

April 16, 2015

Ms. Karen Burke, Director  
Environmental Remediation  
Mallinckrodt Pharmaceuticals  
675 McDonnell Boulevard  
St. Louis, MO 63042

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION APPROVAL OF  
MALLINCKRODT'S USE OF A TRUST TO PROVIDE FINANCIAL ASSURANCE  
AND CANCELLATION AND RETURN OF LETTER OF CREDIT AND STANDBY  
TRUST AGREEMENT

Dear Ms. Burke:

On March 27, 2015, Mallinckrodt provided the U.S. Nuclear Regulatory Commission (NRC) with a trust agreement for the amount of \$21,113,000 (Agencywide Document Access and Management System [ADAMS] Accession Nos. ML15091A304, ML15105A274). Mallinckrodt is proposing to use the trust to provide financial assurance for decommissioning pursuant to 10 CFR 40.36(e). This trust would replace Mallinckrodt's previous financial assurance mechanism, a Letter of Credit and Standby Trust Agreement in the amount of \$21,113,000.

The Trust includes language that indicates a trust fund has been established for the benefit of NRC that includes sufficient assets necessary to cover the costs of decommissioning the materials and activities identified in License Number STB-401. In addition, the Trust includes language that describes the qualifications required of the trustee and presents a trust agreement that is acceptable to the NRC per guidance in NUREG-1757, Vol. 3, Rev. 1, Appendix A.4. Therefore, the NRC staff finds that the Trust financial assurance mechanism is acceptable.

The NRC is cancelling and returning the Letter of Credit and Standby Trust Agreement that were previously used to provide financial assurance for Mallinckrodt's decommissioning since they were replaced by the trust as the financial assurance mechanism.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

K.Burke

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If you have comments or questions regarding this letter, please contact the project manager, Jack Hayes at 301-415-5928 or via email at [John.Hayes@nrc.gov](mailto:John.Hayes@nrc.gov) or Karen Pinkston at 301-415-3650 or [Karen.Pinkston@nrc.gov](mailto:Karen.Pinkston@nrc.gov).

Sincerely,

**/RA/**

Michael A. Norato, Ph.D., Chief  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-6563  
License No.: STB-401

Enclosure: as stated

K.Burke

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If you have comments or questions regarding this letter, please contact the project manager, Jack Hayes at 301-415-5928 or via email at [John.Hayes@nrc.gov](mailto:John.Hayes@nrc.gov) or Karen Pinkston at 301-415-3650 or [Karen.Pinkston@nrc.gov](mailto:Karen.Pinkston@nrc.gov).

Sincerely,

**/RA/**

Michael A. Norato, Ph.D., Chief  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

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Enclosure: as stated

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