

From: [Lawyer, Dennis](#)
To: nrazmianfar@hsc.wvu.edu
Subject: University of West Virginia, Request for Additional Information Concerning Financial Assurance, Control 582813
Date: Thursday, January 16, 2014 10:08:00 AM

Dear Dr. Razmianfar,

This is in reference to your letter dated December 12, 2013, submitting financial assurance documents to Nuclear Regulatory Commission License No. 47-23035-03. In order to continue our review, we need the following additional information:

The updated guidance for financial assurance is contained in [NUREG-1757](#), Volume 3, Revision 1, "Consolidated Decommissioning Guidance Financial Assurance, Recordkeeping, and Timeliness." Please refer to this document for the items contained below.

1. Your submitted an updated cost estimate to your Decommissioning Funding Plan. NUREG-1757 states that it must be a detailed, site-specific cost estimate as described in section A.3.1. You submitted a summary of cost estimates per task, Please present the detailed calculation that shows specific costs to support your calculated value. In the past, you had submitted a printout of the spreadsheets that showed the calculated costs.
2. Your funding plan did not have a method for periodic adjustment of costs. NUREG-1757 stated to determine the means that will be used to adjust the site-specific cost estimate and associated funding levels periodically over the life of the facility (see Section A.3.2). Stating that you would adjust costs by recalculation of current costs at least every three years, upon renewal, and whenever there are significant changes in operations that would cause the cost estimate to change by more than 10% would be acceptable.
3. You had not submitted a Certification of Financial Assurance for the new funding amount as required by 10 CFR 30.35(e)(4). Please submit an Certification of Financial Assurance. Please follow closely the model Certification of Financial Assurance given in section A.2.4 in NUREG-1757, Volume 3, Revision 1. Please ensure that the licensed radionuclides amounts listed on the certification is stated the same as listed on your license for all materials requiring financial assurance.
4. The Statement of Intent dated December 12, 2013, did not clearly define some attributes as required in Checklist 11-B of NUREG-1757, Volume 3, Revision 1. It requires a description of authority of government entity to make the statement of intent, identification of Federal, State, or local government licensee, and recitation of authority for signatory to sign the statement of intent. Your Statement of Intent appears to need a basis between the West Virginia University (WVU) Board of Governors and the State of West Virginia and its authority to make a statement intent (i.e. description of authority of government entity to make the statement of intent and identification of Federal, State, or local government licensee), and how the Provost may sign the Statement of Intent for the WVU Board of Governors. This previously had been completed by including the authority under West Virginia Code 18B-2A-4. Your Statement of Intent provided, WVU Board of Governors

Operating Procedures Article 5, describes how the President of the University may execute all documents to make effective the actions of the Board. It describes how the president may delegate this authority. It did not appear to describe that the President did delegate this authority to the Provost. Please redraft the Statement of Intent including a clear description of the authority of the signatory to authorize funds ultimately coming from the authorization under Federal, State, or local government.

We will continue our review upon receipt of this information. Please reply to my attention at the Region 1 Office (Address below) and refer to Mail Control No. 582813. If you have technical questions regarding this letter, please call me at (610) 337-5366.

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.

Please note that you may not reply to this letter by return e-mail. Your reply must be in writing by letter. Please reply within 30 calendar days from the date of this e-mail.

Region 1 Office Mailing Address: Licensing Assistance Team, US Nuclear Regulatory Commission Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406-2713.

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