

May 3, 2011

Mr. John J. Miller, CHP
International Isotopes, Inc.
4137 Commerce Circle
Idaho Falls, ID 83401

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION'S POSITION ON INTERNATIONAL ISOTOPES, INC.'S, REQUEST FOR 40-YEAR LICENSING TERM FOR THE INTERNATIONAL ISOTOPES FLUORINE PRODUCTS'S PROPOSED FLUORINE EXTRACTION PROCESS AND DEPLETED URANIUM DE-CONVERSION PLANT

Dear Mr. Miller:

We received your letter, dated March 7, 2011, in which you requested a 40-year licensing term for the International Isotopes Fluorine Products's (IIFP) proposed Fluorine Extraction Process and Depleted Uranium De-conversion Plant.

In the Staff Requirements Memoranda (SRM) to SECY-06-0186, the Commission approved the staff's recommendation to implement maximum license terms of up to 40 years. This term can be considered for new applications which implement an integrated safety analysis (ISA), as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 70, Subpart H.

International Isotopes, Inc. is required to comply with ISA requirements in 10 CFR Part 70, Subpart H, as stated in SRM to SECY-07-0146. The 10 CFR Part 40 is also undergoing rulemaking to incorporate similar ISA requirements, see SRM to SECY-10-0128. Once approved, these ISA requirements will apply to the IIFP facility. Therefore, the U.S. Nuclear Regulatory Commission's (NRC's) staff agrees that the IIFP facility may be granted up to a 40-year licensing term, provided the license application is approved and a license has been issued.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions regarding this matter, please contact me at 301-492-3566 or via e-mail to Maria.Guardiola@nrc.gov. You may also contact Matthew Bartlett at 301-492-3119 or via e-mail to Matthew.Bartlett@nrc.gov.

Sincerely,

/RA/

Maria Guardiola, Project Manager
Conversion, Deconversion
and Enrichment Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-9086

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