

From: [Lawyer, Dennis](#)
To: [Brian Livingston \(brian.livingston@usuhs.edu\)](mailto:brian.livingston@usuhs.edu)
Subject: FW: University of Uniformed Services, Request for Additional Information Concerning Application for a License Renewal, Control 585397
Date: Tuesday, February 24, 2015 7:45:00 PM

Mr. Livingston,

I had placed the wrong license number and docket number on the below email. This is resent to correct that error.

From: Lawyer, Dennis
Sent: Tuesday, February 17, 2015 7:53 AM
To: Brian Livingston (brian.livingston@usuhs.edu)
Subject: University of Uniformed Services, Request for Additional Information Concerning Application for a License Renewal, Control 585397

Dear Brian Livingston,

This is in reference to your response letter dated February 11, 2015, concerning the renewal of Nuclear Regulatory Commission License No. [19-08330-02](#), Docket [03004545](#). In order to continue our review, we need the following additional information.

1. Your letter should have been signed by a management representative rather than the Radiation Safety Officer. Please submit a letter signed by a management representative indicating that management has reviewed the letter dated February 11, 2015, and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence that requests a change in your license.
2. Item 1 of your response did not give a conclusive response to the question given. Please state that the financial assurance being reviewed under Control 582847 was submitted to support your renewal application or provide a decommissioning funding plan for your renewal.
3. Item 2 of your response did not clearly indicate what is requested for materials on the license. Items 6.A. through 6.D.; 6.G.; and 6.H. of your NRC License No. 06-19183-01, has restriction stated in Condition 13 of your license. You are currently submitting a decommissioning funding plan (DFP) as part of your financial assurance. Having the Condition 13 restriction does not make logical sense as it limits the amount of material on those items of the license so that you won't have to submit a DFP. Please request to remove this restriction from the material amounts and submit a Certification of Financial Assurance that supports the license without this restriction.
4. Item 3 of your response did not provide surveys associated with the transfer of the 32 plated sources. Please provide leak tests of the plated sources prior to transfer or provide surveys in the area where the material was stored and used which shows there was no spread of contamination.
5. Item 3 of your response did not address the licensing of unsealed plutonium-239.

Please state that you either never received unsealed plutonium-239 or provide surveys in the areas where unsealed plutonium-239 was stored and used and the transfer records associated with removal of the material.

6. Item 5 of your response did not make the requested statement. It is unclear what, "I will add those statement to the license," means. Please submit the requested statement.
7. Item 6 of your response described use of one-microcurie sources outside of your facility. Please confirm if these are licensed sources or they were exempt distributed sources from a manufacturer authorized to distribute such sources. If they are licensed sources, then temporary job sites and the authorization use of training and teaching will be added to your license to support this activity.
8. Item 7 of your response, states that the Radiation Safety Officer (RSO) is authorized to grant interim adjustments to existing Radionuclide Experiment Authorizations for up to an additional one tenth of the activity limits of the currently approved radionuclides until the next regularly scheduled meeting of the Radiation Safety Committee (RSC). As stated in question 7, that 10 CFR 33.13(c)(3) requires the RSC to review, approve, and record the authorization. Please describe how the RSO granting a higher activity limit and the authorization meet the requirements of 10 CFR 33.13(c)(3). Alternately, please state that the RSO will not grant a higher authorization of material than is authorized by the RSC.
9. Item 8 of your response describes the process of the RSC reviewing new users or new uses. Your process did not appear to have described the use of a safety evaluation of proposed uses. 10 CFR 33.13(c)(3)(ii) requires the use of a safety evaluation, taking into consideration such matters as the adequacy of facilities and equipment, training and experience of the user, and the operating or handling procedures of proposed uses prior to the RSC approving. Please state that a safety evaluation is performed before RSC approval of proposed uses.
10. Item 14, of your response did not make the requested statement. It is unclear what, "I will include this statement with the revision," means. Please submit the requested statement.

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. 585397. If you have technical questions regarding this letter, please call me at (610) 337-5366.

Please note that you may not reply to this letter by return e-mail. Your reply must be in writing by letter, facsimile (610-337-5269), or signed letter attached to an email. If we do not receive a reply from you within 30 calendar days from the date of this e-mail, we will assume that you do not wish to pursue your application.

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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