



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

November 2, 2011

Docket No. 030-38331
Control No. 575595

License No. 34-32780-02

Jack L. Coffey
Senior Vice President
Cardinal Health 414, LLC
7000 Cardinal Place
Dublin, OH 43017

SUBJECT: CARDINAL HEALTH 414, LLC, REQUEST FOR ADDITIONAL INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL NO. 575595

Dear Mr. Coffey:

This is in reference to your letter dated October 5, 2011, submitting the Certification of Financial Assurance (CFA) and the Standby Trust Agreement in support of financial assurance for Nuclear Regulatory Commission License No. 34-32780-02. We have no further questions regarding the CFA, which was dated September 30, 2011.

Because the Standby Trust Agreement, also dated September 30, 2011, was significantly different from the Model Standby Trust Agreement in NUREG-1757, "Consolidated NMSS Decommissioning Guidance", Volume 3, "Financial Assurance, Recordkeeping, and Timeliness" (NUREG-1757, Vol. 3), the Standby Trust Agreement was reviewed by the NRC's financial analysis contractor. Please revise the Standby Trust Agreement as follows:

1. Remove the additional language included in Sections 8(f) through 8(i). These limits placed on the Trustee overlap, duplicate, or expand provisions found in the model standby trust agreement, and may impair the reasonable assurance provided by the standby trust fund.
2. Remove the additional language in Sections 14(a) through 14(c).
 - a. Although the special requirements added in Section 14(a) apply only to the Grantor communications related to the transfer or distribution of the fund, they also appear in Section 5(a) and should be deleted from this section.
 - b. Sections 14(b) and (c) are not limited to the Grantor and could apply to NRC instructions. These clauses should be removed entirely, or modified so that they clearly apply only to Grantor communications.
3. Remove the additional language in Section 17, which expands provisions found in the model standby trust agreement, and may impair the reasonable assurance provided by the standby trust fund.

J. Coffey

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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. 575595. 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

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

cc:
Willie Regits, Ph.D., Radiation Safety Officer

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