



Office of the President

**West Virginia University**

May 3, 1994

United States Nuclear Regulatory Commission  
Nuclear Material Safety Section  
Region II  
101 Marietta Street, NW  
Atlanta, Georgia 30323

Re: Mail Control No. 253271  
License No. 47-23035-01

03020199

**STATEMENT OF INTENT**

As President of West Virginia University, I exercise express authority and responsibility to approve funding for decommissioning activities associated with operations authorized by U. S. Nuclear Regulatory Commission Material License No. 47-23035-01. This authority is established by West Virginia Code § 18B-1-9, "Powers and Duties of Institutional Presidents," and the University of West Virginia Board of Trustees Policy Bulletin No. 1, "Policy Regarding Current Operating Expenditures." Within this authority, I intend to have funds made available when necessary in an amount up to \$150,000.00 (One Hundred Fifty Thousand Dollars) to decommission various academic research laboratories and sealed source irradiators at West Virginia University. I intend to request and obtain these funds sufficiently in advance of decommissioning to prevent delay of required activities.

Copies of West Virginia Code § 18B-1-9 and University of West Virginia Board of Trustees Policy Bulletin No. 1 are attached as evidence that I am authorized to represent West Virginia University in this transaction.

Neil S. Buckle  
President  
West Virginia University

Encl  
as

**NONNEGOTIABLE**

cc: Thomas J. La Belle, Provost and Vice President, Academic Affairs  
Jon A. Reed, Executive Officer and General Counsel  
Stephen T. Slack, Ph.D., Radiation Safety Officer

# WEST VIRGINIA BOARD OF REGENTS

950 Kanawha Boulevard, East / Charleston, West Virginia 25301

Telephone 304 348-2101

## POLICY BULLETIN NO.

1

NOVEMBER 10, 1970

With the distribution of Policy Bulletin No. 1, the Board of Regents initiates a formal procedure for disseminating official Board policies to the presidents of the State colleges and universities. Policy Bulletins will be numbered in sequence and it is recommended that a complete file of these Bulletins be maintained at each institution for historical reference.

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### POLICY REGARDING CURRENT OPERATING EXPENDITURES

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It is the policy of the West Virginia Board of Regents that the financial affairs of the state system of higher education shall be conducted according to sound business principles; therefore

BE IT RESOLVED, That expenditures of each institution within each major category (Personal Services, Current Expenses, Repairs and Alterations, Equipment) shall be maintained within the sum allotted to the institution for each category; and

BE IT FURTHER RESOLVED, That the payment of all financial obligations incurred during a fiscal year shall be processed according to established procedures within that fiscal year and the duly authorized payment period at the end of the fiscal year (month of July).

Policy Bulletin No. 1 (continued)

BE IT FURTHER RESOLVED, That at each college and university the President or chief administrator is responsible for the financial affairs of the institution being conducted in full compliance with this resolution.

Adopted: West Virginia Board of Regents  
November 10, 1970

## § 18B-1-10

## HIGHER EDUCATION

under such person's management and control and, subject to review by the appropriate governing board, shall have the authority and responsibility for overseeing the routine matters of the institution, which include, but are not limited to, travel approval, sabbaticals, budget oversight and special student fees. The president or other administrative head shall assist the chancellors in developing or evaluating policy options for the governing boards, but not both developing and evaluating for the same policy, and may propose policy options for consideration by their governing board. The president or other administrative head of each state institution of higher education shall also be responsible for seeking community advice on academic or other programs. (1989, c. 64.)

## § 18B-1-10.

Repealed by Acts 1993, c. 47.

**Editor's notes.** — Former § 18B-1-10 (enacted by Acts 1989, c. 64) concerning the task force on faculty salaries and resource allocation, was repealed by Acts 1993, c. 47.

## § 18B-1-11. Colleges and universities to provide appropriate services to meet needs of students with handicapping conditions.

Each state funded institution of higher education accepting students with handicapping conditions, such as physical, learning, or severe sensory disabilities, shall provide services in accordance with Rehabilitation Act 504 appropriate to meet the educational needs of these students. Such information shall be provided to local boards of education for information dissemination to students and parents to fulfill the goals of transition. (1990, 1st Ex. Sess., c. 2.)

**Editor's notes.** — Rehabilitation Act 504 is part of the Rehabilitation Act of 1973, which is compiled at 29 U.S.C. § 701 et seq.

## ARTICLE 2.

## UNIVERSITY OF WEST VIRGINIA BOARD OF TRUSTEES.

Sec.

18B-2-1. Composition of board; terms and qualifications of members; vacancies; eligibility for reappointment; oath of office; removal from office.

18B-2-2. Meetings and compensation.

18B-2-3. Additional duties of board of trustees.

18B-2-4. Establishment and operation of graduate college; transfer of programs, etc., of Kanawha Valley Graduate Center of West Virginia University.

18B-2-5. Establishment and operation of a

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state school of osteopathic medicine; authority and duty to purchase property, expend appropriations and conduct programs of the West Virginia School of Osteopathic Medicine.

18B-2-6. Health sciences education; legislative findings and intent.

18B-2-7. Authorization to sell all or part of Potomac State College of West Virginia University parcels of land located in New Creek and Keyser commonly known as the Potomac State College Farm

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18B-2-8. Cons

## § 18B-2-1

(a) The board shall be the governing body of the institution, who shall be the chief executive officer of schools, and shall be the chief administrative officer of the institution. The board shall be the governing body of the institution, and shall be the chief executive officer of schools, and shall be the chief administrative officer of the institution. The board shall be the governing body of the institution, and shall be the chief executive officer of schools, and shall be the chief administrative officer of the institution.

Each of the members of the board shall be a citizen of this state, and shall be a member of the public service, and shall be a member of the public service, and shall be a member of the public service.

Except for the members of the board of trustees, the members of the board of trustees shall be appointed by the governor, and shall be appointed by the governor, and shall be appointed by the governor. The members of the board of trustees shall be appointed by the governor, and shall be appointed by the governor, and shall be appointed by the governor.

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(b) The members of the board of trustees shall be appointed by the governor, and shall be appointed by the governor, and shall be appointed by the governor.

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available of criminal offenses reported to campus security authorities or local police; and statistics concerning the number of arrests for crimes occurring on campus during the most recent school year and during the preceding school years for which data are available.

(c) The statewide report card shall include the data for each institution for each separately listed applicable indicator and the aggregate of the data for all institutions under the jurisdiction of the board of trustees of the university of West Virginia and for all institutions under the jurisdiction of the board of directors of the state college system for each indicator.

(d) The statewide report cards shall be prepared using actual institutional, state, regional and national data as applicable and available indicating the present performance of the individual institutions and the state systems of higher education and shall also include goals and trends for the institutions and the higher education systems. Each governing board as part of its assessment of the individual institutions under its jurisdiction shall include the number and gross dollar amount of grants received for academic research for each institution and a succinct review of research projects including a brief description of each project and the numbers of faculty, graduate and undergraduate students involved in each project. In assessing progress toward meeting goals and in developing trend information, the governing boards shall review report card data in relation to previously adopted board goals, five-year plans, regional and national higher education trends and the resource allocation model.

The higher education central office staff under the direction of the senior administrator shall provide technical assistance to each institution and governing board in data collection and reporting and shall be responsible for assembling the statewide report card from information submitted by each governing board.

Each governing board shall prepare report card information in accordance with the guidelines set forth in this section. The statewide report card shall be presented at a regular board meeting of the appropriate governing board subject to applicable notice requirements.

The statewide report cards shall be completed and disseminated with copies to the legislative oversight commission on education accountability prior to the first day of December, one thousand nine hundred ninety-two, and each year thereafter. Statewide report cards shall be based upon information for the current school year or for the most recent school year for which such information is available, in which case such year shall be clearly footnoted.

The governing boards shall make copies of both the institutional and statewide report cards available to any individual requesting them. (1991, c. 62.)

### § 18B-1-9. Powers and duties of institutional presidents.

Except as is otherwise provided by law or rule, the president or other administrative head of each state institution of higher education shall exercise all the duties and powers conferred by law in the government of the institution