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Docket No. 50-228
Transmittal Letter
April 1, 2010

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

Re: Aerotest Radiography and Research Reactor
License No. R-98
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION REGARDING PROPOSED INDIRECT LICENSE TRANSFER (TAC NO. ME1887)

Dear Sir or Madam,

Enclosed please find the response of Aerotest Operations, Inc. and X-Ray Industries, Inc. to the U.S. Nuclear Regulatory Commission's Request for Additional Information dated February 23, 2010. This response replaces in it entirety our response dated March 12, 2010.

This response also seeks the approval of a conforming amendment to the license to reflect the transfer pursuant to 10 CFR 50.90.

If you have any questions regarding this submission, please contact; Scott Thams, President of X-Ray Industries, Inc., at (248) 244-1573 or sthams@xrayindustries.com or Mike Anderson, Secretary of Aerotest Operations, Inc., at (248) 760-9832 or mike.anderson@autoliv.com.

This document is submitted under Oath and Affirmation as follows:

A001
NRR

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OATH AND AFFIRMATION

I, Scott W. Thams, hereby certify that the content of **Response to Request for Additional Information Regarding Proposed Indirect License Transfer (TAC no. ME1887)** submitted by Aerotest Operations, Inc., and X-Ray Industries, Inc. dated April 1, 2010, contains information that is true and correct to the best of my knowledge.

Respectfully submitted,

4/6/10

Scott W. Thams
President,
X-Ray Industries, Inc.

Notary: Jeanne M. Perry

JEANNE M. PERRY
Notary Public, State of Michigan
County of Oakland
My Commission Expires Nov. 01, 2012
Acting in the County of OAKLAND

I, Michael S. Anderson, hereby certify that the content of **Response to Request for Additional Information Regarding Proposed Indirect License Transfer (TAC no. ME1887)** submitted by Aerotest Operations, Inc., and X-Ray Industries, Inc. dated April 1, 2010, contains information that is true and correct to the best of my knowledge.

Respectfully submitted,

4/6/10

Michael S. Anderson
Secretary
Aerotest Operations, Inc.

Notary: Candace Mierzwinski

CANDACE MIERZWINSKI
Notary Public, State of Michigan
County of Oakland
My Commission Expires May. 26, 2013
Acting in the County of Oakland

Enclosures:

1. Response to Request for Additional Information – proprietary copy
2. Response to Request for Additional Information – non-proprietary copy
3. Request to Withhold From Public Disclosure

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Docket No. 50-228
Enclosure 2
Non-proprietary copy
April 1, 2010

Aerotest Radiography and Research Reactor
License No. R-98
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION REGARDING PROPOSED INDIRECT LICENSE TRANSFER (TAC NO. ME1887)

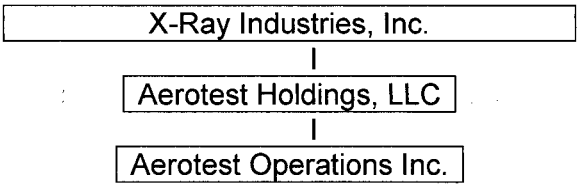
Financial Qualifications

1. purpose and nature of transaction

NRC has requested that Autoliv Inc. (Autoliv) divest its interest in Aerotest Operations Inc. (Aerotest). Pursuant to that request, Autoliv has worked to identify a suitable buyer for the ARRR facility. X-Ray Industries, Inc. (X-Ray) and Autoliv have entered into a Letter of Intent to consummate a transaction whereby X-Ray will acquire Aerotest in a stock transaction. Aerotest, as the operating entity holding the license to operate ARRR will remain unchanged as a result of the transaction. Aerotest Operations, Inc. will continue in its current legal form.

2. ownership chain

X-Ray Industries, Inc., with corporate offices located at 1961 Thunderbird, Troy MI 48084 is a privately held "S" corporation, incorporated in the State of Michigan. X-Ray has formed a new Michigan, single member LLC, with X-Ray Industries, Inc. as the sole member. The name of the new LLC is Aerotest Holdings, LLC. The new LLC will, as its sole activity, own all of the stock of Aerotest Operations Inc., a California Corporation. The officers and directors of Aerotest Holdings, LLC will be the same as those of X-Ray Industries, Inc. (see below). Please see the graphic below and included as *Attachment 1* for clarity:



3. foreign ownership

X-Ray Industries, Inc. is privately owned by [redacted]. The five shareholders and their respective interests are as follows:

[redacted]

All of the shareholders are US citizens, living in the United States and are actively employed by the company. They are the officers of company with responsibilities as indicated above, and are also the sole directors of the company. The family has owned and operated the company since 1970. The address of all of the shareholders is 1961 Thunderbird, Troy MI 48084.

4. X-Ray Industries financial statements
Included as *Attachment 2*

5. financial assurance

(a) projected income statement
The projected income statement for Aerotest is included as *Attachment 3*

(b) sources of funds for operations
The source of funds to cover operating costs is fees for radiography services rendered at the facility. Aerotest has a long stable history as the single largest source for Neutron Radiography inspection of safety critical flight hardware for both the commercial and military markets, as well as for NASA. DoD has determined that keeping the ARRR facility open is a critical matter, as most of our countries flying military assets have components on them that require ongoing Neutron Radiography provided by Aerotest. Five years of historical financial statements for Aerotest are included as *Attachment 3.*

(c) projected balance sheet
The projected balance sheet of Aerotest is included as *Attachment 3.*

6. decommissioning funding

(a) current decommissioning cost estimate

(1) basis for decommissioning estimate
A decommissioning cost estimate was prepared by Energy Solutions (www.energysolutions.com) for the parties. The full text of the report is included as *Attachment 4.* The report provides a detailed description of the basis for the decommissioning cost estimate of $2.3 Million including labor, energy and waste cost assumptions. The costs were determined by comparing the Aerotest facility size and complexity against cost estimates for other facilities. The details of the cost estimates for the comparative facilities were taken from public information on the NRC web site. The referenced facilities (A, B, and C) decommissioning reports are as follows:

1 The University of Virginia Reactor Decommissioning Plan, February 2000: Accession No. ML 003682690, Document Date: 2000-02-09, Docket No: 05000062.

2 Decommissioning Cost Estimate for Ward Center for Nuclear Studies at Cornell University: Accession No. ML 032400205, Document Date: 2003-07-31, Docket No: 05000157.

3 Decommissioning Plan, Nuclear Research Laboratory University of Illinois at Champaign-Urbana, U.S. Nuclear Regulatory Commission Facility Operating License No. R-1115, March 2006: Accession No. ML 062980077, Document Date: 2006-03-28, Docket No: 05000151.

(2) clarification of financial assurance provided

The spreadsheet included as *Attachment 5* outlines the funding assurance to be provided.

(3) basis for 2% return

The real rate of return used in the spreadsheet is 1.95%. This is an imputed tax affected rate of return on 30 year t-bills on average since 2001.

(4) source of initial funding

The initial funding amount will be provided by Autoliv Inc. in the form of cash. These funds will be immediately contributed to the nuclear decommissioning trust.

(5) Source of future funding

Future funding will be provided by Aerotest per the schedule included as *Attachment 5.* These funds will be from fees charged to users of Aerotest Neutron Radiography services. A specific fee for this purpose will be charged to these customers for the first five years of operation under the new ownership. These fees are supported by the ultimate customer of these services, the United States Department of Defense (DoD). It is the intent of DoD to work with Aerotest to assure uninterrupted availability of the services provided by Aerotest by communicating their support for these fees to their supply chain. Aerotest is in most cases the only approved source for the required inspection services.

(6) Guarantees

X-Ray Industries Inc. guarantees that all funds collected from customers of Aerotest designated for decommissioning funding (decommissioning fees) will be immediately forwarded to the trustee of the Aerotest Nuclear Decommissioning Trust.

(b) financial assurance method

Funding assurance will be provided in the form of cash held in trust as outlined on the schedule included as *Attachment 5.* Additional support, if needed, is provided by the operating cash on the Aerotest balance sheet included as *Attachment 3.* Funding assurance assets will be held in a nuclear decommissioning trust in conformance with the examples provided in Appendix B of Regulatory Guide 1.159 ASSURING THE AVAILABILITY OF FUNDS FOR DECOMMISSIONING NUCLEAR REACTORS (the Aerotest Nuclear Decommissioning Trust). Bank of New York will act as custodian and trustee. Merrill Lynch will act as investment advisor, for the trust. The trustee and advisors will act independently of Aerotest in conformance with the referenced guidance document.

(c) decommissioning method
The decommissioning method to be used is the DECON method. When decommissioning is commenced the facility may need to be in SAFSTOR until the removal of the fuel can be effected under the terms of a contract between Aerotest and the US Department of Energy (DOE). Per the contract DOE is obligated to take the ARRR fuel, "as expeditiously as practicable".

(d) funding adjustment method
The required funding level will be adjusted based on updated decommissioning cost estimates to be prepared by outside experts with specific experience on a bi-annual basis. For the purposes of projecting future costs the schedule included as *Attachment 5* uses a cost escalation factor of 3%. This escalation factor is based on an average of the annual inflation rates from 1999 thru 2008 of 2.827% rounded up to the next full percentage. For reference see http://www.inflationdata.com/Inflation/Inflation_Rate/HistoricalInflation.aspx .

Technical Qualifications

7. proposed modifications to Technical Specification
The proposed changes to the ARRR Technical Specification are included as *Attachment 6.*

8. management and technical personnel
It is the intention of both Aerotest Operations, Inc. and X-Ray Industries, Inc. that, if a transaction is completed that transfers ownership of Aerotest to X-Ray Industries, Inc., all management and technical personnel at the Aerotest Radiography and Research Reactor, including those individuals responsible for licensed activities including reactor safety, would be offered employment by X-Ray Industries, Inc. on terms and conditions comparable to those enjoyed by such employees prior to such transfer.

Attachments:

1) Ownership Chain for ARRR
2) [X-Ray Industries, Inc. 2009 reviewed financial statements]
3) [Aerotest Operations, Inc. historical and projected financial statement]
4) Energy Solutions ARRR decommissioning cost study
5) [Financial Assurance Projection]
6) Technical Specification modifications

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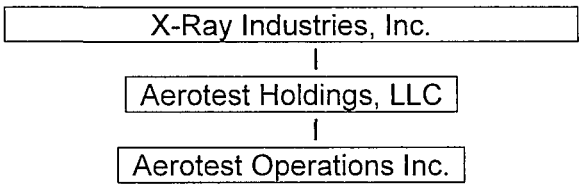
Attachment 1

Ownership chain for ARRR

Ownership Chain for ARRR



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Attachment 2

[X-Ray Industries, Inc 2009 reviewed financial statements]

Note: This attachment is Business Confidential to the sender in its entirety

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Attachment 3

[Aerotest Operations, Inc. historical and projected financial statements]

Note: This attachment is Business Confidential to the sender in its entirety

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Attachment 4

Energy Solutions ARRR decommissioning cost study

ENERGYSOLUTIONS

July 14, 2009

Mr. Scott Thams, President
X-Ray Industries
1961 Thunderbird
Troy, Michigan 48084

Re: Engineering Support Services; Decommissioning Cost Estimate and License Transfer Due Diligence Support

Dear Scott:

An onsite review of the Aerotest facility, including decommissioning cost defining parameters such as facility size, research areas, and waste inventories was performed this week. This was followed by a relative assessment of the Aerotest facility against cost estimates for other facilities.

A rough order of magnitude decommissioning cost estimate was prepared for the Aerotest facility in San Ramon, California. This estimate is based on comparing the Aerotest facility size and complexity against cost estimates for other facilities. The Aerotest facility is smaller and less complex than any other facility in the comparison. As a consequence, the rough order of estimate for the Aerotest facility must be less than the estimates for any of the other facilities. The smallest estimate after escalation to 2009 dollars was for the University of Illinois reactor at an estimated current cost of $4,740,369 including a 25% contingency. Table 1 shows the reactors used for decommissioning comparison before and after cost escalation along with some relevant facility size information. The cost per square foot of Class 1 floor area (potentially contaminated area) was estimated for each of the referenced reactors. A decommissioning cost estimate of $2,300,723 for the ARRR was then generated based on the average cost per square foot to decommission and an estimate of $3,279,345 based on the maximum cost per square foot. These estimates included the 25% contingency.

1009 Commerce Park Drive, Suite 100, Oak Ridge, TN 37830
www.energysolutions.com

ENERGYSOLUTIONS

A spreadsheet has been forwarded that includes the cost per square foot calculations and the cost escalation methods that were used to escalate the decommissioning costs.

If you have questions or would like additional details don't hesitate to call me at (865) 425-4590.

Sincerely,

Paul Ely

Paul Ely
Senior Radiological Engineer
EnergySolutions, LLC

cc: Art Palmer, CHP/PMP

ENERGYSOLUTIONS

Reactor Decommissioning Cost Comparison

Reactor	D&D Cost	Estimate Year	2009 D&D Cost	Class 1 Area (ft^2)	Site Area (acre)	Cost per ft^2 of Class 1 Floor Area
UVA[1]	$3,065,000	2000	$5,936,434	7,241	2.6	$819.84
Cornell[2]	$3,603,086	2003	$5,161,696	18,242	1.0	$282.96
U of Illinois[3]	$4,209,348	2006	$4,740,369	7,612	1.0	$622.75
ARRR				4,000	0.9	
Average:			**$5,279,499**	**11,032**		**$575**
ARR Cost based on Unit ft^2 Cost Average:						**$2,300,723**
ARR Cost based on Unit ft^2 Cost Maximum:						**$3,279,345**

1 The University of Virginia Reactor Decommissioning Plan, February 2000

2 Decommissioning Plan for Ward Center for Nuclear Studies at Cornell University, May 2003.

3 Decommissioning Plan Nuclear Research Laboratory University of Illinois at Champaign-Urbana, U.S. Nuclear Regulatory Commission Facility Operating License No. R-1115, March 2006.

Decommissioning Cost Summary
UVA Reactor

The adjustment of the total decommissioning cost estimate can be expressed by (NUREG-1307, Rev. 13):
Estimated Cost (Year X) = [1986 Cost] [ALx + BEx + CBx]
where A, B, and C are the fractions of the total 1986 dollar costs that are attributable to labor (0.65), energy (0.13), and burial (0.22), respectively, and sum to 1.0. The factors Lx, Ex, and Bx are the Labor Cost Adjustment, the Energy Cost Adjustment, and the LLW Burial/Disposition Cost Adjustment respectively.

The above equation when adjusted to reference the 2000 UVA estimate can be expressed as follows:

Estimated Cost (2009 Cost) = [UVA 2000 Cost] [ALx + BEx + CBx]
where A, B, and C are the fractions of the total 2003 dollar costs that are attributable to labor, energy, and burial, respectively, and sum to 1.0. The UVA values for these fractions are given below:

[UVA 2000 Cost] =	$3,065,000				
A (Labor Cost Fraction)=	0.647	B (Energy Cost Fraction)=	0.020	C (Burial Cost Fraction)=	0.333

For Information Only, the radioactive waste disposal volume was estimated at 7,850 cubic feet

L_x =	Labor Cost Adjustment, 2000 to the re-estimate month of Year X,
E_x =	Energy Cost Adjustment, 2000 to the re-estimate month of Year X, and
B_x =	LLW Burial/Disposition Cost Adjustment, 2000 to the re-estimate month of Year X, (i.e., burial/disposition cost in the new estimate month of Year X divided by the burial cost in 2000).

Employment Cost Index

Series Id: ECU13102I
Not Seasonally Adjusted
compensation: Total compensation
ownership: Private industry
periodicity: Index number
group: Northeast region

Year	Qtr1	Qtr2	Qtr3	Qtr4	Annual
2000	81.2	81.9	82.9	83.4	
2001	84.1	85.3	86.1	86.7	

2002	87.8	88.7	89.1	89.5	
2003	90.9	91.7	92.6	93.2	
2004	94.5	95.6	96.4	96.7	
2005	97.7	98.6	99.3	100	

Series Id: CIU2010000000212I (B,J)
Not Seasonally Adjusted
compensation: Total compensation
sector: Private industry
periodicity: Index number
Industryocc: Middle Atlantic

Year	Qtr1	Qtr2	Qtr3	Qtr4	Annual
2006	100.9	101.9	102.6	103.3	
2007	104.2	105.3	106.5	107.1	
2008	107.8	108.6	109.1	109.5	
2009	109.8				

B : Includes wages, salaries, and employer costs for employee benefits.
J : New series. Historical data are available beginning with December 2005.

LABOR ADJUSTMENT FACTOR CALCULATION

Base Year (Q4, 2000) Labor Index	Estimate Year (X) (Q4, 2005) Labor Index	Estimate Year (X) (Q1, 2009) Labor Index	ARRR L_x (Q1, 2009)
83.4	100.0	109.5	1.313

The adjustment factor for energy, E_x, is a weighted average of two components, namely, industrial electric power, P_x, and light fuel oil, Fx. For UVA E_x is given by:

$$E_x\ (PWR) = 0.58P_x + 0.42F_x$$

At UVA the PWR energy fractions were used because they utilize a higher faction of electric power than those for a BWR.

The current values of P_x and F_x are calculated form the Producer Price Indexes (PPI), available in the "PPI Detailed Report", published by the U.S. Department of Labor, Bureau of Labor Statistics. On the internet select the BLS website at www.bls.gov. Select the "Subject Areas" tab at the top, then select "Producer Price Indexes" under "Inflation & Prices", then "PPI Databases", then under "Commodity Data" select the "One Screen Data Search" button.

http://www.bls.gov/

To generate the correct report select the following options for the report: (1) "05 Fuels and Related Products & Power", (2) "0543 Industrial Electric Power" and "0573 "Light Fuel Oils", (3) unclick the "Seasonally Adjusted button. Then click the "Add to Your Selection" button for the above categories, and click the "Get Data" button. The report should resemble the data presented below once the report is modified to give annual data only.

Series Id: WPU0543 Not Seasonally Adjusted **Group:** Fuels and related products and power **Item:** Industrial electric power **Base Date:** 198200		**Series Id:** WPU0573 Not Seasonally Adjusted **Group:** Fuels and related products and power **Item:** Light fuel oils **Base Date:** 198200	
Year	**Annual**	**Year**	**Annual**
2000	131.5	**2000**	92.8
2001	141.1	**2001**	83.5
2002	139.9	**2002**	76.3
2003	145.8	**2003**	97.9
2004	147.2	**2004**	124.5
2005	156.2	**2005**	183.8
2006	172.8	**2006**	212.1
2007	180.4	**2007**	230.5
2008	189.1	**2008**	317
2009		**2009**	

ENERGY ADJUSTMENT FACTOR CALCULATION					
Base Year (2000) Power Index	Estimate Year (X) (2008) Power Index	P_x (2005)	Base Year (2000) Fuel Index	Year (X) (2008) Fuel Index	F_x (Q3, 2005)
131.5	189.1	1.438	92.8	317.0	3.416

E_x (PWR) = $0.58P_x + 0.42F_x$

E_x (2009) =	2.269

The adjustment factors for waste burial/disposition B_x, are taken directly from data on the appropriate LLW locations given in Table 2.1 of NUREG-1307. For example, B_x = 17.922 (in 2002 dollars) for a PWR directly disposing all decommissioning LLW from a state in the Atlantic Compact at the Barnwell South Carolina burial site.

At UVA waste will be sent to an (1) offsite waste processor, (2) the Envirocare of Utah Burial site. The adjustment factor for waste burial/disposition B_x, is a weighted average of these three components. For the UVA Reactor, B_x is given by:

$$B_x\ (UVA) = D*WP_x + E*BARN_x + F*ENV_x$$

where D, E, and F are the fractions of the total 2003 waste dollar costs that are attributable to (1) an offsite waste processor, (2) Barnwell South Carolina burial site, and (3) Envirocare of Utah Burial site respectively, and sum to 1.0.

D=	0.300
E=	0.000
F=	0.700

The adjustment factor for Waste Processors, WP_x, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal with Vendors at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2000. Waste Processors do not publish rate schedules and rates are negotiated with each waste shipper based on current burial site rates and Waste Processor labor rates. Getting rate quotes from a Waste Processor every estimating year would provide a more accurate adjustment factor for UVA, but it would be up to UVA to obtain the rate quotes.

The adjustment factor for Barnwell South Carolina burial site, $BARN_x$, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal from a Non-Atlantic Compact PWR for the estimate year X and divided by the adjustment factor for the Base Year 2000.

The adjustment factor for Envirocare of Utah, ENV_x, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2000. Envirocare of Utah does not publish a rate schedule and rates are negotiated with each waste shipper based primarily on waste volume. The disposal rates for Envirocare of Utah are not included in NUREG-1307, but the rate structure at U.S. Ecology is similar to the negotiated rate structures at Envirocare of Utah. Getting rate quote from Envirocare of Utah every year would provide a more accurate adjustment factor for UVA, but it would be up to UVA to obtain the rate quotes.

An example of the waste burial/disposition factors for UVA assuming a base year of 2000 and estimate year of 2009 are given by:

An example of the waste burial/disposition factors for ARRR assuming a base year of 2006 and estimate year of 2010 are given by:

WP_{2000} =	4.638	WP_{2009} =	5.088
$BARN_{2000}$ =	17.824	$BARN_{2009}$ =	26.824
ENV_{2000} =	2.250	ENV_{2009} =	9.000

$$B_{2009}\ (UVA) = 0.7*(9.0/2.25) + 0.0*(26.824/17.824) + 0.3*(5.088/4.638)$$

$$\boxed{B_{2009} = 3.129}$$

Estimated Cost (Year 2000) = [2000 Cost] [AL_{2009} + BE_{2009} + CB_{2009}]

The adjustment factors above must be adjusted for the correct estimate years. However an example calculation is presented below using the example adjustment factors presented above as if they were for the year 2009.

2000 COST =	$3,065,000
A =	0.647
B =	0.020
C =	0.333
L_{2009} =	1.313
E_{2009} =	2.269
B_{2009} =	3.129
2009 COST =	$5,936,434

Decommissioning Cost Summary
Cornell Ward Laboratory

The adjustment of the total decommissioning cost estimate can be expressed by (NUREG-1307, Rev. 13):
Estimated Cost (Year X) = [1986 Cost] [ALx + BEx + CBx]

where A, B, and C are the fractions of the total 1986 dollar costs that are attributable to labor (0.65), energy (0.13), and burial (0.22), respectively, and sum to 1.0. The factors Lx, Ex, and Bx are the Labor Cost Adjustment, the Energy Cost Adjustment, and the LLW Burial/Disposition Cost Adjustment respectively.

The above equation when adjusted to reference the 2003 Cornell estimate can be expressed as follows:

Estimated Cost (2009 Cost) = [Cornell 2003 Cost] [ALx + BEx + CBx]
where A, B, and C are the fractions of the total 2003 dollar costs that are attributable to labor, energy, and burial, respectively, and sum to 1.0. The Cornell values for these fractions are given below:

[Cornell 2003 Cost] = $3,603,086
A (Labor Cost Fraction)= 0.545 B (Energy Cost Fraction)= 0.020 C (Burial Cost Fraction)= 0.435
For Information Only, the radioactive waste disposal volume was estimated at 4,714 cubic feet

L_x = Labor Cost Adjustment, 2003 to the re-estimate month of Year X,
E_x = Energy Cost Adjustment, 2003 to the re-estimate month of Year X, and
B_x = LLW Burial/Disposition Cost Adjustment, 2003 to the re-estimate month of Year X, (i.e., burial/disposition cost in the new estimate month of Year X divided by the burial cost in 2003).

Employment Cost Index

Series Id: ECU13102I
Not Seasonally Adjusted
compensation: Total compensation
ownership: Private industry
periodicity: Index number
group: Northeast region

Year	Qtr1	Qtr2	Qtr3	Qtr4	Annual
2003	90.9	91.7	92.6	93.2	
2004	94.5	95.6	96.4	96.7	
2005	97.7	98.6	99.3	100	

Series Id: CIU2010000000211I (B,J)
Not Seasonally Adjusted
compensation: Total compensation
sector: Private industry
periodicity: Index number
Industryocc: New England

Year	Qtr1	Qtr2	Qtr3	Qtr4	Annual
2006	100.7	101.4	102.1	103.1	
2007	103.6	104.8	105.4	106.1	
2008	106.7	107.1	107.8	109.5	
2009	109.9				

B : Includes wages, salaries, and employer costs for employee benefits.
J : New series. Historical data are available beginning with December

LABOR ADJUSTMENT FACTOR CALCULATION

Base Year (Q4, 2003) Labor Index	Estimate Year (X) (Q4, 2005) Labor Index	Estimate Year (X) (Q1, 2009) Labor Index	ARRR L_x (Q1, 2009)
93.2	100.0	109.9	1.179

The adjustment factor for energy, Ex, is a weighted average of two components, namely, industrial electric power, Px, and light fuel oil, Fx. For Cornell Ex is given by:

$$E_x\,(PWR) = 0.58P_x + 0.42F_x$$

At Cornell the PWR energy fractions were used because they utilize a higher faction of electric power than those for a BWR.

The current values of P_x and F_x are calculated form the Producer Price Indexes (PPI), available in the "PPI Detailed Report", published by the U.S. Department of Labor, Bureau of Labor Statistics. On the internet select the BLS website at www.bls.gov. Select the "Subject Areas" tab at the top, then select "Producer Price Indexes" under "Inflation & Prices", then "PPI Databases", then under "Commodity Data" select the "One Screen Data Search" button.

http://www.bls.gov/

To generate the correct report select the following options for the report: (1) "05 Fuels and Related Products & Power", (2) "0543 Industrial Electric Power" and "0573 "Light Fuel Oils", (3) unclick the "Seasonally Adjusted button. Then click the "Add to Your Selection" button for the above categories, and click the "Get Data" button. The report should resemble the data presented below once the report is modified to give annual data only.

Series Id: WPU0543
Not Seasonally Adjusted
Group: Fuels and related products and power
Item: Industrial electric power
Base Date: 198200

Year	Annual
2000	131.5
2001	141.1
2002	139.9

Series Id: WPU0573
Not Seasonally Adjusted
Group: Fuels and related products and power
Item: Light fuel oils
Base Date: 198200

Year	Annual
2000	92.8
2001	83.5
2002	76.3

2003	145.8	2003	97.9
2004	147.2	2004	124.5
2005	156.2	2005	183.8
2006	172.8	2006	212.1
2007	180.4	2007	230.5
2008	189.1	2008	317
2009		2009	

ENERGY ADJUSTMENT FACTOR CALCULATION					
Base Year 2003 Power Index	Estimate Year (X) (2008) Power Index	P_x (2005)	Base Year -2003 Fuel Index	Year (X) (2008) Fuel Index	F_x (Q3, 2005)
145.8	189.1	1.297	97.9	317.0	3.238

E_x (PWR) = $0.58P_x + 0.42F_x$

E_x (2009) =	2.112

The adjustment factors for waste burial/disposition B_x, are taken directly from data on the appropriate LLW locations given in Table 2.1 of NUREG-1307. For example, B_x = 17.922 (in 2002 dollars) for a PWR directly disposing all decommissioning LLW from a state in the Atlantic Compact at the Barnwell South Carolina burial site.

At Cornell waste will be sent to an (1) offsite waste processor, (2) the Envirocare of Utah Burial site. The adjustment factor for waste burial/disposition Bx, is a weighted average of these three components. For the Cornell Reactor, Bx is given by:

Bx (Cornell) = D*WPx + E*BARNx + F*ENVx

where D, E, and F are the fractions of the total 2003 waste dollar costs that are attributable to (1) an offsite waste processor, (2) Barnwell South Carolina burial site, and (3) Envirocare of Utah Burial site respectively, and sum to 1.0.

D=	0.300
E=	0.000
F=	0.700

The adjustment factor for Waste Processors, WPx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal with Vendors at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2003. Waste Processors do not publish rate schedules and rates are negotiated with each waste shipper based on current burial site rates and Waste Processor labor rates. Getting rate quotes from a Waste Processor every estimating year would provide a more accurate adjustment factor for Cornell, but it would be up to Cornell to obtain the rate quotes.

The adjustment factor for Barnwell South Carolina burial site, BARNx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal from a Non-Atlantic Compact PWR for the estimate year X and divided by the adjustment factor for the Base Year 2003.

The adjustment factor for Envirocare of Utah, ENVx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2003. Envirocare of Utah does not publish a rate schedule and rates are negotiated with each waste shipper based primarily on waste volume. The disposal rates for Envirocare of Utah are not included in NUREG-1307, but the rate structure at U.S. Ecology is similar to the negotiated rate structures at Envirocare of Utah. Getting rate quote from Envirocare of Utah every year would provide a more accurate adjustment factor for Cornell, but it would be up to Cornell to obtain the rate quotes.

An example of the waste burial/disposition factors for Cornell assuming a base year of 2003 and estimate year of 2009 are given by:

An example of the waste burial/disposition factors for ARRR assuming a base year of 2006 and estimate year of 2010 are given by:

WP2003 =	4.788	WP_{2009} =	5.088
BARN2003 =	20.824	$BARN_{2009}$ =	26.824
ENV2003 =	4.500	ENV_{2009} =	9.000

B2009 (Cornell) = 0.7*(9.0/4.5) + 0.0*(26.824/20.824) + 0.3*(5.088/4.788)

B_{2009} = 1.719

Estimated Cost (Year 2003) = [2003 Cost] [AL2009 + BE2009 + CB2009]

The adjustment factors above must be adjusted for the correct estimate years. However an example calculation is presented below using the example adjustment factors presented above as if they were for the year 2009.

2003 COST = $3,603,086

Decommissioning Cost Summary
University of Illinois Research Reactor

The adjustment of the total decommissioning cost estimate can be expressed by (NUREG-1307, Rev. 13):

Estimated Cost (Year X) = [1986 Cost] [ALx + BEx + CBx]

where A, B, and C are the fractions of the total 1986 dollar costs that are attributable to labor (0.65), energy (0.13), and burial (0.22), respectively, and sum to 1.0. The factors Lx, Ex, and Bx are the Labor Cost Adjustment, the Energy Cost Adjustment, and the LLW Burial/Disposition Cost Adjustment respectively.

The above equation when adjusted to reference the 2006 Illinois estimate can be expressed as follows:

Estimated Cost (2009 Cost) = [Illinois 2006 Cost] [ALx + BEx + CBx]

where A, B, and C are the fractions of the total 2006 dollar costs that are attributable to labor, energy, and burial, respectively, and sum to 1.0. The Illinois values for these fractions are given below:

[Illinois 2006 Cost] = $4,209,348

A (Labor Cost Fraction)= 0.643 B (Energy Cost Fraction)= 0.020 C (Burial Cost Fraction)= 0.337

For Information Only, the radioactive waste disposal volume was estimated at 5,638 cubic feet

L_x = Labor Cost Adjustment, 2006 to the re-estimate month of Year X,

E_x = Energy Cost Adjustment, 2006 to the re-estimate month of Year X, and

B_x = LLW Burial/Disposition Cost Adjustment, 2006 to the re-estimate month of Year X, (i.e., burial/disposition cost in the new estimate month of Year X divided by the burial cost in 2006).

Employment Cost Index

Series Id: CIU2010000000230I (B)
Not Seasonally Adjusted
compensation: Total compensation
sector: Private industry
periodicity: Index number
Industryocc: Midwest

Year	Qtr1	Qtr2	Qtr3	Qtr4	Annual
2001	84.8	85.4	86.1	86.7	

2002	88	88.7	89	89.5	
2003	92.1	92.8	93.6	94	
2004	95	95.9	96.6	96.9	
2005	97.8	98.4	99.5	100	
2006	100.7	101.7	102.3	102.8	
2007	103.3	104.2	104.6	105.3	
2008	106	107	107.4	107.6	
2009	107.9				

LABOR ADJUSTMENT FACTOR CALCULATION

Base Year (Q4, 2006) Labor Index	Estimate Year (X) (Q1, 2009) Labor Index	Illinois L_x (Q1, 2009)
101.7	107.9	1.061

The adjustment factor for energy, Ex, is a weighted average of two components, namely, industrial electric power, Px, and light fuel oil, Fx. For Cornell Ex is given by:

$$E_x\ (PWR) = 0.58P_x + 0.42F_x$$

At Illinois the PWR energy fractions were used because they utilize a higher faction of electric power than those for a BWR.

The current values of P_x and F_x are calculated form the Producer Price Indexes (PPI), available in the "PPI Detailed Report", published by the U.S. Department of Labor, Bureau of Labor Statistics. On the internet select the BLS website at www.bls.gov. Select the "Subject Areas" tab at the top, then select "Producer Price Indexes" under "Inflation & Prices", then "PPI Databases", then under "Commodity Data" select the "One Screen Data Search" button.

http://www.bls.gov/

To generate the correct report select the following options for the report: (1) "05 Fuels and Related Products & Power", (2) "0543 Industrial Electric Power" and "0573 "Light Fuel Oils", (3) unclick the "Seasonally Adjusted button. Then click the "Add to Your Selection" button for the above categories, and click the "Get Data" button. The report should resemble the data presented below once the report is modified to give annual data only.

Series Id: WPU0543 Not Seasonally Adjusted **Group:** Fuels and related products and power **Item:** Industrial electric power **Base Date:** 198200	**Series Id:** WPU0573 Not Seasonally Adjusted **Group:** Fuels and related products and power **Item:** Light fuel oils **Base Date:** 198200

Year	Annual	Year	Annual
2000	131.5	2000	92.8
2001	141.1	2001	83.5
2002	139.9	2002	76.3
2003	145.8	2003	97.9
2004	147.2	2004	124.5
2005	156.2	2005	183.8
2006	172.8	2006	212.1
2007	180.4	2007	230.5
2008	189.1	2008	317
2009		2009	

ENERGY ADJUSTMENT FACTOR CALCULATION					
Base Year 2006 Power Index	Estimate Year (X) (2008) Power Index	P_x -2006	Base Year 2006 Fuel Index	Year (X) (2008) Fuel Index	F_x (Q3, 2005)
172.8	189.1	1.094	212.1	317.0	1.495

E_x (PWR) = $0.58P_x + 0.42F_x$

E_x (2009) =	1.262

The adjustment factors for waste burial/disposition B_x, are taken directly from data on the appropriate LLW locations given in Table 2.1 of NUREG-1307. For example, B_x = 17.922 (in 2002 dollars) for a PWR directly disposing all decommissioning LLW from a state in the Atlantic Compact at the Barnwell South Carolina burial site.

At Illinois waste will be sent to an (1) offsite waste processor, (2) the Envirocare of Utah Burial site. The adjustment factor for waste burial/disposition Bx, is a weighted average of these three components. For the Illinois Reactor, Bx is given by:

Bx (Cornell) = D*WPx + E*BARNx + F*ENVx

where D, E, and F are the fractions of the total 2003 waste dollar costs that are attributable to (1) an offsite waste processor, (2) Barnwell South Carolina burial site, and (3) Envirocare of Utah Burial site respectively, and sum to 1.0.

D= 0.300
E= 0.000
F= 0.700

The adjustment factor for Waste Processors, WPx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal with Vendors at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2003. Waste Processors do not publish rate schedules and rates are negotiated with each waste shipper based on current burial site rates and Waste Processor labor rates. Getting rate quotes from a Waste Processor every estimating year would provide a more accurate adjustment factor for Illinois, but it would be up to Illinois to obtain the rate quotes.

The adjustment factor for Barnwell South Carolina burial site, BARNx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal from a Non-Atlantic Compact PWR for the estimate year X and divided by the adjustment factor for the Base Year 2006.

The adjustment factor for Envirocare of Utah, ENVx, is taken from data given in Table 2.1 of NUREG-1307 for Direct Disposal at U.S. Ecology from a PWR for the estimate year X and divided by the adjustment factor for the Base Year 2006. Envirocare of Utah does not publish a rate schedule and rates are negotiated with each waste shipper based primarily on waste volume. The disposal rates for Envirocare of Utah are not included in NUREG-1307, but the rate structure at U.S. Ecology is similar to the negotiated rate structures at Envirocare of Utah. Getting rate quote from Envirocare of Utah every year would provide a more accurate adjustment factor for Cornell, but it would be up to Cornell to obtain the rate quotes.

An example of the waste burial/disposition factors for ARRR assuming a base year of 2006 and estimate year of 2010 are given by:

WP2006 =	4.938	WP_{2009} =	5.088
BARN2006 =	23.824	$BARN_{2009}$ =	26.824
ENV2006 =	6.750	ENV_{2009} =	9.000

B2009 (Illinois) = 0.7*(9.0/3.0) + 0.0*(26.824/18.824) + 0.3*(5.088/4.688)

B_{2009} =	1.242

Estimated Cost (Year 2006) = [2006 Cost] [AL2009 + BE2009 + CB2009]

The adjustment factors above must be adjusted for the correct estimate years. However an example calculation is presented below using the example adjustment factors presented above as if they were for the year 2009.

2006 COST =	$4,209,348
A =	0.643
B =	0.020
C =	0.337
L_{2009} =	1.061
E_{2009} =	1.262
B_{2009} =	1.242
2009 COST =	$4,740,369

The values for the base year 2006 are not yet available in NUREG-1307. Table 2.1 from NUREG-1307 Revision 11 is provided below along with extrapolated data.

B_x Values for Washington Site

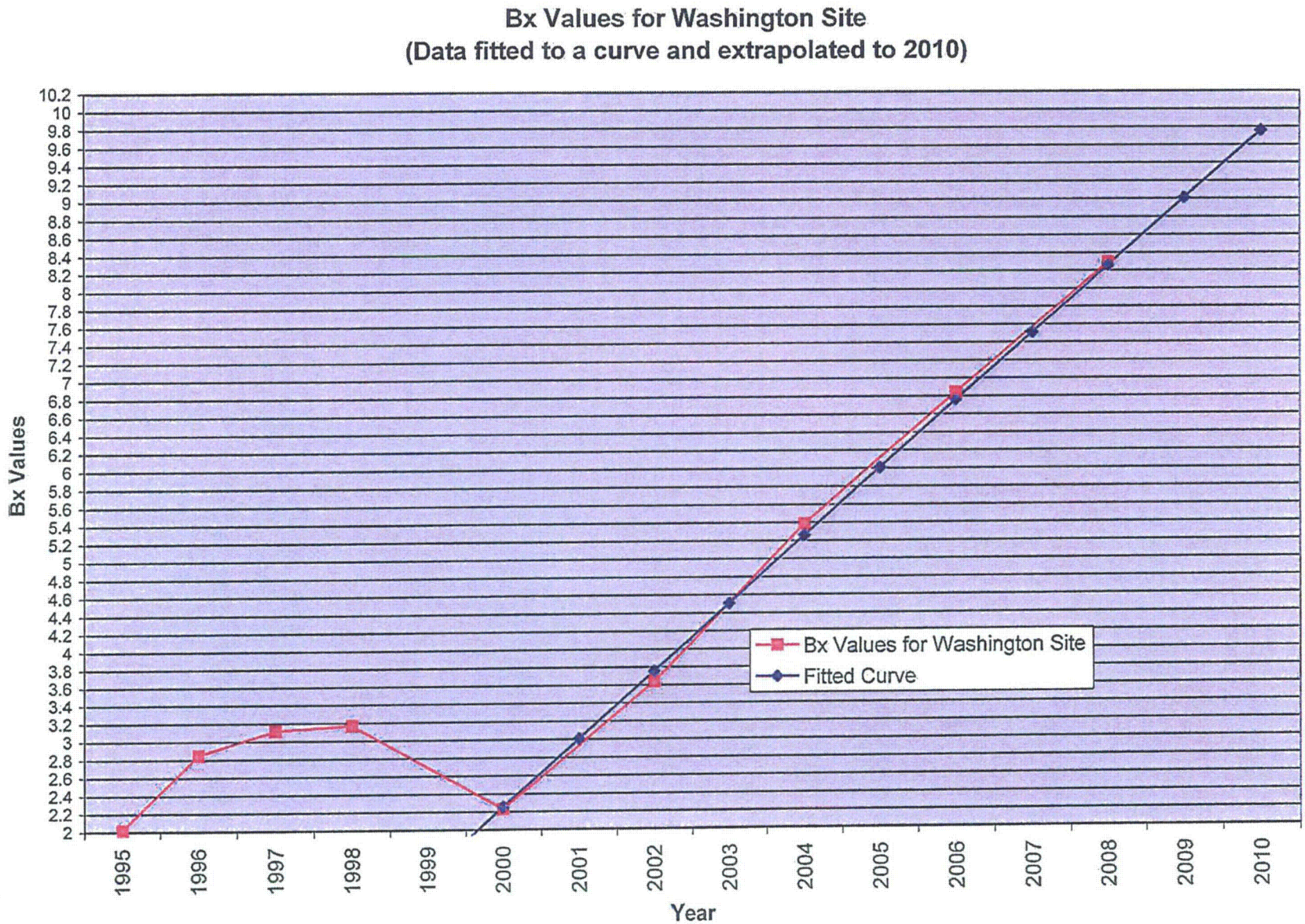
Year	PWR
1995	2.015
1996	2.845
1997	3.112
1998	3.165
1999	#N/A
2000	2.223
2001	#N/A
2002	3.634
2003	#N/A
2004	5.374
2005	#N/A
2006	6.829
2007	#N/A
2008	8.283

y=mx+b

m=	0.75
b=	-1.5

B_x Values for Washington Site
(Data fitted to a curve and extrapolated to 2010)

Year	Year	PWR
1995	0	-1.500
1996	1	-0.750
1997	2	0.000
1998	3	0.750
1999	4	1.500
2000	5	2.250
2001	6	3.000
2002	7	3.750
2003	8	4.500
2004	9	5.250
2005	10	6.000
2006	11	**6.750**
2007	12	7.500
2008	13	8.250
2009	14	9.000
2010	15	**9.750**


Bx Values for Washington Site
(Data fitted to a curve and extrapolated to 2010)
Bx Values
10.2
10
9.8
9.6
9.4
9.2
9
8.8
8.6
8.4
8.2
8
7.8
7.6
7.4
7.2
7
6.8
6.6
6.4
6.2
6
5.8
5.6
5.4
5.2
5
4.8
4.6
4.4
4.2
4
3.8
3.6
3.4
3.2
3
2.8
2.6
2.4
2.2
2
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
Year
Bx Values for Washington Site
Fitted Curve

The values for the base year 2006 are not yet available in NUREG-1307. Table 2.1 from NUREG-1307 Revision 11 is provided below along with extrapolated data.

B_x Values for Waste Processor-Washington Site

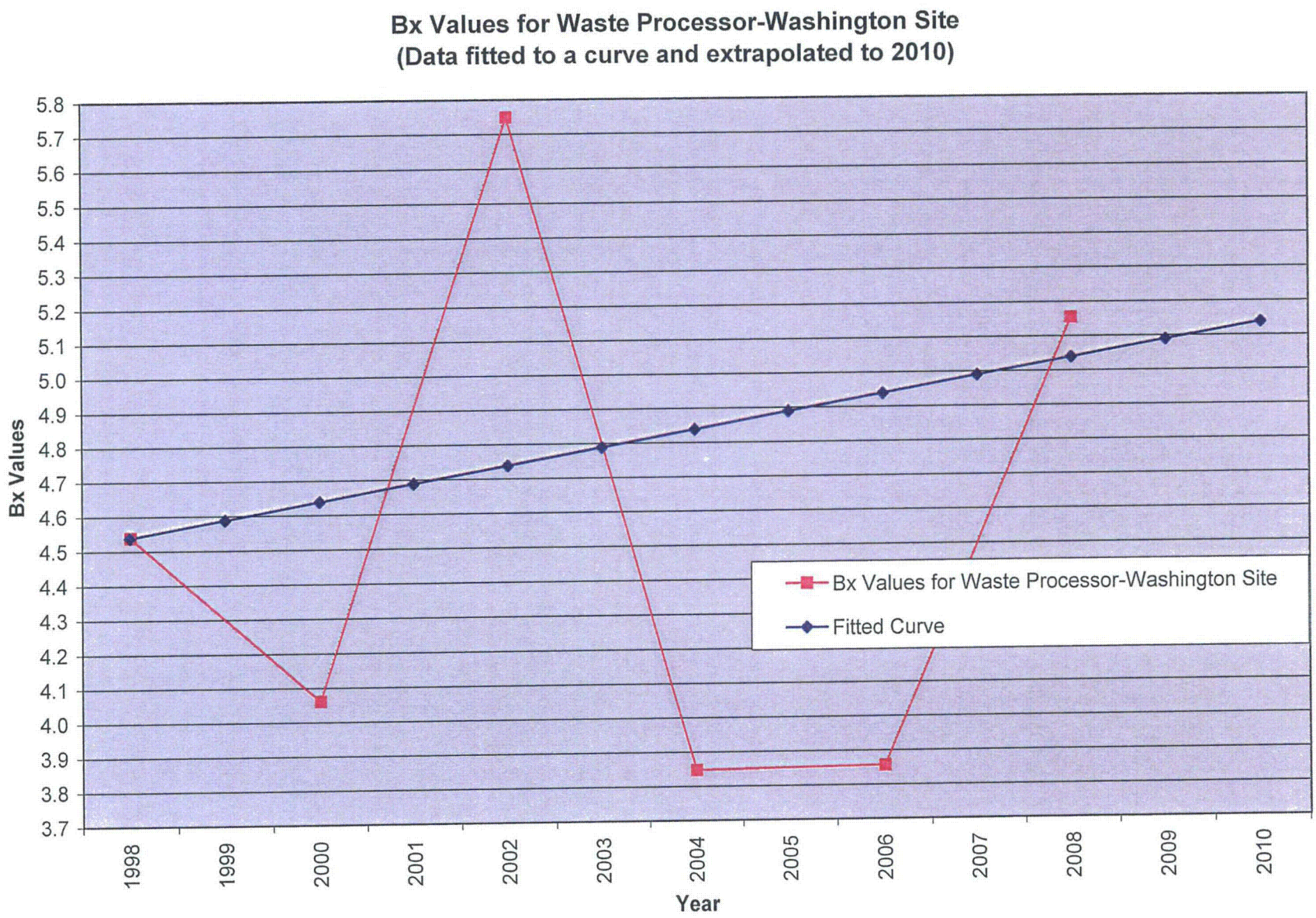
Year	PWR
1998	4.538
1999	#N/A
2000	4.06
2001	#N/A
2002	5.748
2003	#N/A
2004	3.846
2005	#N/A
2006	3.855
2007	#N/A
2008	5.153

y=mx+b

m=	0.05
b=	4.538

B_x Values for Waste Processor-Washington Site
(Data fitted to a curve and extrapolated to 2010)

Year	Year	PWR
1998	0	4.538
1999	1	4.588
2000	2	4.638
2001	3	4.688
2002	4	4.738
2003	5	4.788
2004	6	4.838
2005	7	4.888
2006	8	**4.938**
2007	9	4.988
2008	10	5.038
2009	11	5.088
2010	12	**5.138**


Bx Values for Waste Processor-Washington Site
(Data fitted to a curve and extrapolated to 2010)
Bx Values
5.8
5.7
5.6
5.5
5.4
5.3
5.2
5.1
5.0
4.9
4.8
4.7
4.6
4.5
4.4
4.3
4.2
4.1
4.0
3.9
3.8
3.7
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
Year
Bx Values for Waste Processor-Washington Site
Fitted Curve

The values for the base year 2006 are not yet available in NUREG-1307. Table 2.1 from NUREG-1307 Revision 11, Non-Atlantic Compact, is provided below along with extrapolated data.

B_x Values for Barnwell SC Site

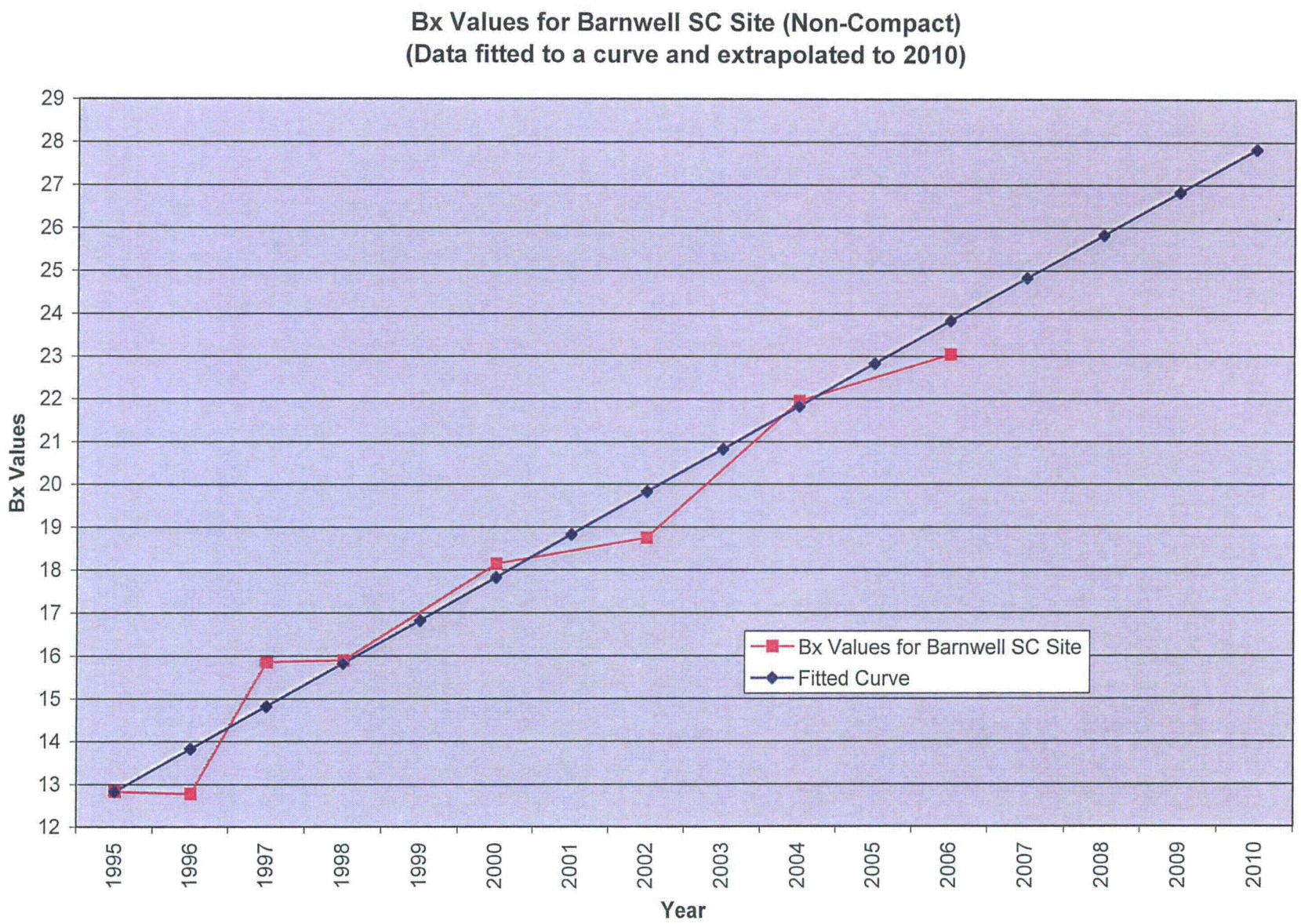
Year	PWR
1995	12.824
1996	12.771
1997	15.852
1998	15.886
1999	#N/A
2000	18.129
2001	#N/A
2002	18.732
2003	#N/A
2004	21.937
2005	#N/A
2006	23.03
2007	#N/A
2008	#N/A

y=mx+b

m=	1.0
b=	12.824

B_x Values for Barnwell SC Site
(Data fitted to a curve and extrapolated to 2010)

Year	Year	PWR
1995	0	12.824
1996	1	13.824
1997	2	14.824
1998	3	15.824
1999	4	16.824
2000	5	17.824
2001	6	18.824
2002	7	19.824
2003	8	20.824
2004	9	21.824
2005	10	22.824
2006	11	**23.824**
2007	12	24.824
2008	13	25.824
2009	14	26.824
2010	15	**27.824**


Bx Values for Barnwell SC Site (Non-Compact)
(Data fitted to a curve and extrapolated to 2010)
Bx Values
29
28
27
26
25
24
23
22
21
20
19
18
17
16
15
14
13
12
1995
1996
1997
1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
Year
Bx Values for Barnwell SC Site
Fitted Curve

Note: This document contains confidential information submitted under 10 CFR 2.390
This information is Business Confidential to the sender and is identified with brackets as such [ ] or in the case of attachments identified in their entirety.

Attachment 5

[Financial Assurance Plan]

Note: This attachment is Business Confidential to the sender in its entirety

Note: This document contains confidential information submitted under 10 CFR 2.390
This information is Business Confidential to the sender and is identified with brackets as such [ ] or in the case of attachments identified in their entirety.

Attachment 6

Technical Specification modifications

11.0 Fuel Storgae and Transfer

11.1 The fuel storage pits located in the floor of the reactor room shall accommodate a maximum of 19 fuel elements (700 gm U-235) in storage racks dry or flooded with water. The fuel storage pits shall be secured with a lock and chain except during fuel transfer operations.

11.2 Additional fuel storage racks may be located in the reactor tank. Each of these storage facilities shall be so designed that for all conditions of moderation k eff shall not exceed a value of 0.8.

11.3 A fuel handling tool shall be used in transferring fuel elements of low radioactivity between the storage pits and the reactor; a shielded fuel transfer of highly radio-active fuel elements. The fuel handling tool shall remain in a locked cabinet under the cognizance of the Reactor Supervisor when not authorized for use.

11.4 All fuel transfers in the reactor tank shall be conducted by a minimum staff of three men, and shall include a licensed Senior Operator and a licensed Operator. The staff members shall monitor the operation using appropriate radiation monitoring instrumentation. Fuel transfers outside the reactor tank but within the facility shall be supervised by a licensed Operator.

11.5 Not more than one fuel element shall be allowed in the facility which is not in storage or in the core lattice.

12.0 Administrative Requirements

12.1 Organization

of the Licensee

12.1.1 The Reactor Supervisor shall have responsibility of the reactor facility. In all matters pertaining to reactor operations and to these Technical Specifications, the Reactor Supervisor shall be responsible to the President Aerotest Operations, Inc., a wholly-owned subsidiary of Explosive Technology, Inc. The President Aerotest Operations, Inc. shall report to the Board of Directors of Aerotest Operations, Inc. which includes the Presidents of both OEA, Inc. and Explosive Technology, Inc.

of the Licensee the Licensee deleted

12.1.2 The Radiological Safety Officer shall review and approve all procedures and experiments involving radiological safety. He shall enforce rules, regulations and procedures relating to radiological safety, conduct routine radiation surveys and is responsible to the Manager, Aerotest Operations.

12.1.3 The Reactor Safeguards Committee shall be composed of not less than five members, of whom no more than three are members of the operating organization. The committee

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12.1.3 The Reactor Safeguards Committee shall be composed of not less than five members, of whom no more than three are members of the operating organization. The committee

Docket No. 50-228
Enclosure 3
Request to Withhold
April 1, 2010

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

Request to Withhold From Public Disclosure

Re: Aerotest Radiography and Research Reactor
License No. R-98
RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION REGARDING PROPOSED INDIRECT LICENSE TRANSFER (TAC NO. ME1887)

Dear Sir or Madam,

Pursuant to 10 CFR 2.390, Public Exemptions, Request for Withholding, Aerotest Operations Inc. (Aerotest) and X-Ray Industries, Inc. (X-Ray) hereby request that the information contained in its **Response to Request for Additional Information Regarding Proposed Indirect License Transfer (TAC No. ME1887)**, (the ARRR RAI) dated April 1, 2010 be withheld from public disclosure as such ARRR RAI contains trade secrets, commercial information and financial information which is Business Propriatary.

In Support of our request we state the following:

1. The document sought to be withheld from public disclosure is sections of the **Response to Request for Additional Information Regarding Proposed Indirect License Transfer (TAC No. ME1887)** submitted by Aerotest Operations Inc. and X-Ray Industries, Inc. dated April 1, 2010 marked as Business Confidential, including attachments 2, 3 and 5;

2. The persons making this request are Michael S. Anderson of Aerotest Operations, Inc. and Scott Thams, President of X-Ray Industries, Inc.;

3. The basis for proposing that the information be withheld from public disclosure is that information contained in the ARRR RAI includes confidential business and financial information of Aerotest and X-Ray, which information has been held in confidence by Aerotest and X-Ray is a type customarily held in confidence by its owner, was transmitted to and received by the commission in confidence, is not available in public sources, and if publicly disclosed would be likely to cause substantial harm to the competitive position of Aerotest and X-Ray taking into account the value of the information, the amount of effort and money expended by Aerotest and X-Ray in developing the information and the difficulty with which the information could be acquired of duplicated by others;

4. If such information was disclosed to the public, Aerotest and X-Ray believe that competitive harm would result;

5. The ARRR RAI has been marked to show the locations of the information sought to be withheld.

Further Affiant Sayeth Not,

Scott W. Thams
President,
X-Ray Industries, Inc.

4/6/10
Notary: Jeanne M. Perry

JEANNE M. PERRY
Notary Public, State of Michigan
County of Oakland
My Commission Expires Nov. 01, 2012
Acting in the County of OAKLAND

Michael S. Anderson
Secretary
Aerotest Operations, Inc.

4/6/10
Notary: Candace Mierzwinski

CANDACE MIERZWINSKI
Notary Public, State of Michigan
County of Oakland
My Commission Expires May. 26, 2013
Acting in the County of Oakland