



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

November 15, 2013

Docket Nos. 03000638
04006329
07000190

License Nos. 08-02075-03
SUD-157
SNM-164

Control Nos. 577961
577962
577963

Jerry Conrad
Associate Vice President
The Catholic University of America
Department of Environmental Health and Safety
620 Michigan Avenue, N.E.
Washington, DC 20064

SUBJECT: THE CATHOLIC UNIVERSITY OF AMERICA, REQUEST FOR ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NOS. 577961, 577962, AND 577963

Dear Mr. Conrad:

This is in reference to your letter of credit issued April 4, 2013, providing financial assurance for decommissioning for Nuclear Regulatory Commission License Nos. 08-02075-03, SUD-157, and SNM-164. In order to continue our review, we need the following additional information:

In Item 7 of our letter dated January 8, 2013, a request was made to revise the draft letter of credit with conditions to protect the licensee and the NRC from a possible default of the financial institution. In an effort to be more explicit, the NRC has certain requirements that a letter of credit must meet that can be found in the checklist on Page A-66 of NUREG-1757, Volume 3, Revision 1 (Enclosed). The item on the checklist is: "Notice of insolvency or violation of banking requirements." Page A-69 of the above NUREG (Enclosed) contains the model wording which is provided here:

"The bank shall give immediate notice to the applicant and NRC of any notice received or action filed alleging (1) the insolvency or bankruptcy of the financial institution or (2) any violation of regulatory requirements that could result in suspension or revocation of the bank's charter or license to do business. The financial institution also shall give immediate notice if the bank, for any reason, becomes unable to fulfill its obligation under the letter of credit.

Note: The financial institution may choose to amend the letter of credit rather than submit it in its entirety. The amendment would contain the above paragraph and the statement that all other terms and conditions of the letter of credit remain unchanged.

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).

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 the 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.

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 Nos. 577961, 577962, and 577963 prior to December 16, 2013.. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5075.

Thank you for your cooperation in this matter.

Sincerely,

Original signed by Steve Courtemanche

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

cc:

Mahmoud S. Haleem, Radiation Safety Officer
Sheri Hardison, Vice President of Finance

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SUNSI Review Complete: SCourtemanche

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