Mr. Kirk Rozycki  
Radiation Safety Officer  
Spectron mrc, LLC  
17490 Dugdale Drive  
South Bend, IN 46635  

Dear Mr. Rozycki: 

We have completed our review of your letters dated May 19, 2010, in which you submitted revised possession limits for your application for a possession license for production of radioactive material using an accelerator. As noted in your letters, the revised possession limits are below the threshold values in Title 10 Code of Federal Regulations CFR Part 30 for establishing decommissioning financial assurance (DFA). 

We reviewed your basis for the revised possession limits and concluded that you did not provide adequate justification to demonstrate that you will not possess the types and quantities of radionculides which would require DFA. 

Some of the documents that you provided to justify the type and quantity of the activation products are not published papers, which raised a concern over their credibility and applicability. Also, you indicated that Mn-54 and Co-57 are the only activation products with a half-life greater than 120 days. Based on our review of “Decommissioning Procedures for An 11 MeV Self-shielded Medical Cyclotron after 16 Years of Working Time”, published in Health Physics, Vol. 90(6), June 2006, we found that there were several activation products with a half-life greater than 120 days. 

Dr. Peter Lee from our Materials Control, ISFSI, and Decommissioning Branch conducted this review and indicated to us that on August 24, 2010, he had a discussion with you about the DFA requirements. He also informed us that you plan to submit an estimate of the cost for the decommissioning along with a financial assurance instrument, or provide additional supporting information that demonstrates why financial assurance is not required in accordance with 10 CFR 30.35. 

In accordance with 10 CFR 2.390 of the NRC's “Rules of Practice,” a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). The NRC’s document system is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room).
Please submit your response to this letter within 30 days of the date of this letter, and reference as additional information to Control Number 318193.

Sincerely,

/RA/

Kevin G. Null, Senior Health Physicist
Materials Licensing Branch
Division of Nuclear Materials Safety

Docket No.: 030-38045
License No.: 13-32726-02
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/RA/

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