



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

January 29, 2007

Docket No. 04000791
Control No. 137147

License No. SMB-151

David Russell
Director, Facilities & Services
United Technologies Corporation
Pratt & Whitney Division
400 Main Street
MS 102-14
East Hartford, CT 06108

SUBJECT: UNITED TECHNOLOGIES CORPORATION, REQUEST FOR ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NO. 137147

Dear Mr. Russell:

This is in reference to a facsimile from your company dated June 28, 2006 providing financial assurance information for decommissioning for Nuclear Regulatory Commission License No. SMB-151. In order to continue our review, we need the following additional information:

Your facsimile dated June 28, 2006 included a photocopy of the Standby Trust Agreement between your company and LaSalle Bank National Association entered into as of June 23, 2006. This agreement is part of the financial assurance documentation required by regulations of a 10 CFR Part 40 licensee to ensure funds will be available when needed for decommissioning activities.

The NRC requires an originally signed duplicate of the Standby Trust Agreement be submitted as part of the financial assurance package. A photocopy is not acceptable. I have been working with Terrance McCarthy through numerous telephone calls since June 30, 2006 to attempt to resolve this matter to no avail. Please note United Technologies Corporation is in violation of NRC regulations and faces a potential Severity Level III violation and possible civil penalty if the matter is not resolved within thirty days of the date of this letter. In addition, a Cease and Desist Order may be issued if the matter is not resolved. Activities conducted under your NRC license would not be authorized without the proper financial assurance documentation in place.

In addition to the long standing issue noted above, a recent financial assurance audit in Region I of all licensees files has discovered that United Technologies Corporation has not submitted a certification of financial assurance. A model certification with a format and language acceptable to the NRC may be found in NUREG-1757, Volume 3, "Consolidated NMSS Decommissioning Guidance Financial Assurance, Recordkeeping, and Timeliness", Appendix A, page A-23. Use the format and language in the model and submit a certification of financial assurance within thirty days of the date of this letter. NUREG-1757, Volume 3 is available at the NRC website at the following link:

D. Russell
United Technologies Corporation

2

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/v3/>

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial 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 8:00 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 within thirty days of the date of this letter and refer to Mail Control No. 137147. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5236.

Sincerely,

Original signed by John Nicholson

John Nicholson
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
Terrance McCarthy, Treasurer
Sandy Soucy, Radiation Safety Officer

DOCUMENT NAME: C:\FileNet\ML070290131.wpd

SUNSI Review Complete: JNicholson

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	N	DNMS/RI		DNMS/RI			
NAME	JNicholson/JJN							
DATE	01/29/2007							

OFFICIAL RECORD COPY