



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

July 24, 1992

ALL AGREEMENT STATES

TRANSMITTAL OF STATE AGREEMENTS PROGRAM INFORMATION
(SP-92-115)

Your attention is invited to the attached correspondence which contains:

INCIDENT AND EVENT INFORMATION.....

PROGRAM MANAGEMENT INFORMATION.....

TRAINING COURSE INFORMATION.....

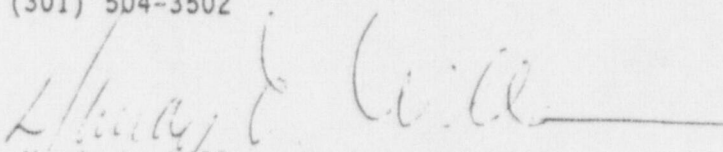
TECHNICAL INFORMATION.....

OTHER INFORMATION.....XX

Supplementary information: Enclosed are a Staff Requirements Memorandum dated September 20, 1991 and the first corresponding semi-annual Commission report (SECY-92-109) on routine exemptions granted to the financial assurance requirements of the Decommissioning Rule for Materials Licensees.

If you have further questions regarding this correspondence, please contact the individual named below.

POINT OF CONTACT: Kathleen Schneider
TELEPHONE: (301) 504-2320
FAX (301) 504-3502


Vandy L. Miller, Assistant Director
for State Agreements Program
Office of State Programs

Enclosure:
As stated

9306150012 930503
PDR COMMS NRCC
CORRESPONDENCE PDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

ACTION - Bernero, NMSS

September 20, 1991

Cys: Taylor
Snizek
Thompson
Blaha
Scroggins
✓ LBykoski
Regions I-V

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-91-271 - STRATEGY FOR ENFORCING THE
FINANCIAL ASSURANCE REQUIREMENTS OF THE
DECOMMISSIONING RULE FOR MATERIALS LICENSES

This is to advise you that the Commission has not objected to the staff's proposal in cases where licensees are not in compliance with financial assurance requirements under 10 CFR Parts 30, 40, and 70.

The Chairman requested that the staff keep the Commission informed of all routine exemptions granted to the financial assurance requirements by providing a semi-annual summary listing such exemptions. (NMSS) 9100112

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
OGC
GPA
OIG

SECY NOTE: THIS SRM AND SECY-91-271 WILL BE MADE PUBLICLY
AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS
SRM

9101160246 1p.



POLICY ISSUE
(Information)

March 26, 1992

SECY-92-109

For: The Commissioners

From: James M. Taylor
Executive Director
for Operations

Subject: SEMI-ANNUAL REPORT ON ROUTINE EXEMPTIONS GRANTED
TO THE FINANCIAL ASSURANCE REQUIREMENTS

Purpose: To keep the Commission informed on routine exemptions
granted to the financial assurance requirements.

Background: In SECY-91-271, the staff provided the Commission its
proposed strategy for enforcing the financial assurance
requirements of the Decommissioning Rule for material
licensees (10 CFR Parts 30.35, 40.36, 70.25 and 72.30). In
the Staff Requirements Memorandum dated September 20, 1991,
the Chairman requested that the staff keep the Commission
informed on all routine exemptions granted to the financial
assurance requirements, by providing a semi-annual summary
report.

Discussion: The number of routine exemptions granted as of March 1,
1992, totaled 59. Teletherapy unit source exchanges
accounted for 49 exemptions or 83 percent of the total.
In these cases, the licensee is exempted from
decommissioning financial assurance requirements for
possession of licensed materials in sealed sources in
quantities greater than the limits in 10 CFR 30.35(d),
for the purpose of source changes only. These exemptions

Contact:
Louis Bykoski, NMSS
504-2572

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DATE OF THIS PAPER

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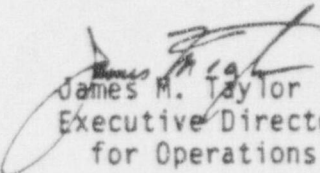
are granted for no more than 30 days for any one source change. Because the financial assurance requirements were not intended to be applied to relatively minor situations such as source changes, the staff will initiate, in the next fiscal year, a narrowly framed rule change that would eliminate financial assurance requirements for individual teletherapy source changes taking 30 days or less. The staff will prepare the rule change under the administrative authority granted to the Executive Director for Operations for such rule changes.

On June 29, 1990, the U.S. Nuclear Regulatory Commission (NRC) granted the General Electric Company (GE) and Westinghouse Electric Corporation (WE) exemptions from the financial assurance filing deadline of July 27, 1990, until 30 days after NRC's decision on their separate requests for exemption from the financial assurance requirements for the use of a self-guarantee. On August 27, 1990, NRC granted GE and WE exemptions from the filing deadline of August 31, 1990, until 15 days after the NRC decision was made on their petition for reconsideration to use a self-guarantee. In addition there were two schedular exemptions granted to the co-petitioners (GE and WE), who requested a rulemaking to change the existing regulations, to allow for a self-guarantee. The co-petitioners were granted a schedular exemption from submission of a decommissioning funding plan for six months after the date on which final action is taken on the petition.

Two exemptions were granted to licensees (Radtrace Company and Wellman Automotive Products) who would have had decommissioning costs of less than \$1000. Another exemption involved an educational institution (Florida Institute of Technology), which is awaiting the transfer of its licensed material to the Department of Energy.

Another case involved NRC's consent to transfer the control of a materials license (SNM-1168) as a result of partnership changes at B & W Fuel Company (BWFC). In this case, the materials license was renewed in September 1990. In the renewal, a license condition was added that required a decommissioning funding plan (DFP) to be submitted by September 30, 1995. The NRC staff reassessed this condition and determined that a more timely submission should be made under the new BWFC partnership. License Condition Number 15 was amended to require submission of the decommissioning funding plan on or before March 31, 1992.

An enclosure has been prepared that presents a listing of the exemptions by name of the licensee, the license number, and reason for the exemption.


James M. Taylor
Executive Director
for Operations

Enclosure:
Exemptions Granted to the
FA Requirements

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EXEMPTIONS GRANTED TO THE FINANCIAL ASSURANCE REQUIREMENTS,
BY LICENSEE, LICENSE NUMBER AND EXEMPTION REASON AS OF MARCH 1992

<u>Licensee</u>	<u>License No.</u>	<u>Exemption/Reason</u>
1. Clearmont Mercy	34-17397-02	Teletherapy Source Exchange
2. University of Wisconsin	48-09843-34	Teletherapy Source Exchange
3. Memorial Hospital	13-18881-02	Teletherapy Source Exchange
4. St. Vincent Hospital	48-03220-02	Teletherapy Source Exchange
5. St. John's Regional Medical Center	24-01090-02	Teletherapy Source Exchange
6. Mercy Medical Center	34-00852-03	Teletherapy Source Exchange
7. Borgess Medical Center	21-12275-01	Teletherapy Source Exchange
8. Howard Community Hospital	13-13028-01	Teletherapy Source Exchange
9. Marion General Hospital	34-10802-03	Teletherapy Source Exchange
10. University of Virginia	45-00034-30	Teletherapy Source Exchange
11. Depaul Hospital	45-00986-02	Teletherapy Source Exchange
12. Rockingham Memorial Hospital	45-05594-02	Teletherapy Source Exchange
13. Virginia Baptist Hospital	45-10542-02	Teletherapy Source Exchange
14. Memorial Hospital	45-15154-02	Teletherapy Source Exchange
15. McGuire Clinic, Inc.	45-16751-02	Teletherapy Source Exchange
16. United Hospital Center	47-01458-02	Teletherapy Source Exchange
17. St. Mary's Hospital	47-09576-02	Teletherapy Source Exchange
18. Cleveland Radiation Therapy	47-15717-01	Teletherapy Source Exchange
19. Bluefield Regional Medical Center	47-19142-02	Teletherapy Source Exchange
20. University of Puerto Rico	52-01946-09	Teletherapy Source Exchange

Enclosure

<u>Licensee</u>	<u>License No.</u>	<u>Exemption/Reason</u>
21. Hospital Oncological	52-11832-01	Teletherapy Source Exchange
22. I. Gonzalez Martinez Hospital	52-13471-01	Teletherapy Source Exchange
23. Hospital Metropolitano	52-16033-02	Teletherapy Source Exchange
24. Medical Center of Delaware	07-12153-03	Teletherapy Source Exchange
25. Baystate Medical Center, Inc.	20-01412-03	Teletherapy Source Exchange
26. Berkshire Medical Center	20-12009-03	Teletherapy Source Exchange
27. Holy Family Hospital and Medical Center	20-13916-01	Teletherapy Source Exchange
28. Waltham Weston Hospital and Medical Center	20-13486-02	Teletherapy Source Exchange
29. Aroostook Medical Center	18-0732-01	Teletherapy Source Exchange
30. Dover General Hospital and Medical Center	29-13746-01	Teletherapy Source Exchange
31. Englewood Hospital Association	29-08519-02	Teletherapy Source Exchange
32. Jersey Shore Medical Center	29-02234-03	Teletherapy Source Exchange
33. Medical Center at Princeton	29-6750-02	Teletherapy Source Exchange
34. Raritan Radiologic Assoc. P.A.	29-18434-01	Teletherapy Source Exchange
35. Riverview Medical Center	29-09701-02	Teletherapy Source Exchange
36. Sharlin Radiological Assoc.	29-16796-02	Teletherapy Source Exchange
37. St. Peter's Medical Center	29-07566-02	Teletherapy Source Exchange

<u>Licensee</u>	<u>License No.</u>	<u>Exemption/Reason</u>
38. V.A. Medical Center (Brooklyn)	31-02892-05	Teletherapy Source Exchange
39. Allentown Hospital - Lehigh Valley Hospital	37-01548-03	Teletherapy Source Exchange
40. Carlisle Hospital	37-02385-01	Teletherapy Source Exchange
41. Geisinger Medical Center	37-01421-04	Teletherapy Source Exchange
42. Germantown Hospital and Medical Center	37-01553-04	Teletherapy Source Exchange
43. Lankenau Hospital	37-9705-01	Teletherapy Source Exchange
44. Mercy Catholic Medical Center	37-0093-04	
45. Nazareth Hospital	37-09995-02	Teletherapy Source Exchange
46. Polyclinic Medical Center	37-00353-05	Teletherapy Source Exchange
47. St. Joseph Hospital	37-02763-02	Teletherapy Source Exchange
48. Temple University	37-00697-02	Teletherapy Source Exchange
49. Medical Center Hospital of Vermont	44-10187-02	Teletherapy Source Exchange
50. Florida Institute of Technology	SNM-844	Awaiting transfer of licensed material to DOE
51. General Electric Company	All corporate affected licenses	Extension to filing deadline of July 27, 1990
52. Westinghouse Electric Corporation	All corporate affected licenses	Extension to filing deadline of July 27, 1990
53. General Electric Company	All corporate affected licenses	Extension to filing deadline of August 31, 1990
54. Westinghouse Electric Corporation	All corporate affected licenses	Extension to filing deadline of August 31, 1990

<u>Licensee</u>	<u>License No.</u>	<u>Exemption/Reason</u>
55. General Electric Company	SNM-960	Schedular extension for DFP* until final action is taken on petition
56. Westinghouse Electric Corporation	SNM-1107	Schedular extension for DFP* until final action is taken on petition
57. B & W Fuel Company	SNM-1168	Extension granted due to change in ownership
58. Radtrace Company	04-1304-01	Decommissioning costs of less than \$1000
59. Wellman Automotive	13-20028-01	Decommissioning costs of less than \$1000

*Decommissioning funding plan.