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

April 29, 2011

Docket No. 03031110 License No. 19-00294-24
Control No. 574513

Colonel Peter J. Schultheiss
Commander
Department of the Army
U.S. Army Medical Research Institute of Chemical Defense
3100 Ricketts Point Road
Aberdeen Proving Ground, MD 21010-5400

SUBJECT: DEPARTMENT OF THE ARMY, REQUEST FOR ADDITIONAL INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL NO. 574513

Dear Colonel Schultheiss:

This is in reference to your application dated February 16, 2011 requesting to amend Nuclear Regulatory Commission License No. 19-00294-24. In order to continue our review, we need the following additional information:

1. Your application states that Paul Madairy, Dana Anderson, and Harry Schwartzer should be named as an alternate Radiation Safety Officers (RSO). Please note that the NRC does not name alternate or assistant RSOs on the license. The individual listed on an NRC license as the RSO is the individual responsible for overseeing the radiation safety program. However, the RSO may delegate certain tasks to other qualified individuals. The RSO must confirm that those delegated tasks were performed as required and in compliance with NRC regulations and your NRC license. No response to this item is required.

2. Though you have submitted a description of your facilities and have described criteria which your Radiation Safety Committee (RSC) will review and approve facilities and equipment, please describe your method of classifying laboratories based on type, toxicity, and byproduct material being requested. In addition, please include sample diagrams that should take into account shielding and the proximity of radiation sources to unrestricted areas. For special application facilities (such as room irradiators, specialized iodination/tritiation facilities, and radioactive waste treatment facilities), please specify their locations (i.e. building and room numbers). For facilities where licensed materials may become airborne, include schematic descriptions of the ventilation system, with pertinent airflow rates, pressures, filtration equipment, and monitoring instruments. Diagrams should be drawn to a specified scale, or dimensions should be indicated.

3. Describe the mechanisms used by executive management to ensure that adequate oversight of the program is being exercised. Describe the audit mechanism implemented by the RSO or other responsible individual to determine use compliance with NRC regulations, the terms and conditions of the NRC license, and the requirements of the

RSC. You are not required to, and should not submit, the entire program for conducting the annual program review.

4. Provide the criteria used by your RSC and/or RSO, as appropriate to review and approve radiation monitoring instrumentation and to assure that appropriate radiation monitoring equipment will be used during licensed activities.

5. Submit procedures to evaluate radiological hazards, both external and internal. If you wish, you may state, "we will survey our facility and maintain contamination levels and perform bioassays of occupationally exposed workers in accordance with the survey frequencies and contamination levels published in Appendix S of NUREG-1556, Volume 11, " Program Specific Guidance About Licenses of Broad Scope".

6. In a letter dated November 22, 2006, you submitted to the NRC a decommissioning funding plan in the amount of $41,353.84. In your application for renewal, you submitted a letter dated February 15, 20011 which exercises your authority to request funds for decommissioning, again in the amount of $41, 353.84. Regulations set forth in 10 CFR 30.35(e) requires in addition to a cost estimate, the licensee also submit a description of the method of assuring funds, including the means for adjusting cost estimates and associated funding levels periodically over the life of the facility. The cost estimates must be adjusted at intervals not to exceed three years. Considering the last submission of a decommissioning funding plan was in 2006, please submit an updated DFP including the information stated above. The appropriate level of detail for the cost estimate is discussed in Appendix A.3 to Volume 3 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance."

7. Confirm that the Radiation Safety Manual, Memorandum No. 385-2, is submitted as part of your license application and that any changes in the Manual information and procedures shall be submitted to the NRC and approved by amendment of your license prior to implementing the changes. Alternatively, you may submit the Radiation Safety Manual as a reference for specific procedures referred to in Items of your license application; in this case only changes made in the referenced procedures would require amendment of the license. You may also minimize the need for frequent amendments if you specify those sections of your manual which are administrative in nature and/or do not reduce the level of safety. Such areas might include: modifications required by NRC rule changes; revision of internal management forms; selection of authorized contractors for dosimetry, waste disposal, calibration, and other similar services; references to specific manufacturers and/or models of equipment.

8. NRC will provide even greater flexibility to Type A Broad Scope licensees to make programs changes and changes to procedures specifically identified in documents which were previously approved by the Commission and incorporated into the license, without prior Commission approval. If you would like authorization for this flexibility, please provide the following statements.

    a. Changes to your program and procedures will be limited to the following areas: training; audit program; radiation monitoring instruments; material receipt and accountability; safe use of radionuclides and emergency procedures; and radiation surveys. In addition, state that you will apply for, and receive an

amendment to your license prior to implementing any other programmatic or procedural changes.

b. The proposed revision will be documented, reviewed, and approved by your Radiation Safety Committee in accordance with established procedures prior to implementation.

c. The revised program will be in accordance with regulatory requirements, will not change the license conditions, and will not decrease the effectiveness of the Radiation Safety Program.

d. Your staff will be trained in the revised procedures prior to implementation.

e. Your audit program will evaluate the effectiveness of the change and its implementation.

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. 574513. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5040.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,

Original signed by Elizabeth Ullrich

Elizabeth Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
Benjamin F. Casole, Radiation Safety Officer

DOCUMENT NAME: G:\WordDocs\Current\Lic Def Letter\L19-00294-24.574513.doc

SUNSI Review Complete: FGaskins

After declaring this document "An Official Agency Record" it **will** be released to the Public.

To receive a copy of this document, indicate in the box: "**C**" = Copy w/o attach/encl "**E**" = Copy w/ attach/encl "**N**" = No copy

OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	FGaskins/FCG		EUllrich/BU					
DATE	4/29/11		4/29/11					

OFFICIAL RECORD COPY