



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

October 13, 2005

Docket No. 03028819
Control No. 137619

License No. 29-07009-05

Bradley M. Campbell
Commissioner
State of New Jersey
Department of Environmental Protection
P. O. Box 402
Trenton, NJ 08625-0402

SUBJECT: STATE OF NEW JERSEY, REQUEST FOR ADDITIONAL INFORMATION
CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NO.
137619

Dear Mr. Campbell:

This is in reference to your letter dated August 26, 2005 providing financial assurance for decommissioning for Nuclear Regulatory Commission License No. 29-07009-05. In order to continue our review, we need the following additional information:

1. The new Statement of Intent dated August 26, 2005, does not contain the following required information: a description of the authority of the government entity to make the Statement of Intent, and a recitation of the authority of the signatory to sign the Statement of Intent. Please provide this information. Guidance for this information may be found in Section A.16 of NUREG-1757, Volume 3, "Consolidated NMSS Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness" (NUREG-1757, Vol. 3), which is enclosed.
2. A "Certification Statement" must be provided in addition to the Statement of Intent. A "Model Certification of Financial Assurance" that is acceptable as the certification statement is found in Section A.2.4 of NUREG-1757, Vol. 3. The "Master Checklist for Decommissioning Financial Assurance" and Section A.2 of NUREG-1757, Vol. 3, are enclosed. The complete text of NUREG-1757, Vol.3, may be found at the web site listed below. Please provide the certification statement for your financial assurance.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 137619. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5040.

B. Campbell
State of New Jersey

2

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

enclosure:

NUREG-1757, Volume 3: Master Checklist, Section A.2 and Section A.16

cc w/enclosure:

Jill Lipoti, NJDEP

DOCUMENT NAME: E:\Filenet\ML052870021.wpd

SISP Review Complete: (Exu)

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	DNMS/RI	<input type="checkbox"/>		<input type="checkbox"/>
NAME	Eullrich/EXU							
DATE	10/13/2005							

OFFICIAL RECORD COPY