



**NUCLEAR FUEL SERVICES, INC.**

*a subsidiary of The Babcock & Wilcox Company*

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21G-12-0216  
GOV-01-55-04  
ACF-12-0287

October 12, 2012

Director  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555-0001

Reference: 1) Docket No. 70-143; SNM License 124  
2) Letter from Mark P. Elliott to NRC, dated September 27, 2011, (21G-11-0189), Standby Trust Agreements, Government Letters of Intent, and Certification of Financial Assurance to Support the Decommissioning Cost Estimate

**Subject: Request to Change Trustee for NFS Standby Trust Agreements**

Nuclear Fuel Services, Inc. (NFS) hereby submits a request to change the Trustee for the two (2) Standby Trust Agreements, herein referred to as the "Agreements", for the NFS Site. The change is being requested in order to support efforts by our corporate parent to consolidate management of financial assurance documents across the company.

Per Section 12 of the Agreements, "upon 90 days notice to the NRC and the Trustee, the Grantor may replace the Trustee; but such... replacement shall not be effective until the Grantor has appointed (and the NRC has approved in writing) a successor trustee and this successor accepts the appointment." This letter serves as the 90-day notice to the NRC that NFS intends to replace the current Trustee, Citibank, N.A., with Union Bank, N.A., and the new Agreements would become effective February 1, 2013.

Attachments 1 and 2 contain copies of the two (2) Standby Trust Agreements currently in effect, where Citibank is named as the Trustee. The current Agreements were last updated in September, 2011 (Reference 2).

Attachments 3 and 4 contain "draft" Standby Trust Agreements where Union Bank would become the new Trustee. The only update to the Agreement language is the bank name and address; no other changes have been made. Once NRC concurs that the change of Trustee is acceptable, originally signed documents will be submitted to support the February 1, 2013, effective date.

NM55DI

If you or your staff have any questions, require additional information, or wish to discuss this, please contact me, or Ms. Jennifer Wheeler, Licensing and ISA Manager at (423) 735-5429. Please reference our unique document identification number (21G-12-0216) in any correspondence concerning this letter.

Sincerely,

**NUCLEAR FUEL SERVICES, INC.**



Mark P. Elliott, Director  
Quality, Safety, and Safeguards

JKW/smd

- Attachment 1: Standby Trust Agreement, Amendment 1, dated 9/14/2011  
(Buildings 301, 333, and 440), and original Agreement dated 2/6/2009
- Attachment 2: Standby Trust Agreement, dated 9/12/2011 (Buildings 510, 520, and 530)
- Attachment 3: "Draft" Standby Trust Agreement (Buildings 301, 333, and 440)
- Attachment 4: "Draft" Standby Trust Agreement (Buildings 510, 520, and 530)

Copy:

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