

Lovelace Respiratory Research Institute  
2425 Ridgecrest Drive SE  
Albuquerque, NM 87108-5127  
voice 505.348.9400  
fax 505.348.8567  
www.LRRI.org



April 27, 2011

Nuclear Materials Licensing Branch  
U.S. Nuclear Regulatory Commission Region IV  
612 E. Lamar Blvd., Suite 400  
Arlington, TX 76011-4125

RECEIVED

MAY 27 2011

DNMS

RE: Financial Assurance for NRC Decommissioning Requirements

This letter is to confirm that your office has received the following items in regards to our NRC license and related funding requirements for the required decommissioning plan:

- Standby Trust Agreement
- Trust Agreement Addendum
- Letter of Credit from Wells Fargo

We request acknowledgement that you have received these documents and that they are satisfactory. Additionally, we want to acknowledge that this LOC replaces the LRRI self-guarantee for compliance in this program, which was submitted to NRC on December 23, 2010, and that such self-guarantee is no longer in effect.

Please contact me at 505-348-9389 if you have any questions in this regard.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard C. McGivney', written over a horizontal line.

Richard C. McGivney  
Chief Financial Officer

cc: Gary Larue, Corporate Controller

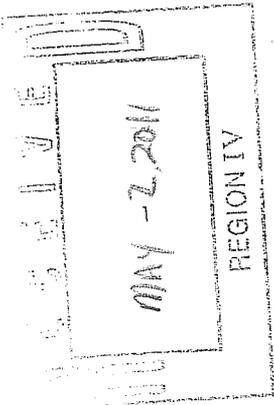
30-29237-01  
030-37312

Lovelace Respiratory Research Institute  
2425 Ridgecrest Drive SE  
Albuquerque, NM 87108-5127

Curing Respiratory Disease



Nuclear Materials Licensing Branch  
U.S. Nuclear Regulatory Commission Region IV  
612 E. Lamar Blvd., Suite 400  
Arlington, TX 76011-4125



76011-4125



## Torres, RobertoJ

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**From:** Torres, RobertoJ  
**Sent:** Monday, May 02, 2011 2:24 PM  
**To:** rmcgivney@lrri.org  
**Subject:** NRC response to your letter dated April 27, 2011  
**Attachments:** SCAN2839\_000.pdf; ML1109401290.pdf; ML1108907190.pdf

Mr. McGivney:

The NRC has received your letter dated April 27, 2011 (SCAN2839). Attached are the NRC letters that were sent to the RSO confirming that the decommissioning financial assurance documents are current and that the self guarantee is no longer in effect.

Roberto J. Torres  
Senior Health Physicist  
U.S. Nuclear Regulatory Commission - Region IV  
Division of Nuclear Materials Safety  
Nuclear Materials Safety Branch B  
612 East Lamar Boulevard, Suite 400  
Arlington, Texas 76011-4125  
Telephone 817-860-8189  
Facsimile 817-860-8263  
[robertoj.torres@nrc.gov](mailto:robertoj.torres@nrc.gov)



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION IV  
612 EAST LAMAR BOULEVARD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

March 30, 2011

Lovelace Respiratory Research Institute  
ATTN: Elaine T. Marshall, CHP  
Radiation Safety Officer  
2425 Ridgecrest Drive, SE  
Albuquerque, New Mexico 87108

**SUBJECT: DECOMMISSIONING FINANCIAL ASSURANCE AND LICENSE AMENDMENT**

The Nuclear Regulatory Commission (NRC) has received your Standby Trust Agreement and Trust Agreement Addendum dated March 25, 2011, for NRC license number 30-29237-01. We have reviewed these documents. No deficiencies were identified within the scope of our review.

The Standby Trust Agreement and Trust Agreement Addendum replace the self guarantee instrument that LRRRI was relying to satisfy decommissioning financial assurance requirements. Enclosed is amendment 19 to license number 30-29237-01 removing conditions 26, 27 and 28, which made reference to self guarantee requirements. Please note that 10 CFR 30.35(e) requires that cost estimates be adjusted at intervals not to exceed three years. You should submit your next cost estimate adjustment and updated financial assurance documents (Standby Trust Agreement and Trust Agreement Addendum) in or around March 2014, if there are any changes to the current decommissioning cost estimate. You can contact me at 817-860-8189 if you have any questions about this matter.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS. The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/req-issues/2005/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

Lovelace Respiratory Research Institute -2-

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 NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

**/RA/**

Roberto J. Torres, Senior Health Physicist  
Nuclear Materials Safety Branch B

Docket: 030-37312  
License: 30-29237-01  
Control: 472534 and 574335

Enclosure: As stated



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION IV  
612 EAST LAMAR BOULEVARD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

April 4, 2011

Lovelace Respiratory Research Institute  
ATTN: Elaine T. Marshall, CHP  
Radiation Safety Officer  
2425 Ridgecrest Drive, SE  
Albuquerque, New Mexico 87108

**SUBJECT: DECOMMISSIONING FINANCIAL ASSURANCE DOCUMENTS**

The Nuclear Regulatory Commission (NRC) has received your Standby Trust Agreement and Trust Agreement Addendum dated March 25, 2011, and Irrevocable Letter of Credit issued by Wells Fargo Bank dated March 31, 2011, for NRC license number 30-29237-01. We have reviewed these documents and no deficiencies were identified within the scope of our review. Your decommissioning financial assurance documents are in order.

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 NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

**/RA/**

Roberto J. Torres, Senior Health Physicist  
Nuclear Materials Safety Branch B

Docket: 030-37312  
License: 30-29237-01  
Control: 472534 and 574335