



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

April 11, 2014

Docket No. 03008631  
Control No. 583475

License No. 32-14048-04

Todd W. Baker  
Acting Director, Safety, Health and Environmental Management  
U.S. Environmental Protection Agency  
109 T.W. Alexander Drive  
Mail code D343-02  
Research Triangle Park, NC 27711

**SUBJECT: U.S. ENVIRONMENTAL PROTECTION AGENCY, REQUEST FOR  
ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE  
DOCUMENTS, CONTROL NO. 583475**

Dear Mr. Baker:

This is in reference to your letter dated February 12, 2014 providing financial assurance for decommissioning for Nuclear Regulatory Commission License No. 32-14048-04. In order to continue our review, we need the following additional information:

1. The statement of Intent signatory did not state how that person's authorization was established along with a copy of the documents that show that individual may sign. NUREG-1757, Volume 3, Rev. 1, "Consolidated NMSS Decommissioning Guidance, Financial Assurance, Recordkeeping, and Timeliness," states to provide this documentation and to have a recitation of authority for signatory to sign the statement of intent. Please see Section A.11 of NUREG-1757, Volume 3, Rev. 1 for more information. It was noted that the last statement of intent the authority was established by the procedures outlined in the U.S. EPA Resources Management Directives/Administrative Control of Appropriated Funds and the NERL delegation of authority. Please follow closely the model statement of intent in section A.11.4 of NUREG-1757, Volume 3.
2. On the Certification of Financial Assurance, the byproduct material as defined in 10 CFR 40.4 Mill tailings is licensed under 10 CFR Part 40. Since this material does not require financial assurance, you do not need to include it in your Certification of Financial Assurance.
3. It is recommended that the Certification of Financial Assurance and the Statement of Intent be placed on two different documents. The Statement of Intent is a financial instrument and requires special handling and safekeeping at the NRC.

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://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 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.

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. 583475. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5366.

Sincerely,

***Original signed by Dennis R. Lawyer***

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

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**SUNSI Review Complete: DLawyer**

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