



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

June 28, 2013

Docket No. 03004001
Control No. 579424

License No. 10-06772-01

Paul Simpson
Radiation Safety Officer
U.S. Department of Health & Human Services
Centers for Disease Control & Prevention
1600 Clifton Road, NE
Atlanta, GA 30333-4018

SUBJECT: U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES, REQUEST FOR
ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE
DOCUMENTS, CONTROL NO. 579424

Dear Mr. Simpson:

This is in reference to your application dated May 30, 2012, which you did not provide financial assurance for decommissioning for Nuclear Regulatory Commission License No. 10-06772-01. Your current Decommissioning Cost Estimate was developed in March 23, 2009 and amended on April 13, 2009, a period of over 4 years. In the letter dated April 13, 2009, you had committed to performing a cost estimate every 3 years. 10 CFR 30.37, Application for renewal of licenses requires that a licensee files in accordance with 10 CFR 30.32. 10 CFR 30.32(h) requires that a proposed decommissioning funding plan or certification of financial assurance for decommissioning be contained in the application. This plan was not in the May 30, 2012, application. A request for additional information was issued on June 22, 2012. To date, no cost estimate or funding plan has been received, a period greater than one year. In order to continue our review, we need the following additional information:

10 CFR 30.35 requires that licensees authorized to possess and use unsealed licensed material with a half-life greater than 120 days in quantities greater than those described in 10 CFR 30.35(a) must submit decommissioning funding plan (DFP) in any new or renewal application. This plan must include an actual estimate of the costs for decommissioning your facility and a description of the methods of assuring funds in accordance with 10 CFR 30.35(e). The appropriate level of detail for the cost estimate is discussed in Appendix A.3 to Volume 3 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance." If the DFP cost estimate is greater than your current certification of financial assurance, you must submit a revised financial assurance instrument in the prescribed amount of the cost estimate. Please follow closely the recommended wording for financial assurance mechanisms found Appendix A to Volume 3 of NUREG-1757.

Please submit this information without delay. At this time you do not appear to be in compliance with NRC regulations. If we do not hear from you within 30 day, we will be considering enforcement actions.

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. 579424. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5366.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Sincerely,

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

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