



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

July 12, 2012

Docket No. 03001142
Control No. 577738

License No. 47-05972-02

Stephen J. Kopp
President
Marshall University
RC Byrd Biotechnology Science Center
University Radiation Safety Office, Room 301J
One John Marshall Drive
Huntington, WV 25755-2505

SUBJECT: MARSHALL UNIVERSITY, REQUEST FOR ADDITIONAL INFORMATION
CONCERNING FINANCIAL ASSURANCE INSTRUMENT, CONTROL NO.
577738

Dear Mr. Kopp:

This is in reference to your current financial assurance instrument, a self-guarantee. The NRC published the new financial assurance rules in the Federal Register Notice dated June 17, 2011 [(Volume 76, No. 117, pages 35512 – 35573) ADAMS Accession Number ML121350224]. The NRC is revising 10 CFR 30.35 which applies to your Nuclear Regulatory Commission License No. 47-05972-02. The rule will be effective on December 17, 2012. The rule requires that those licensees who opted to use a self-guarantee for its financial assurance instrument must also have a standby trust fund to receive any funds from the licensee for decommissioning since the NRC cannot receive funds directly. Please review the Federal Register and provide the NRC with a signed original of a standby trust fund. Please respond before September 1, 2012. The NRC must review, resolve any discrepancies, and approve the standby trust fund before December 17, 2012:

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).

Please reply to my attention at the Region I Office and refer to Mail Control No. 577738. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5075.

Please note that the Region I Division of Nuclear Materials Safety has moved effective May 9, 2012. Our new address is:

USNRC – Region I
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713

S. Kopp

2

Your cooperation with us is appreciated.

Sincerely,

Original signed by Steve Courtemanche

Steven Courtemanche
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:

William D. McCumbee, Ph.D., Radiation Safety Officer

DOCUMENT NAME: G:\WordDocs\Current\Lic Def Letter\L47-05972-02.577738.doc

SUNSI Review Complete: SCourtemanche

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	SCourtemanche/src					
DATE	07/12/2012					

OFFICIAL RECORD COPY