

Whited, Jeffrey

From: Sgarro, Rocco R <rrsgarro@pplweb.com>
Sent: Wednesday, April 01, 2015 8:36 AM
To: Whited, Jeffrey
Cc: Obie, Damon D; Lewis, David R. (david.lewis@pillsburylaw.com)
Subject: RE: SSES License Transfer Conditions

Jeff,

PPL has no questions on the conditions as written below, and understands that they will be attached to the Order and Safety Evaluation prepared by the NRC.

Best regards,

Rocco Sgarro | Director – Regulatory Affairs
PPL Nuclear Development | phone: (610) 774-7552 | rrsgarro@pplweb.com

From: Whited, Jeffrey [<mailto:Jeffrey.Whited@nrc.gov>]
Sent: Tuesday, March 31, 2015 11:37 AM
To: Sgarro, Rocco R
Subject: SSES License Transfer Conditions

Rocky,

As you are aware, the approval of the License Transfer Order will have 3 conditions attached to it. The exact wording of these conditions, as will be seen in the Order, is written below. Conditions 1 and 3 were originally proposed in the license transfer application and have been modified based on discussions between the licensee and the NRC staff.

As proposed in the application, conditions 1 and 3 of the order will become license conditions.

Please review the wording below and respond to this e-mail signifying your agreement with the proposed conditions.

Your e-mail response will be made publically available in the NRC Agencywide Documents Access and Management System (ADAMS).

Please let me know if you have any questions or concerns.

Thanks,

Jeffrey Whited

Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
(301)415-4090

1. Susquehanna Nuclear, LLC shall not take any action that would cause Talen Energy Corporation or any other direct or indirect parent of Susquehanna Nuclear, LLC or other entity, to void, cancel, or diminish the commitment to fund an extended plant shutdown, as represented in the application for approval of the indirect transfer of the license for Susquehanna SES, Unit [1 or 2, as applicable].
2. The Support Agreement containing the commitment to fund an extended shutdown by Talen Energy Corporation, as represented in the application, shall be executed on or before the transfer date and shall be submitted to the NRC no later than five (5) days after the transfer is consummated.
3. The decommissioning trust agreement for Susquehanna SES, Units 1 and 2, is subject to the following:
 - a) The trust agreement must be in a form acceptable to the NRC
 - b) With respect to the decommissioning trust funds, investments in securities or other obligations of Talen Energy Corporation or its affiliates, successors, or assigns shall be prohibited. Except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
 - c) The decommissioning trust agreement for Susquehanna SES, Units 1 and 2, must provide that no disbursements or payments from the trust shall be made by the trustee unless the trustee has first given the NRC 30-day prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee received prior written notice of objection from the Director, Office of Nuclear Reactor Regulation.
 - d) The decommissioning trust agreements must provide that the agreements cannot be amended in any material respect without 30-days prior written notification to the Director, Office of Nuclear Reactor Regulation.
 - e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trust shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.