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Sent: Thursday, February 02, 2012 10:19 AM
To: mike.bohan@yale.edu
Subject: Request for Additional Information for Financial Assurance

Yale-New Haven Hospital
L.N. 06-00819-03
D.N. 03001244
Mail Control 575183

In a prior email to you dated January 24, 2011, regarding the addition of radium sources to your license, NRC requested the following additional information:

1. Provide additional information equivalent to 10 CFR 32.210(c) for these sources? (see Q&A C.7 below from NRC's guidance related to the addition of radium sources to NRC licenses).
2. Provide the latest leak test results for these sources.
3. Provide the date of expected transfer of the bulk of the radium sources to DOE. Also, indicate which sources are eligible for transfer?

At that time, you expected to transfer the sources to DOE soon, and therefore, the following license condition was added to your license in the event that the transfer did not occur: "By August 31, 2011, provide all available information identified in 10 CFR 32.210(c) concerning the radium-226 sources not registered with the Commission, and, if applicable, the devices, in accordance with 10 CFR 30.32(g)(3). Such information must include a description of the source or device, a description of radiation safety features, the intended use and associated operating experience, and the results of a recent leak test. Alternatively, you may elect to consider the radium-226 as unsealed byproduct material and provide a decommissioning funding plan with associated financial assurance in accordance with 10 CFR 30.35."

In accordance with this license condition, please submit the transfer documentation to support removal of these sources from your license. The submission will be controlled as a separate licensing action. If you have not transferred the sources, please comply with the license condition immediately. Failure to comply is a violation of NRC requirements and may be subject to enforcement.

In addition, a review of your financial assurance documentation on file has identified the following concerns:

1. The Certification of Financial Assurance, Payment Surety Bond, Standby Trust Agreement, and Schedule A of the Agreement should be updated to include License Number 06-00819-05. In addition, the zip code for York Street, New Haven CT should be consistent on the license and in the financial assurance documents. Therefore, please either correct the license to 06510 or the financial assurance documents to 06504.
2. The amounts listed in the Certification of Financial Assurance (CFA) should be updated to include all sealed sources with a half-life of greater than 120 days from License Nos. 06-00819-03 and 06-00819-05. Therefore, the amounts listed for Sr-90 and Cs-137 should be updated and Ra-226 should be added. Please submit a revised CFA.
3. Schedule A and the Certificate of Events include only the York Street location; however, the licenses list four additional locations (Goose Lane, Temple Street, Howard Avenue,

and Park Street). Please update Schedule A and the Certificate of Events to include all locations listed on the license.

4. Please submit Schedule C to support your Standby Trust Agreement. NUREG-1757, Vol. 3 provides a sample for your use.
5. The Certificate of Resolution indicates that the Senior Vice President, Finance and CFO, on behalf of the Board of Directors will notify himself of the Board's decision regarding decommissioning activities. Normally the Secretary of the Board would provide the notification. Please review and re-submit the Certificate of Resolution, as necessary.
6. In the event that you are unable to provide transfer documentation or additional information equivalent to 10 CFR 32.210(c) for the Ra-226 sources, please submit a decommissioning funding plan and associated financial assurance for unsealed radium-226.

You may submit the above information to my attention via fax, 610-337-5269. Please reference Mail Control No. 575183 in your response. Thank you for your assistance.

Penny Lanzisera
US NRC, Region 1

Question C.7

I own an instrument calibrator which contains a 10 mCi Ra-226 source. I have possessed this equipment for a very long time, and, as far as I know, it has never been licensed (the State where I reside does not have a regulatory program for radium). To the best of my knowledge, the manufacturer of the calibrator is no longer in business and the equipment is not listed in the Sealed Source and Device Registry maintained by the NRC. What do I need to do in order to have this calibrator licensed?

Answer

You will need to obtain a license for possession of a device containing a sealed source. 10 CFR 30.32(g) specifies the information that you need to provide in order to obtain such a license for possession of a device containing a sealed source. Paragraph 30.32(g)(3) addresses situations such as yours. Under 10 CFR 30.32(g)(3), sources or devices containing naturally occurring or accelerator-produced radioactive material manufactured prior to November 30, 2007 that are not registered with the Commission under 10 CFR 32.210 or with an Agreement State, and for which the applicant is unable to provide all categories of information specified in 10 CFR 32.210(c), the applicant must provide all available information identified in 10 CFR 32.210(c) concerning the source, and, if applicable, the device. Also, the applicant must supply sufficient additional information to demonstrate that there is reasonable assurance that the radiation safety properties of the source or device are adequate to protect health and minimize danger to life and property. Such information must include a description of the source or device, a description of radiation safety features, the intended use and associated operating experience, and the results of a recent leak test.