

**NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY
SPECIAL NUCLEAR MATERIAL LICENSE SNM-362, (DOCKET NO. 70-0398)
REQUEST FOR ADDITIONAL INFORMATION
DECOMMISSIONING FUNDING PLAN UPDATE**

RAI: Justify key assumptions in the Decommissioning Cost Estimate related to the disposition of inventory (Title 10 Code of Federal Regulations [10 CFR] Part 70.25(e)(2)(v); 10 CFR 70.25(e)(1)(i)(A); 10 CFR 70.25(e)(1)(ii); Draft Interim Staff Guidance on Decommissioning Funding Plans for Materials Licensees)

Title 10 Of the *Code of Federal Regulations* (10 CFR) Part 70.25(e)(2)(v) requires that the decommissioning funding plan (DFP) consider how changes in authorized possession limits may impact the decommissioning cost estimate (DCE). Paragraph 70.25(e)(1)(i)(A) of 10 CFR requires that the DFP provide a detailed cost estimate that reflects “the cost of...perform[ing] all decommissioning activities.” Paragraph 70.25(e)(1)(ii) of 10 CFR requires that the DFP identify and justify the key assumptions contained in the DCE. “Draft Interim Staff Guidance on Decommissioning Funding Plans for Materials Licensees” (Agency Document Access and Management System Accession Number ML18163A087) describes ways in which the disposition of inventory can be covered in the DCE.

NIST Owned Inventory

Staff are unable to determine whether the narrative description of the methodology for estimating the costs for unsealed source disposition has been incorporated into the cost estimate in the 2019 DFP (which is based on the 2016 DFP). To ensure that the full cost of dispositioning NIST owned inventory is accurately incorporated into the DCE, the NRC staff requests that the licensee provide further explanation for the basis of the costs included in the 2016 DFP (and assumed to also be incorporated in the 2019 DFP) for the packing, shipping, and disposal of sealed sources, including how the Ecology Services, Inc. option has been relied upon.

Customer-owned inventory

For customer-owned inventory, the “Draft Interim Staff Guidance on Decommissioning Funding Plans for Materials Licensees” states that a reasonable alternative to including the costs for packaging, loading, and transporting the material to another facility that can accept the material under its license “may be an existing contract under which the customer is responsible for packing, loading and shipping the material to an end destination that can accept the material under the end destination’s license.”

NIST’s supplemental information makes clear that the 2019 DCE does not include decommissioning costs for the disposition of customer-owned inventory present at the facility at the time of decommissioning. Furthermore, the supplemental material states that the customer-owned inventory will be transferred back to the customer at the time of decommissioning. However, it does not provide any explanation for which entity will be responsible for the costs associated with packaging, loading, and transporting the material. To ensure that the disposition of customer-owned inventory is covered, clarify whether or not NIST has agreements or contracts in place that clearly state that the customer is obligated to pay for these costs.

Enclosure