



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

January 24, 2023

Karl W. Fischer, M.Eng., CHP
Radiation Safety Officer
The Regents of the University of Michigan
Radiation Safety Service: Occupational Safety &
Environmental Health, University of Michigan
1239 Kipke Dr.
Ann Arbor, MI 48109-1010

Dear Mr. Fischer:

Enclosed is Amendment No. 119 to your NRC Material License No. 21-00215-04 in accordance with your request.

This amendment incorporates all but one of the changes and corrections requested in your letter dated January 12, 2023. The change not made at this time is for the additional line item of natural uranium in any chemical or physical form. We are still reviewing this request and its impact, if any, on your decommissioning and financial assurance obligations. We expect to complete our review of this request within 30 days of the date of this letter, by close of business on February 24, 2023. If we need additional information from you in that time, we will contact you.

Instead of confirming that former Condition No. 28.Y/new Condition No. 29.Y. is adequate, we added a new Condition No. 28 that formalizes your exemption in accordance with NRC's memo concerning Decommissioning Funding Plans and Ge-68/Ga-68 generators.

We noted two communications issues in your letter dated January 12, 2023, as discussed below.

1. Several requested corrections/adjustments to your license were made that only referred to the Line item by alphabetical letter without the additional number. For example, your requested correction for Item D. should have been more specific and referred to Item 6.D. Please always be as specific as you can be to ensure we understand you clearly and can serve you better.
2. Your letter stated "As instructed by Region III licensing staff..." and "As recommended by Region III licensing staff...." language.

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

This is erroneous and misleading. NRC does not instruct or recommend to its licensees. We are an independent and objective federal government agency. Such language implies that we are directing what you do to maintain your license.

We are not. It is not unusual for licensees to need their licenses to reflect certain specific things that NRC's systems (processes, procedures and electronic applications) may not be able to do. In those circumstances, we discuss optional ways of addressing your needs and how our systems might be able to accommodate them.

However, we are not providing instruction or recommendations. Please kindly refrain from the use of such terminology in preparing your future licensing correspondence.

If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9807 so that we can provide appropriate corrections and answers.

If you have any questions about this amendment please contact me directly at colleen.casey@nrc.gov (best) or 630-829-9841. My fax number is 630-515-1078.

(RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

Pursuant to NRC's RIS 2005-31 and in accordance with 10 Code of Federal Regulations 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability.

The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you.

This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions.

Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

K. Fischer

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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.

Sincerely,

Colleen C.
Casey

Colleen Carol Casey
Health Physicist
Materials Licensing Branch

Digitally signed by Colleen C.

Casey

Date: 2023.01.24 16:29:27

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License No. 21-00215-04

Docket No. 030-01988

Enclosure:

Amendment No. 119