

From: [Lawyer, Dennis](#)
To: Scott.G.goodison.civ@mail.mil
Cc: justina.m.allen.civ@mail.mil
Subject: Department of the Army, U.S. Army Public Health Command, Request for Additional Information Concerning Financial Assurance, Control No.'s 582684, 582685, and 582686
Date: Thursday, April 03, 2014 7:34:00 AM

Dear Mr. Goodison,

This is in reference to Mr. Resta's letters dated March 11, 2014, and the electronic mail from Ms. Justina Allen on April 2, 2014, submitting financial assurance for Nuclear Regulatory Commission License No.'s 19-09880-01, SMB-707, and SNM-860 (Docket No.'s 03004550, 4007008, and 07000867). In order to continue our review, we need the following additional information:

The Statement of Intent was signed by Ms. Justina M. Allen for the Commander. In evidence of her authorization to sign for the Commander, a DD Form 577 was submitted. On the form it states that she is authorized to sign several DD and SF type forms. The Statement of Intent is not one of those type forms. Additionally it states that she must adhere to DOD 7000.15. This document states that the directive does not apply to non-appropriated fund instrumentalities. As the Statement of Intent is a promise to pay sometime in the future, it is a non-appropriated fund instrument. Additionally the referenced Department of Defense Financial Management Regulation 7000.14-R, Volume 3: "Budget Execution – Availability and use of budgetary resources," Chapter 8, 080507, "Letter of Contract or Letter of Intent," states that commitments cannot be carried past the fiscal year-end. As we need a Letter of Intent that will continue until released by the Nuclear Regulatory Commission, this appears to be a different type of Letter of Intent. For the above reasons it does not appear that the submitted Letter of Intent is acceptable and it does not appear that Ms. Allen's signature authority for the Commander to be acceptable for the financial instrument used to support the decommissioning funding plan for the above listed licenses.

Most Army Commands use AR 600-20, Section 2-5, "Command of Installations, Activities, and Units", subparagraph b. and the Statement of Intent is signed by the Commander. Your last accepted Statement of Intent, dated July 11, 2005, was signed by the Commander. Please submit an acceptable financial instrument to support your decommissioning funding plan, or explain why the previously submitted instrument should be acceptable. Alternately, you may request to continue to use the July 11, 2005, Statement of Intent although I note that the Command name has changed and the amounts committed are higher than needed.

We will continue our review upon receipt of this information. Please reply to my attention at the Region 1 Office (Address below) and refer to Mail Control No.'s 582684, 582685, and 582686. 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. We appreciate a response within 30 calendar days from the date of this e-mail.

Region 1 Office Mailing Address: Licensing Assistance Team, US Nuclear Regulatory Commission Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406-2713.

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