

April 21, 2015

Mr. Lawrence J. Corte  
President and General Manager  
Western Nuclear Incorporated  
28011 Youngfield Street, Suite 340  
Golden, CO 80401

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION TO DEMONSTRATE FINANCIAL ASSURANCE FOR WESTERN NUCLEAR INCORPORATED'S JEFFERY CITY WYOMING SITE (DOCKET 040-01162)

Dear Mr. Corte:

I am writing in response to a letter from Mr. Jerry Roose, Director of North American Environmental Operations for Freeport-McMoRan Copper and Gold Incorporated, dated March 27, 2015, providing financial information to the Nuclear Regulatory Commission (NRC) for Western Nuclear Incorporated's (WNI's) Jeffery City, Wyoming site (Agencywide Document Access and Management System (ADAMS) Accession Number ML15093A324). The NRC staff has reviewed the information and has determined that additional information is necessary for the NRC staff to complete its review.

The information provided in Mr. Roose's letter does not include Freeport-McMoRan Copper & Gold's off-balance sheet transactions in the computation demonstrating that Freeport-McMoRan meets the financial test necessary to qualify to provide a parent company guarantee per 10 CFR Part 30, Appendix A.II.B.

In 2011 NRC promulgated the Decommissioning Planning Rule which became effective in 2012, making changes that included a requirement for licensees to provide an evaluation, from an independent accountant, of the parent company's off-balance sheet transactions. The parent company of WNI is Freeport-McMoRan Copper & Gold, Inc., a public company. Off-balance sheet transactions are in public documents.

Per Appendix A.II.B of 10 CFR Part 30 and page A-87 of NUREG-1757, Vol.3, Rev. 1, please provide NRC with an accountant's special report which demonstrates that Freeport-McMoRan Copper & Gold meets all the components of the parent company guarantee financial test after deducting the aggregate amount of all off-balance sheet transactions from each numeric component of the financial test (as an example, please see the publically available letter from Honeywell providing this information (ML14254A423)). Please note that the NRC staff requested this information in our December 17, 2014 letter to you regarding WNI's 2014 financial assurance information (ML14338A505).

L. Corte

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In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning the NRC comments please feel free to contact me at 301-415-6749 or at [Dominick.Orlando@nrc.gov](mailto:Dominick.Orlando@nrc.gov).

Sincerely,

**/RA/**

Dominick Orlando, Senior Project Manager  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
and Waste Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 040-01162

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Sincerely,

**/RA/**

Dominick Orlando, Senior Project Manager  
Materials Decommissioning Branch  
Division of Decommissioning, Uranium Recovery,  
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Office of Nuclear Material Safety  
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