



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

November 1, 2011

Docket No. 030-37957
Control No. 144277
EA-11-086

License No. 52-31352-02

Frank Kolodziej, M.D.
President/Chief Executive Officer
International Cyclotron, Inc.
Calle José Martí #56
Floral Park
Hato Rey, PR 00918

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

Dear Dr. Kolodziej:

This is in reference to your letters dated October 18 and October 24, 2011, in response to our letter dated September 2, 2011. These letters are regarding information related to the financial assurance for License No. 52-31352-02. This also refers to information provided in electronic mail (e-mail) by David Rhoe on October 14 and October 27, 2011.

We have reviewed the information and determined the following:

- a. The Decommissioning Funding Plan, submitted by e-mail on October 14 and attached to the letter dated October 24, 2011, contains a cost estimate for decommissioning of the cyclotron in the amount of \$493,086.54 as of September 2011. The DFP and cost estimate are acceptable.
- b. The Certification of Financial Assurance dated October 26, 2011, is acceptable. The listed individual radionuclides with half-lives greater than 120 days are listed in the amounts that you first provided in a letter dated January 24, 2011, as being the quantities calculated by your cyclotron manufacturer. Because these amounts are more restrictive than your current license authorizes, your license was amended to the limits specified in your DFP and cost estimate. The amended license is enclosed with this letter.
- c. We understand that the financial instrument you are planning to use is an insurance policy with a Standby Trust. We will review the instrument when it is received, and will expect updates on your progress to obtain an instrument every 30 days.

A copy of this letter is being sent to your home address, and to the home address of David Rhoe, as you requested.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov;

select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Licensee Toolkits**, see our **toolkit index page**. 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 8:00 a.m. to 5:30 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

Enclosure:
Amendment No. 01

cc:
David Rhoe, Radiation Safety Officer
Frank Kolodziej, M.D., President/Chief Executive Officer (home)
David Rhoe, M.D., Radiation Safety Officer (home)

DOCUMENT NAME: G:\WordDocs\Current\Lic Def Letter\L52-31352-02.144277a.doc

SUNSI Review Complete: EUllrich

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	EUllrich/EU							
DATE	11/1/2011							

OFFICIAL RECORD COPY