MAY 3 | 1994

License No.

20-13758-01

Docket No.

030-01972

Control No.

113040

University of Massachusetts

ATTN: Michael K. Hooker

President

18 Tremont Street

Boston, Massachusetts 02108

Dear Mr. Hooker:

Subject:

Financial Assurance

This is in reference to your submittals dated July 2, 1990 and May 9, 1994 with attached Decommissioning Funding Plan and Statement of Intent to establish financial assurance for the University of Massachusetts at Worcester, NRC License No. 20-13758-01. We have reviewed your submittals and within the scope of our review, no further deficiencies were identified.

Based on our review of your submittals, you are presently in compliance with the requirements of 10 CFR 30.35. Please note that financial assurance certification and all associated documentation are required to be updated with significant changes in your operation and with each application for license renewal.

If you have any questions regarding this letter, please call David Everhart of this office at (610) 337-6936. Thank you for your cooperation in this matter.

Sincerely,

Original Signed By: Mohamed M. Shanbaky

Mohamed M. Shanbaky, Chief Research and Development Section Division of Radiation Safety and Safeguards

9406230164 940531 PDR ADDCK 03001972 C PDR

cc:

University of Massachusetts

ATTN:

Joseph Bakanauskus

Radiation Safety Officer

55 Lake Avenue North

Worcester, Massachusetts 01655

bcc:

M. Shanbaky, RI

D. Everhart, RI

DRSS:RI Everhan

5/27/94

DRSS:RI Shanbaky NOTE TO DMB:

THE ATTACHED DOCUMENTS ARE TO BE PROCESSED AS <u>ONE</u> FINANCIAL ASSURANCE FOR DECOMMISSIONING PACKAGE.

LICENSE NUMBER: 20-13758-0

DOCKET NUMBER: 0 3 0-01972

CONTROL NUMBER: 113040

THIS SHEET MAY BE DISCARDED AFTER PROCESSING.

THANK YOU!



UNIVERSITY OF MASSACHUSETTS

AMHERST . BOSTON . DARTMOUTH . LOWELL . WORCESTER

THE PRESIDENT'S OFFICE 18 TREMONT STREET, SUITE 800 BOSTON, MASSACHUSETTS 02108 (617) 287-7000 FAX (617) 287-7044

May 9, 1994

Mohamed M. Shanbaky, Chief Research and Development Section Division of Radiation Safety and Safeguards U.S. Nuclear Regulatory Commission 457 Allendale Road King of Prussia, PA 19406-1415

Subject: Financial Assurance for Decommissioning Under 10 CFR Part 30.35

License No. 20-13758-01 Docket No. 030-01972 - Control No. 113040 University of Massachusetts, Worcester

Dear Dr. Shanbaky:

This letter is in response to your recent letter to Staff at the Worcester campus. In accordance with the requirements of 10 CFR 30.35 (f) (4), this letter of intent provides the necessary financial assurance in the amount described in the enclosed decommissioning funding plan. These funds, \$4,727,100.00, will be made available in the event decommissioning becomes necessary. This assurance applies to the University of Massachusetts Medical Center in Worcester, MA.

The undersigned are duly authorized by the University of Massachusetts Board of Trustees, the governing body of the University, to act in behalf of the University in this matter. Documentation to this effect is enclosed. We have also enclosed pertinent provisions of the Massachusetts General Laws that set forth the functions of the Board of Trustees.

We understand that the purpose of 10 CFR 30.35 is to ensure that funding will be available should the licensee be unable to supply funding for decommissioning of the facility, and that you have asked that the statement of intent be signed by an entity other than the licensee.

10 CFR 30.35 (e) requires that each decommissioning funding plan must contain a cost estimate and "...a description of the method of assuring funds for decommissioning from paragraph (f) of this section..."Subparagraph 4 of (f) states that one method of financial assurance in the case of state government licensees is "a statement of intent containing a cost estimate...and indicating that funds for decommissioning will be obtained when necessary." The University of Massachusetts, while a state entity, receives only approximately 22% of its total annual revenue from the state legislature; other revenue is generated by gifts, grants, contracts, fees and auxiliary income directly under the control of the university's Board of Trustees. The President and Treasurer, by vote of the Board are authorized to contract on behalf of the University.

1/3040 MAY 16 1994 Although the Massachusetts legislature provides some 22% of the University's annual revenue through appropriation, it would be a violation of the Massachusetts Constitution for any member of the legislative or executive branches (including the Governor) to execute a Statement of Intent which purports to require future legislatures to appropriate funds under certain circumstances. It is settled law in Massachusetts that no official may bind future legislatures to such specific appropriations.

In light of these unique circumstances we trust that this statement, together with the attachments, will satisfy the legal requirements of 10 CFR 30.35(B) (2).

Each campus will provide any specific information that you have requested. If you need more information with respect to the Statement of Intent, please advise the undersigned. Otherwise we will assume that we have properly complied with the regulatory requirement that apply to this matter.

Sincerely,

Michael K. Hooker

President

Stephen W. Lenhardt

Vice President and Treasurer

DECOMMISSIONING FUNDING PLAN

FOR

THE UNIVERSITY OF MASSACHUSETTS MEDICAL CENTER

First Edition

Issued

April 18, 1994

-1-

Purpose: This document was prepared to allow the University of Massachusetts Medical Center to prepare estimates of the costs associated with discontinuing the use of radioactive material under NRC license number 20-13758-01 at its present campus. It was assumed that the property would be released for general unrestricted use. This document is not intended to be used as a decommissioning plan but, should be used in developing the decommissioning plan. The intent is to generally identify the activities associated with decommissioning and place first estimates on their costs. As part of this plan specific locations of special use will be identified and a record keeping system to identify special problems to be addressed in developing a decommissioning plan is established.

Scope: This document describes the situation existing on April 11, 1994. While the present (per U.S. Ecology on 4-11-94) cost of shipping radioactive waste for disposal is approximately \$3,600.00 per 55 gallon drum, a cost of \$5,000.00 per drum is used in developing the final cost estimate. Labor is included at a cost of \$25.00 per hour for technical support and \$50.00 per hour for Health Physicist support. The average cost per hour is estimated to be \$32. In addition, a 25% contingency fee is included. Surveys are estimated to take 1 person hour per survey point. It is believed that the estimated cost provides a generous margin for error. This plan must be changed when any of the following occur(s).

1. Every five years at license renewal.

2. The cost of labor exceeds the cost used here by 50%.

3. The cost of waste disposal exceeds the cost used here by 50%.

4. The extent or nature of use of radioactive material changes so that it is likely that special or more extreme decommissioning activities than those described here will be needed.

5. Unanticipated releases necessitating extensive post operational decommissioning occur.

Records: A copy of this plan, its updated versions and any special reports on spills, contamination, or accidental releases which impact on this plan or future decommissioning will be maintained in the Radiation Safety Office. As built drawings in blueprint or electronic form are maintained by our Facilities Maintenance Department.

Introduction

The University of Massachusetts Medical Center is the Worcester campus of the University of Massachusetts. It is comprised of a Hospital, and Medical School/Research institute. Radioactive material is used for research and for the diagnosis and treatment of disease. Medical and research use take place in the approximately 2,000,000 square foot eleven story main building at 55 Lake Avenue North. Radioactive material is used in research in the approximately 87,000 square foot Research Facility at 373 Plantation Street. Approximately 130 Principal Investigators are engaged in biomedical research involving the routine use of tracer (10 to 250 microcurie) quantities of radioactive material. Typical research use is restricted to H, C, P, S, and 1251. A small number of laboratories routinely work with multiple millicurie quantities of loose material. A special facility exists for the use of millicurie quantities of 1. The Hospital houses a Radiopharmacy where Nuclear Medicine patient doses are prepared. Radioactive waste is processed and stored in

ASSA.

a special waste room of about 2,000 square feet located on the eighth floor of our Basic Sciences Wing. In addition there is a small (~250 sq. ft.) satellite waste room at 373 Plantation Street and about 200 square feet of mixed waste storage space in the Flammable Storage Area just off the Loading Dock. Brachytherapy sources are stored in a small (~150 sq. ft.) room located within the Radiation Oncology Department. A total of 20 Ci of 241-Am, as sealed sources, is used in Room S2-802 in the Clinical Sciences Wing.

Below are estimates of the time required to assess and decontaminate specific areas. An estimate of the waste generated from each operation is included. A summary of these costs is attached as Appendix A. Decommissioning is expected to take two years.

Iodination facility: This area is used to perform iodinations using from 1 to 20 millicuries of ¹²I. Smear tests and effluent sampling indicate no special contamination problems. Because of the half-life involved, if needed, the duct work associated with the hood can be capped and labeled or control of the area can be maintained for 600 days. Exhaust duct work is treated in a separate section, below.

Time:

20 hours

Waste generated

5 drums

Waste Rooms: Given the need to process and package waste throughout the decommissioning procedure, these areas are likely to be the last to be decommissioned. Routine instrument surveys and wipe tests do not indicate any special contamination problems. Because of all radioactive material used in the facility eventually passes through these rooms it is reasonable to add test bores of the concrete floor to the survey procedures described above. This addition is estimated to double the survey time. While we hope that such action is unnecessary, we should plan to disposal of small portions of the floor, the walk-in hood, and the waste compactors as waste.

Surveys 400 hours
Decontamination and resurvey 400 hours

Waste generated

40 drums

Radiopharmacy and Scan Rooms: Given the short half-lives of the material used in this location the best approach is to stop access to the entire department for three months after the last radioactive material is used. While confirmatory surveys need to be performed at restricted area rates, following the rest period, no results above normal background levels are anticipated.

Surveys - 100 hours Decontamination and resurvey - 0 hours

Waste Generated

less than 1 drum

Brachytherapy Sources: The major expense associated with this area is waste disposal if the sources can not be returned to the manufacturer or transferred to another licensee.

Surveys

20 hours

Waste generated (worst case) 25 drums

X-Ray Fluorescence Sources: Only about 20 survey points will be needed for this facility. The present national capacity to deal with these sources as waste is esentially nil. We are confident that some of the fees we pay to the NRC will be used to resolve this problem. Until there is resolution any estimate of the true disposal cost is wild speculation. For purposes of this plan the figure of \$75,000 given in 10 CFR 30.35 (d) will be used.

ime:

20 hours

Ex. st Ducts: These structures are to be wipe tested and instrument surveyed at the point of connection with each hood at at about 5 points in between the hoods. There are about 40 exhaust stacks varying from 30 feet to 120 feet in length. Given the difficulty in performing these surveys 2 person hours per survey point is allowed. It is unlikely that any duct will be contaminated to the extent that it can not be decontaminated or decayed to background levels. However, to avoid cost overruns it is prudent to include the cost of disposing of 50 drums of waste from air handling systems. Surveys 2,000 hours Decontamination and resurvey 200 hours Waste generated 50 drums Drains: A listing of sinks which are used for disposal of liquid radioactive maste is maintained in the Radiation Safety Office. Existing records show that we do not dispose of more than 10% of the institutional limits in this manner. Each drain in a restricted area should be treated as a survey point. 2% of the drains in unrestricted areas should be treated as survey points. While contamination levels are expected to be low, decontamination of the inside of drain pipe is exceedingly difficult. A conservative figure of 20 drums of waste is included Surveys 1,000 hours Removal and packaging 200 hours Waste generated 20 drums Uncertainness: The mix of long lived and short lived waste, particularly on duct and drains will determine the methods used to dispose of the waste. If decay to background, incineration, and return to manufacturer or transfer to another licensee can be used as alternatives to burial, we may be able to dispose of 90% of the waste at costs well below the \$667 per cubic foot used in this plan. Future costs for disposal of waste, as of this writing, is undefined. If and when Massachusetts develops disposal capacity for her generators the cost could be higher or lower than the cost used here. It is also viewed as highly unlikely that license termination will take place in the foreseeable future.

APPENDIX A

SUMMARY

Structure	Labor	Waste generated
General Laboratories	14,200 hours	400 drums
Unrestricted Areas	8,200 hours	10 druns
Iodination Facility	20 hours	5 drums
Waste Rooms	800 hours	40 drums
Radiopharmacy	100 hours	1 drums
Brachytherapy Sources	20 hours	25 drums
Exhaust Duct	2,200 hours	50 drums
Drains	1,200 hours	20 drums
Total	26,740 hours	551 drums

To allow for preparation of the decommissioning plan it is advisable to include an additional 3000 hours of labor. Thus the projected decommissioning costs will be \$951,680.00 for labor and \$2,755,000.00 for waste disposal. Adding \$75,000 for disposal of the 241-Am sources brings the total to \$3,781,680. Building in a 25% contingency fee brings the total to \$4,727,100.

TABLE I

ACCEPTABLE SURFACE CONTAMINATION LEVELS

NUCLIDE	AVERAGE ^{D C}	MAXIMUM _{p q}	REMOVABLE ^b e
U.nat,U.2.35, U.238, and associated decay products	5,000 dpm /100 cm	15,000 dpm /100 cm	1,000 dpm /100 cm ²
Transuranics, Ra.226,Ra.228, Th.230,Th.228, Pa.231,Ac.227, I.125,I.129	100 dpm/100 cm ²	300 dpm/100 cm ²	20 dpm/100 cm ²
Th.nat, Th.232, Sr.90,Ra.223, Ra.224,U.232,I.126, I.131,I.133	1000 dpm/100 cm ²	3000 dpm/100 cm ²	200 dpm/100 cm ²
Beta.gamma emitters (nuclides with decay modes other than alpha emission or spontaneous fission) except Sr.90 and others noted above	5000 dpm 2 /100 cm ²	15,000 dgm /100 cm	1000 dpm /100 cm

Where surface contamination by both alpha- and beta-gamma emitting nuclides exists, the limits established for alpha- and beta-gamma-emitting nuclides should apply independently.

As used in this table, dpm (disintegrations per minute) means the rate of emission by radioactive material as determined by converting the counts per minute observed by an appropriate detector for background, efficiency, and geometric factors associated with the instrumentation.

^CMeasurements of average contaminant should not be averaged over more than 1 square meter. For objects of less surface area, the average should be derived for each object.

The maximum contamination level applies to an area of not more than 100 cm2.

The amount of removable radioactive material per 100 cm² of surface area should be determined by wiping that area with dry filter or soft absorbent paper, applying moderate pressure, and assessing the amount of radioactive material on the wipe with an appropriate instrument of known efficiency. When removable contamination on objects of less surface area is determined, the pertinent levels should be reduced proportionally and the entire surface should be wiped.

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General Laws of Massachusetta - 1992 Official Edition CHAPTER 75.

UNIVERSITY OF MASSACHUSETTS.

75:1. University of Massachusetts; status; governing body.

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Section 1. The state university shall be the University of Massachusetts, consisting of campuses to be maintained at Amherst, Boston, Dartmouth, Lowell, and Worcester, which shall continue as a public institution of higher learning within the system of public higher education and shall be governed by the board of trustees established herein. In addition to the authority, responsibility, powers and duties specifically conferred by this chapter, the hoard of trustees shell have all authority, responsibility, rights, privileges, powers and duties customarily and traditionally exercised by governing boards of institutions of higher learning. In exercising such authority, responsibility, powers and duties said board shall not in the management of the affairs of the university be subject to, or superseded by, any other state agency, board, bureau, commission, department or officer, except as provided in sections thirty-eight A w to forty-three I, inclusive, of chapter seven, chapter fifteen, chapter fifteen A or in this chapter. This chapter shall be liberally construed to effectuate its purposes.

75:1A. Board of trustees; membership; qualifications; tenure; vacancies; powers and duties; indemnification.

Section 1A. There shall be a board of trustees for University of Massachusette consisting of nineteen voting members. Two members shall be full-time students from said institution, and seventeen members shall be appointed by the governor, at least five of whom shall be alumni of said institution, and one of whom shall be a representative of organized labor who shall be appointed by the governor from a list of not less than two nor more than five names, representing different unions submitted by the Massachusetts Trades Building Council. If no such list of names is submitted within sixty days after a vacancy occurs, the governor may appoint any representative of organized labor of his own choosing to the board. Of the alumni appointed to the University board, one shall be a graduate of the Amherst campes; one shall be graduate of the Boston campus; one shall be a graduate of the Darumouth campus; one shall be a graduate of the Lowell campus; and one shall be a graduate of the Worcester campus. The student members shall be elected annually, and each shall be selected on a rotating basis in order by the student body of the Amherst, Boston, Dartmouth, Lowell, and Worcester campuses. In any given year, the elected student representatives of the three campuses without a vote shall be ex officio non-voting members of the board; provided, however, that said members may only participate in open meetings of the full board of trustees. The secretary of education shall be an ex officio non-voting member of the board.

The term of office of each elected student member shall be one year and shall commence on July first following her election and shall terminate on June thirtieth of the following year. If at any time during the elected term of office said student member ceases to be a full-time student or fails to maintain satisfactory academic progress, the membership of said student shall be terminated and the office of

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UNIVERSITY OF MASSACHUSETTS

[Chap. 75.]

the elected student member shall be deemed vecant. A varancy in the office of an elected student member prior to the expiration of a term shall be filled for the remainder of the term in the same manner as an election to a full term.

Members shall be appointed to serve for five year terms, but no member shall be appointed for more than two consecutive terms. A vamincy in the appointed membership prior to the expiration of a term shall be filled for the remainder of the term by the governor meases to be qualified for appointment. If any member, either elected or appointed, is absent from four regular meetings in any calendar year, exclusive of July and Angust, his office as member of said board shall be deemed vacant. The challperson shall forthwith notify the governor when any vacancy exists. Said vacancy shall be filled by the governor according to the provisions of section eighteen B of chapter six.

All members of the board shall be elected or appointed for their interests in, and their ability to contribute to, the fulfillment of the purposes of the board. The members appointed by the governor shall include representatives from each region of the commanwealth. All members shall be deemed members at large, charged with the response one-third of the voting members of the university. No more than principally employed by the commonwealth. Members of the board shall serve without compensation but shall be reimbursed for all capenses reseonably incurred in the performance of their duties. The board of trustees shall elect a chair. No chair shall serve for more than three consecutive years.

The board of trustees shall be responsible for establishing those policies necessary for the administrative management of personnel, staff services and the general business of the university. The board shall: (a) cause to be prepared and submit to the higher education coordinating council estimates of maintenance and capital outlay budgets for the university; (b) establish all fees at said institution, subject to guidelines established by the council. The board shall submit recommendations for fee guidelines to the council. Said fees shall include fines and penalties collected pursuant to the enforcement of traffic and parking rules and regulations. Said rules and regulations shall be enforced by persons in the employ of the institution who throughout the property of the institution shall have the powers of police officers, except as to the service of civil process. Said fees established under the provisions of this section shall be retained by the board of trustees in a revolving fund or funds, and shall be expended as the board of the institution may direct; provided that the foregoing shall not authorize any action in contravention of the

[Chap. 75.]

UNIVERSITY OF MASSACHUEETTS.

75:1A.

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requirements of Section 1 of Article LXIII of the Amendments to the Constitution. Said fund or funds shall be subject to annual audit by the state auditor, (a) appoint, transfer, dismiss, promote and award tenure to all personnel of the university; (d) manage and keep in repair all property, real and personal, owned or occupied by the university; (e) seek, accept and administer for faculty research, programmatic and institutional purposes grants, gifts and trusts from private foundations, corporations, federal agencies, alumni and other sources, which shall be administered under the provisions of section two C of chapter twenty-nine and may be disbursed at the direction of the board of trustees pursuant to its authority; (f) implement and evaluate affirmative action policies and programs; (g) establish, implement and evaluate student services and policies; (h) with approval of the higher education coordinating council, establish admission standards and instructional programs for the university, including all major and degree programs; provided, however, that said admission standard shall comply with the provisions of section thirty of chapter fifteen A; (i) have authority to transfer funds within and among subsidiary accounts allocated to the university; (j) establish and operate programs, including summer and evening programs, in secondance with the degree authority conferred under the provisions of this chapter; (k) with the approval of the council, award degrees in fields, either independently or in conjunction with other institutions; and (I) submit a five year master plan to the council, which plan shall be updated annually on or before the first Wednesday of December in each year; (m) submit financial data and an annual institutional agending plan to the council for review. Said plan shall include an account of spending from all revenue sources including but not limited to, trust funds; (n) develop a mission statement for each campus, as well as a statement for the university, consistent with identified missions of the system of public higher education as a whole. Said mission statements shall be forwarded to the council for its approval. The board of trustees shall, after their approval, make said mission statements available to the public; (o) submit an institutional self-assessment report to the council, which the board of trustees shall make public and available at the institution. Said assessment report shall be need to foster improvement at the institution by the board of trustees and shall include information relative to the institution's progress in fulfilling its mission, as approved by the council. Said report shall be submitted, initially, by January first, nineteen hundred and ninety-three and every two years thereafte; (p) submit recommendations to the council for approval for tuition rates at the university.

The board of trustees may delegate to the president of the university any of the powers and responsibilities herein enumerated.

EXTRACT FROM THE RECORDS OF UNIVERSITY OF MASSACHUSETTS

I. Cynthia A. Fontaine, Certifying Officer of the University of Massachusetts, authorized certifying officer of the University, do hereby certify that the following is a true and complete copy of a vote duty adopted by the Board of Trustees of the University of Massachusetts at a meeting duly called and held on the third day of June, wineteen hundred and ninety-two in the Chancellor's Conference Room, Quinn Administration Building, University of Massachusetts, Boston, Massachusetts:

NOTED:

To delegate to the P. esident, each Chancellor, the Vice President for Management and Piscal Affairs/Treasurer, the Vice Chancellors for Administration and Pinance, and the Controllers and their c'esigness, the authority to authorize payments on the Unit :-- ity systems on behalf of the University consistent with Doc. 702-031.

To delegate to the President of the University and the Chancellors the following purchasing authority for University-wide or President's Office matters and compus matters, respectively, with authority to redelegate to the Treasurer, purchasing directors and such other officers as they see fit:

Authority to sign purchase orders irrespective of type or amount

Authority to enter into leases of equipment for periods which do not exceed one year, irrespective of amount.

Authority to enter into contracts for labor and materials and contracts for services

I further certify that said vote is in full force and effect as of the date hereof and that Stephen W. Lenhardt is Vice President for Management and Facal Affairs and University Treasurer of the University of Massachusetts, with its University Administration Office located at 18 Tremont Street, Boston, County of Suffolk in the Commonwealth of Massachusetta.

Pebruary 16, 1994

MATERIAL STREET

will Fortaine Certifying Officer

MAR 18 man

License No. 20-13758-01 Docket No. 030-01972 Control No. 113040

University of Massachusetts
ATTN: Joseph Bakanauskas
Radiation Safety Officer
55 Lake Avenue North
Worcester, MA 01655

Dear Mr. Bakanauskas:

Subject: Financial Assurance

This is in reference to your letter dated July 2, 1990 with attached Statement of Intent to provide financial assurance for License No. 20-13758-01. We have reviewed your submittal and request that you modify your submission to address the specific matters described below:

You submitted a Statement of Intent dated July 2, 1990, signed by Leonard Laster, M.D., 1. Chancellor of the University of Massachusetts, Worcester. The purpose of the Statement of Intent as found in Regulatory Guide 3.66, "Standard Format and Content of Financial Assurance Mechanisms Required for Decommissioning Under 10CFR Parts 30, 40, 70 and 72," is to make the funding bodies aware of the decommissioning requirements and costs and the possibility of the eventual need for funding. The purpose for financial assurance for decommissioning as required by 10CFR 30.35 is to ensure that funding will be available should the licensee be unable to supply funding for decommissioning for their facility. As such, funding for a Statement of Intent must be assured by an entity other than the licensee. Please supply either a Statement of Intent or a statement authorizing the signatory of the Statement of Intent signed by an official of the Commonwealth of Massachusetts, authorized to disburse the Commonwealth's funds, to guarantee that adequate funds will be made available in the event decommissioning is required for the licensee. Include all the information included in the submitted Statement of Intent, including the license numbers, a description of the facilities for which financial assurance is being provided and the amount of financial assurance required. You may review the recommended requirements for a Statement of Intent found on pages 3-25 and 3-26 of Regulatory Guide 3.66.

Regulatory Guide 3.66 does not contain recommended wording for a Statement of Intent, however, "Suggested Wording" is enclosed with this letter. You may use this wording or supply similar wording which contains the recommended information.

2. 10 CFR 30.35 requires that an applicant for a specific license authorizing the possession and use of unsealed byproduct material with a half-life greater than 120 days and in quantities greater than 105 times the applicable quantities set forth in *Appendix C to 10 CFR Part 20* submit a Decommissioning Funding Plan (DFP), including an actual estimate of the costs for decommissioning your facility. The appropriate level of detail for the cost estimate is discussed in the enclosed *Appendix F to Regulatory Guide 3.66* "Standard Format and Content of Financial Assurance Mechanisms Required for Decommissioning Under 10 CFR Parts 30, 40, 70, and 72". You may also find the enclosed NUREG/CR-1754, Technology Safety and Costs of Decommissioning Reference Non-Fuel-Cycle Nuclear Facilities" and NUREG/CR-1754, Addendum 1 helpful in supplying the appropriate level of detail required to enable the NRC to review the adequacy of the submitted DFP. Please submit a Decommissioning Funding Plan.

We will continue our review upon receipt of this information. Please reply in <u>duplicate</u> to my attention at the Region I office and refer to Mail Control No. 113040. If you have any questions regarding this letter please call David Everhart at (215) 337-6936.

Since your license requires financial assurance, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

Sincerely,

Original Signed By: Mohamed M. Shanbaky

Mohamed M. Shanbaky, Chief Research and Development Section Division of Radiation Safety and Safeguards

Enclosures:

- 1. Regulatory Guide 3.66
- 2. NUREG/CR-1754
- 3. NUREG/CR-1754, Addendum 1

bcc;

M. Shanbaky, RI

D. Everhart, RI

3/8/94

DRSS:RI Shanbaky

OFFICIAL RECORD COPY - C:\DOC\DECOMM\UMASSWOR - 03/08/94

MAR 21 1992

Docket No. 030-01972 License No. 20-13758-01 Control No. 113040

MEMORANDUM FOR:

Louis M. Bykoski, NRC Project Officer

Low Level Waste Managment, Low Level Regulatory Branch

FROM:

John D. Kinneman

Research, Development & Decommissioning Section Division of Radiation Safety and Safeguards

SUBJECT:

FINANCIAL ASSURANCE SUBMITTAL UNIVERSITY OF MASSACHUSETTS

WORCESTER, MASSACHUSETTS

John Austin's August 6, 1990 memorandum set forth a procedure for submitting nonstandard financial assurance submittals, parent company guarantees and decommissioning fund plans.

Based on guidance received from you in response to other requests, we were prepared to ask the University of Massachusetts to provide a Statement of Intent signed by an appropriate state official. However, they provided an argument documented in their July 2, 1990 letter that the Chancellor of this University may execute the Statement of Intent. Is this an adequate basis for the Statement of Intent?

Please refer to the above docket number and control number in your reply.

Original Signed By: John D. Kinneman

John D. Kinneman, Chief Research, Development & Decommissioning Section Division of Radiation Safety and Safeguards Enclosure:

 Letter from University of Massachusetts to Region I dated July 2, 1990 with enclosed University Governance Document.

cc: J. Glenn, NMSS

bcc:

J. Kinneman, RI





University of Massachusetts

Office of the Chancellor University of Massachusetts Medical Center 55 Lake Avenue North Worcester, MA 01655

Phone: (508) 856-6670 FAX: (508) 856-5648

Leonard Laster, M.D. Chancellor

July 2, 1990

U. S. Nuclear Regulatory Commission Region I Nuclear Material Section B 475 Allendale Road King of Prussia, PA 19406

Gentlemen:

As the individual empowered pursuant to Section C of Document T73-098 to enter into financial commitments for The University of Massachusetts Medical Center, an entity of the Commonwealth of Massachusetts possessing U.S.N.R.C. license number 20-13758-01, which allows the possession and use of byproduct material as described in 10 CFR 30.35 (a), I certify that, when necessary, funds totaling at least \$750,000.00 will be obtained for the purpose of decommissioning this facility.

As an agency of the State of Massachusetts, pursuant to 10 CFR 170.11 (9), the University of Massachusetts Medical Center is exempt from fees associated with license amendments.

Sincerely yours,

leaceard lastes

Leonard Laster, M.D. Chancellor

enclosure: University Governance Document T73-098

No

113040

30-01972

"SECTION COPY"

JUL 27 1990

Doc. 173-098 AS AMENDED

UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

Board of Trustees Statement on University Governance

I. TRUSTEE POLICY ON UNIVERSITY GOVERNANCE

- A. ENDORSEMENT OF AAUP STATEMENTS ON GOVERNANCE
- 1. The Board of Trustees has all authority, responsibility, rights, privileges, powers and duties of organization and government of the University of Massachusetts as provided in Chapter 75 of the General Laws of the Commonwealth. Nothing in the following Statement shall be taken as contravening that authority or any statement shall be taken as contravening that authority or any applicable federal or state law or regulation; anything contravening such authority, law or regulation is void.
- 2. Nevertheless, as an established university discharges its obligations and responsibilities to society by the advancement and dissemination of knowledge, the variety and complexity of its dissemination of knowledge, the interdependence of the governing tasks require and ensure the interdependence of the governing board, the administration, the faculty, and the students, as well as other groups. The Board of Trustees has long recognized this as other groups. The Board of Trustees has long recognized this interdependence, both among campuses within the system and among interdependence, both among campuses within the system and among the various components within a campus, and now formally adopts the principle of joint effort in governing the University.
- 3. Joint effort in University governance will take a variety of forms depending on the issue and the situation. The administrative officers or the Board may in some instances propose recommendations for the consideration of the faculty and/or students before taking final action. The faculty and/or students may in other instances final action. The faculty and/or students may in other instances propose recommendations subject only to the endorsement of the propose recommendations subject only to the endorsement of the administration and the Board. In all instances, however, the administration and the Board. In all instances, within the principle of joint effort requires that components within the University remain sensitive to the interests of other components.
 - Statement on Government of Colleges and Universities adopted by the American Association of University Professors, the American Council of Education, and the Association of Governing Boards of Universities and Colleges and the 1970 statement on Student of Universities and Colleges and the 1970 statement formulated by Participation in College and University Government formulated by the three aforementioned organizations, insofar as both are consistent with this Trustees' Statement on University Governance. In endorsing these two statements, the Board, while reance. In endorsing these two statements, the Board, while recognizes that the faculty, the students, and other groups recognizes that the faculty, the students, and other groups within the University have the right, the responsibility, and within the University have the right, the responsibilities, and privite Privilege of advising on policies affecting the University. The Board will ensure these rights, responsibilities, and privileges through the various governing bodies—both representative bodies such as senates and assemblies, and administrative bodies

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such as departments, schools, and colleges--established by its by-laws and other actions.

- 3. PRIMARY RESPONSIBILITIES IN GOVERNANCE
- The Board of Trustees recognizes that while it must exercise general authority over the University, certain components of the University, such as the President's Office, the campus administrations, and the representative and administrative governing bodies of the faculty and the students have, by virtue of interest, training, and experience, a special concern and competence in certain areas. Subject to precedents established by components on each campus and/or the restraints and procedures specified in their constitutions, these components shall have primary responsibility in their areas of special competence and concern. Whenever the phrase "primary responsibility" appears in this statement, it shall mean the capacity to initiate recommendations, after appropriate consultation, in accordance with the procedures specified in section II.D below. Such recommendations will be overruled only by written reasons stated in detail. While it in no way is intended to contravene the authority and participation of the Board of Trustees in governance, the following is a general statement of primary responsibility in the major areas of University life:
- 2. ACADEMIC MATTERS: By virtue of its professional preparation and its central concern with learning and teaching, the faculty will exercise primary responsibility in such academic matters as curriculum, subject matter and methods of instruction, research, admissions, libraries, and other aspects of University life which directly relate to the educational process. Students share this concern and they will be assured the opportunity of participating in developing academic policies and in evaluating degrees, programs, and courses.
- 3. FACULTY STATUS: The faculty will have primary responsibility for matters of faculty status, such as appointments, re-appointments, promotions, tenure, and salary adjustments. Students will also be assured the opportunity of participating in the evaluation of a faculty member's effectiveness.
- 4. STUDENT AFFAIRS: Students will have primary responsibility for services and activities which are designed primarily to serve students or those which are financed primarily by students, managing student political affairs and organizational matters, and setting standards for student behavior, conduct, and discipline.
- 5. PLANNING, DEVELOPMENT AND BUDGET: The President is responsible for exerting educational leadership in the planning and development of the University, both before the Board of Trustees and on the various campuses. He shall coordinate the planning and development on the separate campuses, keep current a University master plan, and ensure that all appropriate components of the University have the opportunity to make recommendations before planning and development decisions are rendered. The President is also responsible for coordinating, preparing, and presenting

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to the Board of Trustees the University's annual budget request. He shall represent the budget request approved by the Board to the Governor and the General Court. The Chancellors are responsible for coordinating, preparing, and presenting to the President budget requests from the campuses. The President is responsible for continually improving the budget process and developing a calendar which allows adequate time for consultation and study by all interested components of the University.

I. RESPONSIBILITIES, DUTIES, FUNCTIONS, AND PROCEDURES OF THE BOARD OF TRUSTEES, THE PRESIDENT, THE CAMPUS ADMINISTRATORS, AND THE CAMPUS GOVERNING BODIES IN UNIVERSITY GOVERNANCE

The Board of Trustees is the final authority in all matters concerning the University of Massachusetts and may establish the general policies governing the University, pursuant to Chapter 75 of the General Laws of the Commonwealth. The authority of the Board shall include, but is not limited to, the following specific powers:

- A, BOARD OF TRUSTEES
- The Trustees will consider, upon the recommendation of the appropriate faculty and student governing bodies and/or other appropriate groups, the academic plans, personnel policies, and admissions policies of each campus and of the University as a whole; plans for the establishment of new campuses, schools, institutes, and colleges, and plans for the closing of already established units and programs.
- The Trustees will consider, upon the recommendation of the appropriate governing body(s), the establishment of degrees.
- 3. The Trustees will consider the budget requests of the University and the capital outlay budget requests and major amendments thereto. In addition, they will consider new student housing and other loan construction programs, accept gifts, and approve service agreements, rental agreements, and leases. Further, they will consider policies governing the solicitation of grants and research contracts.
- 4. The Trustees will appoint the President, the Chancellors,* the Treasurer, and the Secretary of the University, set their salaries, and periodically evaluate their performance. When appointing the President or a Chancellor the Board will seek nominations from a search committee appointed by the Board broadly representative of the appropriate constituencies. The Board will determine the charge to and the composition of the search committee after seeking the recommendations of the appropriate campus governing body(s) and, when appropriate, other components of the University. The Board will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s).

^{*} The term "Chancellor" shall include the Dean of the Medical School wherever appropriate.

OC. 173-098; Page 4 The Trustees will consider long range development and design plans for each campus in relation to long range academic plans and any major amendments to these plans. They will approve consulting architects, landscape architects, executive architects, and the designs for major buildings and other elements of planning on the various campuses. The Trustees will consider all policies concerning the University's relationship with local, state, and federal governments and all policies concerning public information. In this regard the Board will consider policies concerning the University's relationship with other segments of higher education. The Trustees will make the final selection of all honorary degree recipients and will name all buildings and facilities. PRESIDENT OF THE UNIVERSITY The President is the principal academic and executive officer of the University. He will exercise executive authority over the campuses comprising the University subject to the direction of the Board of Trustees. He will serve as chief spokesman and interpreter of the University and represent it to the general public and its representatives. 2. The President will be responsible for presenting policy recommendations to the Board of Trustees and ensuring that the campuses develop ways of implementing Trustees' policy. He will develop, coordinate, and keep current a master plan of the University. He will be responsible for the coordination and preparation of the annual budget request and its presentation to the Board of Trustees and to the Governor and the General Court. He will also be responsible for the allocation of the appropriated budget and all other funds. 3. The President will appoint, promote and grant salary adjustments to personnel in the President's office. He will supervise the operations of the officers and staff in the President's office. The President will appoint the Vice Presidents with the concurrence of the Board of Trustees. The President will appoint members of the faculty to tenure with the concurrence of the Board of Trustees. The President will coordinate the work of all campuses of 6. the University and promote the general welfare of the University as a whole and in its several parts. He will ensure as much campus autonomy as possible commensurate with achieving the central purposes of the University or fulfilling his duties as specified herein. The President will establish and maintain an effective communications system within the University that allows for the prompt identification of needs and problems and their analysis. In particular, the President, in concert with the Chancellors, will ensure that all appropriate components of the University have the opportunity to make recommendations prior to the establishment of policy.

The President may refer for investigation and report any : matter of institutional concern to administrative staff, governing bodies, faculty, or students. The channel for official communications between the President and the various campus groups in such matters will be through the Chancellor.

CAMPUS CHANCELLOR

The Chancellor is the chief academic and executive officer of the campus. He will exercise executive authority over the campus subject to the direction of the President. He will be responsible to the President for administering the various schools, colleges, divisions, departments, and other units on the campus.

In the formulation of policy the Chancellor will represent his campus to the President and the Board of Trustees, and upon the adoption of policy he will ensure its implementation on campus. He will develop, coordinate, and present to the President immediate and long range plans for the campus. The Chancellor will also coordinate, prepare, and present to the President the annual budget request of the campus and oversee campus expenditures.

The Chancellor will appoint the Vice Chancellors, the Provost, and the Deans of the campus with the concurrence of the President and the Board of Trustees, set their salaries, and periodically evaluate their performance. When appointing a Vice Chancellor with line responsibilities, a Provost, or a Dean, the Chancellor will seek nominations from a search committee broadly representative of the constituency of the officer to be appointed. The Chancellor and the appropriate governing body(s), representative and/or administrative, will mutually agree upon the composition and the charge of the search committee. The Chancellor will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s).

The Chancellor will appoint, promote, and grant salary adjustments to professional and non-professional personnel on campus.

The Chancellor will coordinate the work of the various units of the campus and promote the general welfare of the campus as a whole and in its several parts. He will ensure as much autonomy as possible to the various units of the campus commensurate with achieving the central purposes of the campus and the University as a whole or fulfilling his duties as specified herein. He will assist the President in maintaining an effective communications system within the campus that allows for the prompt identification of needs and problems and their analysis. In particular, the Chancellor will assist the President in ensuring that all appropriate components of the campus have the opportunity to make recommendations prior to the establishment of policy.

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to the appropriate governing bodies and administrative officials for comment and action prior to presenting a final report to the President and the Board of Trustees. Members will report periodically to their respective constituencies on the deliberations of the committee or study group.

IMPLEMENTATION

Provisions for implementing the foregoing policies and procedures of University governance shall be subject to the approval of the Board of Trustees.

APPROVAL AND EVALUATION

The Board of Trustees reserves the right to alter, amend, or revoke the foregoing Statement on University Governance, in part or in whole, at any time. If not revoked, the Board of Trustees will evaluate the foregoing policies and procedures of University governance two years after their adoption.

oted by the Board of Trustees pril 4, 1973

mended April 2, 1975

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University of Massachusetts

· 030-01972

Office of the Chancellor University of Massachusetts Medical Center 55 Lake Avenue North Worcester, MA 01655 Phone: (508) 856-6670 FAX. (508) 856-5648

Leonard Laster, M.D. Chancellor

July 2, 1990

U. S. Nuclear Regulatory Commission Region I Nuclear Material Section B 475 Allendale Road King of Prussia, PA 19406

Gentlemen:

Ar the individual empowered pursuant to Section C of

Docume 1 T73-098 to enter into financial commitments for The
University of Massachusetts Medical Center, an entity of the
Commonwealth of Massachusetts possessing U.S.N.R.C. license
number 20-13758-01, which allows the possession and use of
byproduct material as described in 10 CFR 30.35 (a), I certify
that, when necessary, funds totaling at least \$750,000.00 will be
obtained for the purpose of decommissioning this facility.

As an agency of the State of Massachusetts, pursuant to 10 CFR 170.11 (9), the University of Massachusetts Medical Center is exempt from fees associated with license amendments.

Sincerely yours,

Leonard Lastos

Leonard Laster, M.D. Chancellor

enclosure: University Governance Document T73-098

PW

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Date Completed 8/6/90

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UNIVERSITY OF MASSACHUSETTS BOARD OF TRUSTEES

Board of Trustees Statement on University Governance

I. TRUSTEE POLICY ON UNIVERSITY GOVERNANCE

- A. ENDORSEMENT OF AAUP STATEMENTS ON GOVERNANCE
- 1. The Board of Trustees has all authority, responsibility, rights, privileges, powers and duties of organization and government of the University of Massachusetts as provided in Chapter 75 of the General Laws of the Commonwealth. Nothing in the following statement shall be taken as contravening that authority or any applicable federal or state law or regulation; anything contravening such authority, law or regulation is void.
- 2. Nevertheless, as an established university discharges its obligations and responsibilities to society by the advancement and dissemination of knowledge, the variety and complexity of its tasks require and ensure the interdependence of the governing board, the administration, the faculty, and the students, as well as other groups. The Board of Trustees has long recognized this interdependence, both among campuses within the system and among interdependence, both among campuses within the system and among the various components within a campus, and now formally adopts the principle of joint effort in governing the University.
- 3. Joint effort in University governance will take a variety of forms depending on the issue and the situation. The administrative officers or the Board may in some instances propose recommendations for the consideration of the faculty and/or students before taking firal action. The faculty and/or students may in other instances propose recommendations subject only to the endorsement of the propose recommendations subject only to the endorsement of the administration and the Board. In all instances, however, the principle of joint effort requires that components within the University remain sensitive to the interests of other components.
- A. The Board of Trustees therefore endorses in principle the 1966
 Statement on Government of Colleges and Universities adopted by
 the American Association of University Professors, the American
 Council of Education, and the Association of Governing Boards
 of Universities and Colleges and the 1970 statement on Student
 participation in College and University Government formulated by
 the three aforementioned organizations, insofar as both are
 consistent with this Trustees' Statement on University Governance. In endorsing these two statements, the Board, while retaining its ultimate legal authority in governing the University,
 recognizes that the faculty, the students, and other groups
 within the University have the right, the responsibility, and
 the privilege of advising on policies affecting the University.
 The Board will ensure these rights, responsibilities, and privileges through the various governing bodies—both representative
 bodies such as senates and assemblies, and administrative bodies

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PRIMARY RESPONSIBILITIES IN GOVERNANCE

The Roard of Trustees recognizes that while it must exercise meneral authority over the University, certain components of the University, such as the President's Office, the campus administrations, and the representative and administrative governing bodies of the faculty and the students have, by virtue of interest. training, and experience, a special concern and competence in certain areas. Subject to precedents established by components on each campus and/or the restraints and procedures specified in their constitutions, these components shall have primary responsibility in their areas of special competence and concern. Whenever the phrase "primary responsibility" appears in this statement, it shall mean the capacity to initiate recommendations. after appropriate consultation, in accordance with the procedures specified in section II.D below. Such recommendations will be overruled only by written reasons stated in detail. While it in no way is intended to contravene the authority and participation of the Board of Trustees in governance, the following is a general statement of primary responsibility in the major areas of University life:

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STUDENT AFFAIRS: Students will have primary responsibility for services and activities which are designed primarily to serve students or those which are financed primarily by students, managing student political affairs and organizational matters, and setting standards for student behavior, conduct, and discipline.

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- 3. The Trustees will consider the budget requests of the University and the capital outlay budget requests and major amendments thereto. In addition, they will consider new student housing and other loan construction programs, accept gifts, and approve service agreements, rental agreements, and leases. Further, they will consider policies governing the solicitation of grants and research contracts.
- 4. The Trustees will appoint the President, the Chancellors,* the Treasurer, and the Secretary of the University, set their salaries, and periodically evaluate their performance. When appointing the President or a Chancellor the Board will seek nominations from a search committee appointed by the Board broadly representative of the appropriate constituencies. The Board will determine the charge to and the composition of the search committee after seeking the recommendations of the appropriate campus governing body(s, and, when appropriate, other components of the University. The Board will appoint faculty and student representatives to the search committee upon nomination by the appropriate governing body(s).

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The term "Chancellor" shall include the Dean of the Medical School wherever appropriate.

The President may refer for investigation and report any matter of institutional concern to administrative staff, governing bodies, faculty, or students. The channel for official communications between the President and the various campus groups in such matters will be through the Chancellor.

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5. The Trustees will consider long range development and design plans for each campus in relation to long range academic plans and any major amendments to these plans. They will approve consulting architects, landscape architects, executive architects, and the designs for major buildings and other elements of planning on the various campuses.

6. The Trustees will consider all policies concerning the University's relationship with local, state, and federal governments and all policies concerning public information. In this regard the Board will consider policies concerning the University's relationship with other segments of higher aducation.

7. The Trustees will make the final selection of all honorary degree recipients and will name all buildings and facilities.

B. PRESIDENT OF THE UNIVERSITY

1. The President is the principal academic and executive officer of the University He will exercise executive authority over the campuses comprising the University subject to the direction of the Board of Trustees. He will serve as chief spokesman and Interpreter of the University and represent it to the general public and its representatives.

2. The President will be responsible for presenting policy recommendations to the Board of Trustees and ensuring that the campuses develop ways of implementing Trustees' policy. He will develop, confainate, and keep current a masser plan of the University. He will be responsible for the coordination and preparation of the annual bagget request and its presentation to the Board of Trustees and to the Governor and the General Court. He will also be responsible for the allocation of the appropriated budget and all other funds.

The President will appoint, promote and grant salary adjustments to personnel in the President's office. He will supervise the operations of the officers and staff in the Fresident's office.

4. The President will appoint the Vice Fresidents with the con-

5. The President will appoint members of the faculty to tenure with the concurrence of the Board of Trustees.

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Provisions for Amplementing the foregoing policies and pro-cedures of University governance shall be subject to the approval of the Board of Trustees.

APPROVAL AND EVALUATION

The Board of Trustees reserves the right to alter, amend, or revoke the foregoing Statement on University Governance, in part or in whole, at any time. If not revoked, the Board of Trustees will evaluate the foregoing policies and proceedures of University governance two years after their adoption.

oted by the Board of Trustees pril 4, 1973

Cended April 2, 1975

LICENSE FEE HANGGENENT SPANCH, ANN WEGIONAL LICENSING SECTIONS LICENSE FEE TRAUSHITTAL 3 ET WEE 41:

FEE COMMENTS: 170-11(A)(9)+STATE

STATUS CODE: 2 FEE CATEGORY: Ex 76 EXP. DATE: 19820531

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FROGRAN CODES

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MASSACHUSETTS, UNIVERSITY OF APPLICATION ATTACHED APPLECART /LICENSEE REGION 1

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FEE ATTACHED CHECK NO.:

SIGNED SATE COMMENTS

EXEMPT ENTERED ALON PEE CATEGORY AND AMOUNT: EX. TB. B. LICENSE FEE HANAGEMENT BRANCH (CHECK WHE) *

CORPECT REE PAID, APPLICATION WAY BE PROCESSED FOR: INSMONSHE LICENSE

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