



CONVERSATION RECORD

NAME OF PERSON(S)/TITLE CONTACTED OR IN CONTACT WITH YOU Deborah L. Gunny, Attorney, Reed Smith LLP	DATE OF CONTACT 05/17/2018	TYPE OF CONVERSATION <input checked="" type="checkbox"/> E-MAIL <input type="checkbox"/> TELEPHONE <input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING
E-MAIL ADDRESS dgunny@reedsmith.com	TELEPHONE NUMBER 310-734-5238	
ORGANIZATION Sofie Network Inc. d/b/a Sofie	DOCKET NUMBER(S) 030-38113	
LICENSE NAME AND NUMBER(S) 45-25221-05	MAIL CONTROL NUMBER(S) 591378	
SUBJECT Additional Information Request concerning the licensee's request to update decommissioning financial assurance instruments following Transfer of Control from Zevacor Pharma		
SUMMARY AND ACTION REQUIRED (IF ANY) This record concerns the licensee's June 30, 2016 Decommissioning Funding Plan (DFP; NRC Accession No. ML16183A318), submitted to meet requirements listed in Title 10 of the <i>Code of Federal Regulations</i> Section 30.36(e). It also concerns the licensee's (via Zevacor Pharma) September 5, 2017 Surety Bond (SB) and September 20, 2017 Rider (ML17264A971). The conversation was documented on 7/31/2018 by then-MLB-reviewer J. Bishop, to note status of the review. Upon review, then-MLB-reviewer J. Bishop had noted that the DFP - submitted by predecessor entity Zevacor Pharma - was consistent with cost estimate tables provided in previous cost estimates which had been approved. Accordingly, no additional information was needed from the licensee to complete our review of the DFP, as of the date of the referenced conversation. Upon review, however, we noted that changes needed to be made to the SB and that an STA and CFA were required to be provided. In the conversation then-MLB-reviewer J. Bishop discussed those changes and received email responses from Ms. Gunny including copies of a revised SB and of an STA. An updated SB, updated STA, and a CFA were requested via email to Ms. Gunny on 6/26/2018. The review is ongoing, including of updated STA, SB, and CFA received via 7/25/18 letter (ML18215A407) and of updated SB received via 9/10/18 letter (ML18261A338).		
NAME OF PERSON DOCUMENTING CONVERSATION Sara A. Forster, M.S., Health Physicist, Materials Licensing Branch, DNMS, RIII office, sara.forster@nrc.gov		
SIGNATURE	DATE OF SIGNATURE 07/29/2019	
(Empty space for additional notes or comments)		

Dalzell, Jennifer

From: Gunny, Deborah L. <DGunny@ReedSmith.com>
Sent: Tuesday, June 26, 2018 1:04 PM
To: Dalzell, Jennifer
Cc: Patrick Phelps (patrick.phelps@sofie.com); Michael Levy (Michael.Levy@sofie.com); Sanders, Michael; Melissa Moore (melissa.moore@sofie.com) (melissa.moore@sofie.com)
Subject: [External_Sender] RE: Sofie - Draft Bond

Jennifer:

Thank you for your email. Sofie is working on obtaining the original bond and addressing the standby trust agreement issue.

Please note that bonds are live instruments once signed (meaning they can be called upon). As such, the bonding agency prefers sign off before the bonds are issued to make sure that the bond meets your needs and that multiple bonds are not in effect for the same matter at one time. Based on your email below, it appears that you are okay with the language proposed and thus Sofie is working to have the bond issued.

Just as a heads up, the bonding agency will require the NRC to return the existing bond (again – given that it is a live instrument). Sofie is working with the bonding agency with respect to the timing of same. If you have any comments in that regard, please let us know.

One point of clarification - you attached two documents to your email that were not explained below and had not been requested in prior correspondence. One is a "model specimen certificate of events" and the other is the related resolution certification. These seem to relate to a decommissioning request and Sofie is not currently seeking to decommission its cyclotron. Can you please clarify the need for those two documents at this time? Much appreciated.

Cordially,

Deborah L. Gunny
dgunny@reedsmith.com
310-734-5238 (direct)

Reed Smith LLP
1901 Avenue of the Stars
Suite 700
Los Angeles, California 90067
Fax 310-734-5299

Please consider the environment before printing the contents of this email

From: Dalzell, Jennifer [mailto:Jennifer.Bishop@nrc.gov]
Sent: Tuesday, June 26, 2018 7:57 AM
To: Gunny, Deborah L.
Cc: Patrick Phelps (patrick.phelps@sofie.com); Michael Levy (Michael.Levy@sofie.com); Sanders, Michael; Melissa Moore (melissa.moore@sofie.com) (melissa.moore@sofie.com)
Subject: RE: Sofie - Draft Bond

Good Morning,

I briefly reviewed the draft surety bond you emailed to me and did not see any major issues with the document. However, I cannot complete my review until the document has been signed and the original has been provided to my office for formal review.

For the trust fund that you emailed to me, that document will not meet the requirements for the NRC because it does not list the NRC as the beneficiary. I have attached the model language provided in NUREG 1757, Vol. 3, Rev. 1, for you to review. Please note that you are not required to use this exact language, but doing so will allow us to complete your review in a timelier manner. Please note that I will not be able to complete my review until I have received the original (wet signature) documents.

In addition, you will need to provide a Certification of Financial Assurance. The sample language has been attached to this email.

Please feel free to contact me if you have any questions.

Sincerely,

Jennifer L. Dalzell
Health Physicist – Licensing
NRC-Region III
Jennifer.Dalzell@nrc.gov
630-829-9607

From: Gunny, Deborah L. [mailto:DGunny@ReedSmith.com]
Sent: Monday, May 21, 2018 4:10 PM
To: Bishop, Jennifer <Jennifer.Bishop@nrc.gov>
Cc: Patrick Phelps (patrick.phelps@sofie.com) <patrick.phelps@sofie.com>; Michael Levy (Michael.Levy@sofie.com) <Michael.Levy@sofie.com>; Sanders, Michael <MSanders@ReedSmith.com>; Melissa Moore (melissa.moore@sofie.com) (melissa.moore@sofie.com) <melissa.moore@sofie.com>
Subject: [External_Sender] Sofie - Draft Bond

Dear Ms. Bishop:

My name is Deborah Gunny and I am an attorney for Sofie Biosciences, Inc. Thank you for taking my call last week regarding the new bond for license no. 45-25221-05. In response to your letter to Michael Levy:

1. Attached please find a draft of the proposed bond to be issued in lieu of the existing bond. The draft lists the name and address of the entity, includes the docket number and reflects the most recent decommission cost estimate (\$360,821). Please review and confirm that the bond now sets forth the information requested by the NRC (or let us know any further corrections).
2. Last Thursday I sent to you the existing trust agreement under which the attached draft bond would be issued. Please confirm that the company has satisfied that requirement of the NRC.
3. The company is in the process of preparing the correct Certification of Financial Assurance. I or someone from the company will send you a draft thereof when available.

The bonding company has indicated that it wants the existing bond returned before it will issue the final bond. Can you please arrange to have that returned? If there are any questions in that regard, I have included my contact information below.

Again, thank you for your time and I look forward to your responses on the above.

Cordially,

Deborah L. Gunny
dgunny@reedsmith.com
310-734-5238 (direct)

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1901 Avenue of the Stars
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Los Angeles, California 90067
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this email string.
- AF 7/29/2019

Dalzell, Jennifer

From: Gunny, Deborah L. <DGunny@ReedSmith.com>
Sent: Thursday, May 17, 2018 2:51 PM
To: Bishop, Jennifer
Cc: Michael Levy (Michael.Levy@sofie.com); Patrick Phelps (patrick.phelps@sofie.com); Sanders, Michael; Melissa Moore (melissa.moore@sofie.com) (melissa.moore@sofie.com)
Subject: [External_Sender] SOFIE Trust Agreement - license # 45-25221-05
Attachments: Sofie Biosciences & HIC Trust Acct 521122_070717.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ms. Bishop:

Thank you for taking the time to speak to me today regarding Sofie Biosciences, Inc. and its subsidiaries and the questions relating to the bond for license number 45-25221-05. You certainly clarified the issues for me.

As we discussed, we are in the process of obtaining a new bond in the name of "SOFIE Co. dba SOFIE" in the amount of \$360,821. The new bond will have the address, docket number and other required information.

In the meantime, per your request, attached please find a fully-signed copy of the Trust Agreement among Sofie Biosciences, Inc. (the principal on the bond and an indirect parent of SOFIE Co.), The Hanover Insurance Company and The Bank of New York Mellon relating to the bonds.

Cordially,

Deborah L. Gunny
dgunny@reedsmith.com
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