



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

December 22, 2005

Docket No. 03005986
Control No. 135908

License No. 37-00282-04

Gail E. Martin
Radiation Safety Manager
Smithkline Beecham Pharmaceuticals
dba GlaxoSmithKline
709 Swedeland Road
UE0393
PO Box 1539
King of Prussia, PA 19406-0393

SUBJECT: SMITHKLINE BEECHAM PHARMACEUTICALS, REQUEST FOR ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NO. 135908

Dear Ms. Martin:

This is in reference to the letter from PNC Bank dated November 28, 2005 providing financial assurance for decommissioning for Nuclear Regulatory Commission License No. 37-00282-04. In order to continue our review, we need the following additional information:

1. We noted that the amount specified in Amendment No. 4 of the Irrevocable Standby Letter of Credit (\$699,609.00) is \$60 (sixty dollars) less than the amount stated in the cost estimate (\$699,669.00) submitted in the September 2005 Decommissioning Funding Plan for Smithkline Beecham Pharmaceuticals. However, the difference in this case is not significant, and we agreed to the terms of Amendment No. 4. The signed statement requested by PNC Bank was returned to them in a separate letter.
2. Your financial assurance is provided by the following documents:
 - a. Decommissioning Funding Plan, September 2005
 - b. Irrevocable Letter of Credit dated October 20, 1998
 - Amendment No. 1 dated June 12, 2000
 - Amendment No. 2 dated October 4, 2001
 - Amendment No. 3 dated April 25, 2002
 - Amendment No. 4 dated November 28, 2005
 - c. Standby Trust Agreement dated August 8, 1990
 - (1) Schedules A, B, and C enclosed with the letter dated October 11, 2001
 - (2) Specimen Certificate of Events enclosed with the Standby Trust Agreement dated August 8, 1990

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- (3) Certificate of Resolution enclosed with the Standby Trust Agreement dated August 8, 1990
- (4) Letter of Acknowledgment enclosed with the Standby Trust Agreement dated August 8, 1990

Of these documents, the Standby Trust Agreement, Section 2, and the Schedules A, B, and C require revision to reflect the current licenses and costs that are required. Please submit revised or amended documents.

- 3. In accordance with NUREG-1757, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping and Timeliness", Appendix A, Section A.3, Checklist 3 for Decommissioning Funding Plans, a certification that financial assurance has been provided is required. Section A.2.4 provides a "Model Certification of Financial Assurance" that is acceptable. Please submit your certification that financial assurance has been provided.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 135908. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5040.

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

DOCUMENT NAME: E:\Filenet\ML053640379.wpd

SISP Review Complete: EUllrich

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