



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

February 2, 2021

Brian L. Baker, P.E.,
Center Director
US Department of Health and Human Services
Food and Drug Administration
109 Holton Street
Public Health Service, FDA
Winchester Engineering and Analytical Center
Winchester, MA 01890-1197

**SUBJECT: US DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG
ADMINISTRATION, ACCEPTANCE OF NOTIFICATION OF FINANCIAL
ASSURANCE, MAIL CONTROL NO. 621400**

Dear Mr. Baker:

We have reviewed the Decommissioning Funding Plan (DFP) dated May 2020, the revised DFP dated October 2020, the Statement of Intent dated June 1, 2020, and the Certification of Financial Assurance dated July 6, 2020, to meet the financial assurance requirements for your license. Because the October 2020 DFP does not exceed the Statement of Intent dated June 1, 2020, or the Certification of Financial Assurance dated July 6, 2020, submitted with this licensing action, a revised Statement of Intent and Certification of Financial Assurance were not required. We have no further questions at this time.

The following documents currently provide your financial assurance:

Certification of Financial Assurance dated July 6, 2020, [ML20191A030],
Statement of Intent dated June 1, 2020, [ML20191A029], and
Decommissioning Funding Plan dated October 2020, [ML20304A236].

We will return the original copies of superseded documents under separate cover.

Your organization uses a Decommissioning Funding Plan (DFP) to determine the amount of financial assurance necessary to fund all decommissioning activities. 10 CFR 30.35(e)(2) requires that, at the time of license renewal and at intervals not to exceed three years, the DFP must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination. Your currently approved DFP was submitted on October 2020; therefore, your DFP must be re-submitted on or before October 2023. The DFP must update the information submitted with the original or prior approved DFP, and must specifically consider the effect of the following events on decommissioning costs: (1) spills of radioactive material producing additional residual radioactivity in onsite subsurface material; (2) waste inventory increasing above the amount previously estimated; (3) waste disposal costs increasing above the amount previously estimated; (4) facility modifications; (5) changes in authorized possession

limits; (6) actual remediation costs that exceed the previous cost estimate; (7) onsite disposal; and (8) use of a settling pond. If the amount of the financial assurance instrument will be adjusted to match the DFP, this cannot be done until the updated DFP is approved by the NRC. If the financial assurance instrument is revised (amended) to change the amount of financial assurance obligated, then you will need to also submit a revised Certificate of Financial Assurance (CFA) with the new amount

Sincerely,

Steven Courtemanche, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

License No. 20-08361-01
Docket No. 03004675
Mail Control No. 621400

cc: Elon Malkin, Ph.D., Radiation Safety Officer

US DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG
ADMINISTRATION, ACCEPTANCE OF NOTIFICATION OF FINANCIAL ASSURANCE, MAIL
CONTROL NO. 621400 DATED FEBRUARY 2, 2021

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