



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 3, 2009

Mr. Samuel L. Belcher
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, LLC'S STATUS OF
DECOMMISSIONING FUNDING ASSURANCE FOR NINE MILE POINT
NUCLEAR STATION, UNIT NO. 1 (TAC NO. ME0540)

Dear Mr. Belcher:

The Nuclear Regulatory Commission (NRC) staff has reviewed the submittal dated July 29, 2009, (Agencywide Documents Access and Management System Accession No. ML092160414) outlining Constellation Energy Nuclear Group's (CENG) proposed plan of action to cover shortfalls in providing decommissioning funding assurance and/or decommissioning funding realized in the Nine Mile Point Nuclear Station, Unit No. 1 (NMP1) Biennial Decommissioning Funding Reports that were submitted on March 26, 2009 (ADAMS Accession Nos. ML090850399 and ML090850400). Based on the NRC staff's analysis of the Biennial Decommissioning Funding Report, the NRC staff estimated a projected shortfall in decommissioning funding assurance of \$45.1 million.

Subsequently, on November 20, 2009, (ADAMS Accession No. ML093340088), CENG submitted the updated market value of \$293.1 million for the decommissioning trust fund for NMP1 as of June 30, 2009. CENG also provided a SAFSTOR method for radiological decommissioning of NMP1, as of November 2009. The NRC staff has reviewed the licensee's plan and determined that the licensee provides reasonable assurance of adequate decommissioning funding at the time permanent termination of operations is expected. Accordingly, the NRC staff concludes that no further action is required at this time to demonstrate adequate decommissioning funding assurance, according to NRC standards, for NMP1.

Sincerely,

A handwritten signature in black ink, reading "Richard V. Guzman", is positioned above the typed name.

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

cc: Distribution via Listserv

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/RA/

Richard V. Guzman, Senior Project Manager
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ADAMS Accession No. ML093360006

* Concurrence via e-mail

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