



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

June 21, 2011

Docket No. 03037957
Control No. 144277

License No. 52-31352-02

Frank S. Kolodziej, M.D.
President
International Cyclotron, Inc.
Calle Jose Marti #56
Floral Park
Hato Rey, PR 00918

SUBJECT: INTERNATIONAL CYCLOTRON, INC., REQUEST FOR ADDITIONAL
INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS,
CONTROL NO. 144277

Dear Dr. Kolodziej:

This is in reference to your letter received June 20, 2011, regarding financial assurance for decommissioning for Nuclear Regulatory Commission License No. 52-31352-02. This also refers to our telephone conversation on June 21, 2011. In order to continue our review, we need the following additional information:

1. Your letter requested that we inform you of the amount necessary for funding your decommissioning. In order to know the amount of financial assurance you are required to provide, you must develop a Decommissioning Funding Plan (DFP) for our review and approval. You were requested in letters dated December 7, 2009; February 9, 2010, and December 22, 2010, to provide a DFP for our review and approval. This issue was also discussed by telephone, in email and during your 2010 inspection by Todd Jackson, with James Dwyer, Branch Chief, attending the discussion by telephone. You submitted a letter dated January 24, 2011, which stated that a DFP was attached; however, as I informed you by email on February 3, April 6, May 2 and June 17, there was not a DFP attached to the letter and you must submit a DFP. Submit the DFP for our review and approval.
2. Your letter requested whether a security bond is an acceptable financial assurance instrument. If the bond you are interested in using meets the NRC guidance for a surety bond, as described on page 4.23 and Appendix A.9 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance", Volume 3, "Financial Assurance, Recordkeeping and Timeliness" then it could be acceptable. However, until the DFP is submitted for review and the cost estimate is approved, you will not know the amount that is required for the surety bond.

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. 144277. If you have any technical questions 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:
David Rhoe, Radiation Safety Officer

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