



SCIENCE CENTER™

May 10, 2006

James Dwyer, Chief
USNRC - Region I
475 Allendale Road
King of Prussia, PA 19406-1415

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REGION I
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Dear Mr. Dwyer:

I am writing to inquire about information in reference to lessor responsibilities towards a lessee's NRC license and compliance.

The University City Science Center has a technology commercialization facility in Philadelphia where start up companies, referred to as resident companies, conduct their research and development activities. The Science Center does not have an NRC license. However, at present, one of the resident companies, Avid Radiopharmaceuticals will be using radioactive materials and has applied to the NRC for a material license. The resident companies sign a contractual agreement for the use of the space and specific agreement regarding special circumstances, i.e. use of radioactive materials, will be incorporated into their space license. Within the facility, each resident company has its own separate laboratory space with access control. The common labs and areas are managed and controlled by the Science Center. None of the Science Center staff will be involved in handling or working with the radioactive materials that are purchased and used in experiments by its resident companies.

As the landlord, we have specific concerns and questions regarding use of radioactive materials by our resident companies and we would like to obtain a written statement from the NRC addressing the following issues:

- 1) Is the Science Center required to have an NRC license if its resident incubator companies have one?
- 2) Are there any specific requirements by the NRC that must be incorporated in the tenant's space license agreement?
- 3) Is a third party surveying and monitoring required?

NRCC/DOE MATERIALS-002

I appreciate if you bring other issues to our attention that you will find important and must be incorporated in the space license.

Thank you for your attention.

Sincerely yours,



Zahra Ziaie
Laboratory Manager

cc: Larry Agulnick
Shawn Marcell