the DCE/DFP must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. If the amount of financial assurance will be adjusted downward, this cannot be done until the updated DCE/DFP is approved. The DCE/DFP must update the information submitted with the original or prior approved plan and must specifically consider the effect of the following events on decommissioning costs. Office of Safety, Health, and Environment/Radiation Safety Division has determined that no significant changes have taken place for FY22 impacting the decommissioning cost estimate factors below:

- (i) Spills of radioactive material producing additional residual radioactivity in onsite sub-surface material: Minor spills occurring over the last three years have been cleaned/decontaminated to pre-spill conditions except for one laboratory in building 245. The residual radioactivity is embedded in the floor tiles and will be remediated as part of the building modernization project. The residual radioactivity does not change the designation of the room as “impacted” and does not increase the total liability.
- (ii) Waste inventory increasing above the amount previously estimated: No significant increases in waste inventory since the last evaluation.
- (iii) Waste disposal costs increasing above the amount previously estimated: No significant changes in waste disposal costs since the last evaluation. The liability is decreasing with the disposal of the Co-60 pool irradiator sources disposal earlier in FY22. OSHE/RSD continues to work with NIST leadership to perform additional special waste disposals over the next three years. No changes to the total liability are expected at this time.
- (iv) Facility modifications: The Building 245 Modernization impacted this category in FY22 as new laboratories were commissioned and old laboratories were decommissioned. The net change was a reduction of 2943 sq ft of lab space from the restricted footprint, but no changes to the total liability are expected at this time.
- (v) Changes in authorized possession limits: There has been no change in possession limits for the SNM-362 license this last year. Thus, no impact to the total liability is expected.
- (vi) Actual remediation costs that exceed the previous cost estimate: No significant remediation costs changes identified.
- (vii) NIST License SNM-362 does not authorize Onsite disposal; and
- (viii) NIST License SNM-362 does not authorize Use of a settling pond.

In determining the disposition of customer-owned inventory, the NIST reaffirms that it enters into Cooperative Research and Development Agreements (CRADAs) and Inter-Agency Agreements (IAAs) in which ownership is clearly established as a responsibility for the customer for a small number of sources. However, NIST does not seek to obtain credit when developing the cost estimate of total financial liability. NIST is responsible for the entire inventory, whether it is customer-owned or not.

Thank you for your attention to this letter and attached response. If you have further questions about this response, please contact the NIST Radiation Safety Officer, Mr. Manuel Mejias at 301-975-5800 or manny.mejias@nist.gov.

Sincerely,

Dr. Elizabeth A. Mackey
Executive Representative to the IRSC
National Institute of Standards and Technology

Enclosures

Encl 01 - DCE ML23136B278

Encl 02 - DCE Facility Laboratory Cost Estimating Worksheets Rev 2 ML23136B279

Encl 03 - DCE Accelerator Component and Area Cost Estimating Worksheets Rev 1
ML23136B280

Encl 04 - Historical Site Assessment ML23136B281

Encl 05 - Historical Site Assessment Appendix A Building Maps ML23136B282

Encl 06 - Historical Site Assessment Appendix B Investigation List for All Rooms
ML23136B284

Encl 07 - Radiological Scoping Study Report ML23136B286

Encl 08 - Radiological Scoping Study Report Appendix A Survey Calibration Sheets
ML23136B287

Encl 09 - Radiological Scoping Study Report Appendix B Scoping Surveys ML23136B288

Encl 10 - Radiological Scoping Study Report Appendix C Liquid Scintillation Results
ML23136B289

Encl 11 - Radiological Scoping Study Report Appendix D Tennelec Results ML23136B290

Encl 12 - DFP SoI ML22293A269

Encl 13 - DFP CFA ML24022A295

cc:

A. K. Thompson, NIST IRSC Chair

M. Mejias, NIST Radiation Safety Officer

H. Wixon, NIST Chief Counsel