

From: Elizabeth Ullrich
To: mtaormin@vcu.edu
Date: Mon, Oct 29, 2007 2:33 PM
Subject: your return call regarding your NRC financial assurance

Ms. Taormina,

As we discussed a few minutes ago, here are the references that indicate we must have the separate Certification of Financial Assurance. I agree that it seems duplicative of the information in the Statement of Intent, but it is in both the regulation and the guidance, so I need to have you provide the separate document.

Here is the regulation that is the basis for the 'certification of financial assurance' being a separate item from the financial assurance instrument:

10 CFR 30.35(b)(2) states in part that applicants must "submit a certification that financial assurance for decommissioning has been provided in the amount prescribed by paragraph (d) of this section using one of the methods described in paragraph (f) of this section." Paragraph D describes the amounts; Paragraph f describes the method, in your case, a Statement of Intent. the 'certification of financial assurance' is a separate thing.

In the NUREG-1757 Volume 3 guidance, in chapter 4 it states [page 4-1] "A certification of financial assurance is a statement by the licensee that a prescribed amount of funding has been obtained for decommissioning. The amount is established in NRC regulations and is summarized in the introduction to Appendix A to this volume." It further goes on to state (page 4-6) :

" For a licensee submitting a certification of financial assurance at the time of license application or renewal, NRC staff will review the following:
— the certification of financial assurance, to ensure that it certifies compliance with the appropriate requirements and that it specifies the correct amount of financial assurance;
and
— the acceptability of the licensee's submitted financial assurance mechanism(s)."

Again, this emphasizes that the certification of FA is different than the FA mechanism.

Appendix A, Section A.2 provides more detail of the Certification of Financial Assurance. You will see in checklist A-2 that the necessary documentation includes the 1) certification statement and 2) the financial instrument (your Statement of Intent) and supporting documentation (the delegation of authority to the signer of the SI). Also, you will find the Model Certification of Financial Assurance as A.2.4.

Here is the link to the 1757-Vol 3:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/v3/sr1757v3.pdf>

If you have any other questions, feel free to contact me again.

thanks,
Betsy

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