



UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES

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J-6

12 September 2013

Commercial and R&D Branch
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406-1415

Re: NRC Inspection Report NO 03020775/2013001
License No. 19-23344-01

Dear Sir or Madam,

This letter is in response to the referenced NRC Inspection Report, dated 21 August 2013, signed by Judith A. Joustra. The report pertains to an inspection performed by Mr. Dennis Lawyer on 12 August 2013.

The report identified a Severity Level IV violation of the NRC requirements, failure to perform an updated decommissioning funding plan cost estimate at least every three years.

The attached letter outlines the reason for the violation, corrective steps taken, and date of full compliance.

Charles L. Rice, MD
President

REC RG 1 09 18 13 AM 10 20

USUHS Reply to Violation 03020775/2013001

NRC Statement of Violation

10 CFR 30.35 (e) requires, in part, that each decommissioning funding plan must contain a cost estimate for decommissioning and a description of the method of the method of assuring funds for decommissioning from paragraph (f) of the section, including means for adjusting cost estimates and associated funding levels periodically over the life of the facility. Cost estimates must be adjusted at intervals not to exceed 3 years. (2008)

Contrary to the above, as of August 12, 2013 the licensee did not adjust cost estimates periodically over the life of the facility at intervals not to exceed 3 years. Specifically the licensee last performed a cost estimate on July 18, 2005, a period greater than 3 years.

Reason for the Violation

The reason for the violation was a misinterpretation of the requirements. The previous USUHS RSO was contacted and stated that the decommissioning funding plan was reviewed every three years (2008 and 2011), as per the requirements, but he did not annotate the review or any changes in cost estimates. The RSO stated that he was not aware of the requirement for a written update, if no significant changes were noted.

Corrective Steps Taken

An updated decommissioning funding plan was developed, based on current cost estimates.

Date of Full Compliance

The updated Decommissioning Funding Plan is scheduled to be submitted for NRC approval on 16 September 2013.