



REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 20, 2009

Docket No. 040-06394
Control No. 143857

License No. SMB-141

Pamela E. Fry
Experimental Support Manager
Department of the Army
U. S. Army Research, Development and Engineering Command
Army Research Laboratory
Aberdeen Proving Ground, MD 20115-5066

SUBJECT: DEPARTMENT OF THE ARMY, REQUEST FOR ADDITIONAL INFORMATION
CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NO.
143857

Dear Ms. Fry:

This is in reference to the findings from our 2009 audit of financial assurance documentation. As a result of this audit, we identified a missing item of information in the Certification of Financial Assurance (CFA) which supports your Statement of Intent used to provide financial assurance for decommissioning for Nuclear Regulatory Commission License No. SMB-141.

The CFA dated December 12, 2006, was provided as Enclosure 2 of your letter dated December 12, 2006. The CFA refers to three types of licensed materials (natural uranium, depleted uranium, and thorium) by type and amount of material, as listed on your license. These materials are listed as Items 6. A, B, and C on License No. SMB-141. However, this license also lists Item D, Transuranics and technetium-99 contaminants in depleted uranium depleted uranium metal and metal oxide, not to exceed 100 picocuries per gram (pCi/g) per transuranic radionuclide and 500 pCi/g total transuranics; and not to exceed 500 pCi/g technetium-99 kilograms. This material also must be listed on the CFA. Please submit a revised CFA.

Alternately, we note that the need for the listing of contaminants was the result of a supplier issue in 1999. If there is no longer a need for listing the contaminants, and if DU containing the contaminants was used only at facilities that have since been released for unrestricted use, you may consider removing this line item from the license.

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 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 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. 143857. If you have any technical questions

P. Fry

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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:
Richard A, Markland, Radiation Safety Officer

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SUNSI Review Complete: EUllrich

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