



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

September 15, 2008

Docket Nos. 030-01786
030-08478
Control Nos. 138097
141494

License Nos. 19-00296-10
19-00296-17

Alfred C. Johnson, Ph.D.
Director, Office of Research Services
National Institutes of Health
Department of Health and Human Services
21 Wilson Drive MSC 6780
Bethesda, MD 20892-6780

SUBJECT: NATIONAL INSTITUTES OF HEALTH, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS,
CONTROL NOS. 138097 AND 141494

Dear Dr. Johnson:

This is in reference to your letter dated September 4, 2008 providing information to support the financial assurance for decommissioning for Nuclear Regulatory Commission License Nos. 19-00296-10 and 19-00296-17.

We have reviewed the letter dated September 4, 2008, and the revisions to the Decommissioning Funding Plan and cost estimate for License No. 19-00296-10 that were enclosed with the letter. We have no further questions about the Decommissioning Funding Plan and the cost estimate for this license

In order to continue our review, we need the following additional information:

You must provide financial assurance for the amount of the cost estimate for decommissioning of the licensed materials listed on License No. 19-00296-10, and for the \$113,000 required amount of decommissioning funding for the sealed sources listed on License No. 19-00296-17. You may provide separate financial assurance instruments for each license, or a single financial assurance instrument is acceptable for the combined total amount. We recommend that you review the NUREG-1757, "Consolidated NMSS Decommissioning Guidance", Volume 3, "Financial Assurance, Recordkeeping, and Timeliness" (NUREG-1757, Vol. 3), Appendix A, "Standard Format and Content of Financial Assurance Mechanisms for Decommissioning" (Appendix A), Section A.1, Checklist 1, "Master Checklist for Decommissioning Financial Assurance", to be sure you have considered all necessary information and supplied all information.

1. You must include a "Certification of Financial Assurance" as described in NUREG-1757, Vol. 3, Appendix A, Section A.2. Please review Checklist 2, "Certifications of Financial

Assurance" to make sure you provide all the required information, for both licenses, in the correct form. Using the A.2.4 "Model Certification of Financial Assurance" will ensure the document is acceptable.

2. We understand that you plan to provide a Statement of Intent as your financial assurance instrument for both licenses. Please review NUREG-1757, Vol. 3, Appendix A, Checklist 16-A, "Statement of Intent" to be sure that you submit all required information for both licenses. Please note that you must submit (1) the Statement of Intent, and (2) the document which grants authority to the signatory. If you review Section A.16.3, "Recommended Documentation, you will see that we require you to submit a copy of the section of the statute (or equivalent relevant regulations, etcetera) that provides the signatory the authority to sign the Statement of Intent. Using the A.16.4 "Model Statement of Intent" will ensure that the document is acceptable.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material; then Regulations, Guidance, and Communications**. You may also 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 8:00 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 Nos. 138097, and 141494. 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

cc:
Robert A. Zoon, M.E., M. S., Radiation Safety Officer

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SUNSI Review Complete: EUllrich

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