

From: [Lawyer, Dennis](#)
To: edmond.baratta@fda.hhs.gov
Subject: Department of Health and Human Services, Request for Additional Information Concerning Financial Assurance Documents, Control 582296
Date: Monday, December 02, 2013 10:55:00 AM

Dear Mr. Edmond J. Baratta,

This is in reference to your letter dated October 30, 2013, submitting a Decommissioning Funding Plan and a Certification of Financial Assurance to Nuclear Regulatory Commission License No. 20-08361-01, Docket No. 03004675. In order to continue our review, we need the following additional information:

1. As requested in the letter dated October 25, 2013, the following items do not appear to have been addressed:
 - a. It did not appear that you supplied the volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the criteria for license termination as required in 10 CFR 30.35(e)(1)(i)(c). If you have no subsurface material containing residual radioactivity that will require remediation, please state that you have none.
 - b. It did not appear that you stated the means for adjusting cost estimates and associated funding levels periodically over the life of the facility as required in 10 CFR 30.35(e)(1)(iii). This question asks how you will perform the updating of the cost estimates. An example of an acceptable answers is to commit to performing adjustments by using actual costs of labor, equipment, disposal or perform the adjustments by using an index of price inflation.
 - c. The Certification of Financial Assurance was changed for the quantity of material of radium 226 to 0.1 millicuries but your license authorizes 1.0 millicuries.
2. The Certification of Financial Assurance dated October 30, 2013, contains some errors on the licensed amount of material.
 - a. Radium 226 is listed with a quantity of 0.1 millicuries, but your license authorizes 1.0 millicuries.
 - b. Radium 228 is listed at 500 millicuries but your license only authorizes 500 microcuries.
 - c. The amount of Plutonium (any isotope) quantity is not listed the same as your license..
3. In your Decommissioning Funding Plan, Table 2a lists Xenon-133 twice, first as a short-lived isotope and second as a long-lived isotope. As Xe-133 is a short half-life, please review and update the table.
4. In your Decommissioning Funding Plan, Table 3, Release Criteria, it lists various isotopes and the levels for release. Some of these isotopes levels that are listed

are above the screening values for release of areas. For example, the screening value for Uranium 238 is 101 dpm/100 cm². Please confirm that the decommissioning funding plan calculation is based releasing the facility as required in 10 CFR Part 20, Subpart E criteria.

We will continue our review upon receipt of this information. Please reply to my attention at the Region 1 Office and refer to Mail Control No. 582296. If you have technical questions regarding this 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.

Please note that you may not reply to this letter by return e-mail. Your reply must be in writing by letter or facsimile (610-337-5269). Please reply within 30 calendar days from the date of this e-mail.

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