

March 28, 2016

MEMORANDUM TO: Tony Bowers Chief  
Financial Analysis and International Projects Branch  
Division of Inspection and Regional Support  
Office of Nuclear Reactor Regulation

FROM: Steve Ruffin, Acting Chief **/RAI/**  
Spent Fuel Licensing Branch  
Division of Spent Fuel Management,  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: TECHNICAL ASSISTANCE REQUESTS – REVIEW 2015 TRI-ANNUAL  
DECOMMISSIONING FUNDING PLANS FOR MULTIPLE  
INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS

The Division of Spent Fuel Management (DSFM) Office of Nuclear Material Safety and Safeguards (NMSS), requests technical assistance from the Division of Inspection and Regional Support (DIRS), Office of Nuclear Reactor Regulation (NRR), for the completion of the following projects:

PROJECTS: Review of the decommissioning funding plans, submitted by multiple licensees, to determine whether the licensees have met the requirements in 10 CFR 72.30(c) Tri-Annual Update.

DOCKET NOS.: See Enclosure 1 – Table of 72.30 Decommissioning Funding Plans for Review

TAC NOS.: See Enclosure 1 – Table of 72.30 Decommissioning Funding Plans for Review

REQUESTED ACTION: NMSS/DSFM requests that NRR/DIRS review 65 decommissioning funding plans, submitted since March 2015, to determine whether the licensees meet the requirements of 10 CFR 72.30(c) Tri-Annual Update. Enclosure 1 provides a table of the licensees and facilities, along with accession numbers and dates for their associated decommissioning funding plans as well as other supporting documentation.

If additional information is needed to complete the review, prepare input for a request for additional information (RAI). Evaluate any additional information submitted, and participate in meetings and conference calls, as needed. Based on the results of your review, prepare a memorandum documenting your review, specifically, how the review was performed (including guidance used), the results of your review, and whether the licensee has met the requirements in 10 CFR 72.30(c), including the basis for the approval, if approved. In addition, please fill out the information in the template approval letter (Enclosure 2), reflecting the specific information for the review, and please include that with the review summary memorandum.

To facilitate this request, we ask that you respond by providing the documentation and approval of your review by September 30, 2016. Should any additional information be needed from the applicants to support your review, we ask that you transmit input for a RAI to us by July 30, 2016.

T. Bowers

The applicants will normally be allowed one month to provide a response. The NMSS/DSFM project manager will keep your staff informed of any schedule changes, if needed.

Please provide the information requested below and return a completed copy to the DSFM Project Manager designated below.

Name of NRR/DIRS Assigned Reviewer: \_\_\_\_\_

\_\_\_\_\_  
NRR/DIRS Project Completion Date: \_\_\_\_\_

\_\_\_\_\_  
NRR/DIRS Branch Chief Signature: \_\_\_\_\_

Contact: Rick Baum (301) 415-0018, [rgb1@nrc.gov](mailto:rgb1@nrc.gov).

The TAC Nos. provided in Enclosure 1 should be referenced in future correspondence related to this request and in the Human Resources Management System for recording staff time expended on this effort.

Enclosures: 1. 72.30 DFP Reviews to be Completed  
2. Template Approval Letter

T. Bowers

The applicants will normally be allowed one month to provide a response. The NMSS/DSFM project manager will keep your staff informed of any schedule changes, if needed.

Please provide the information requested below and return a completed copy to the DSFM Project Manager designated below.

Name of NRR/DIRS Assigned Reviewer: \_\_\_\_\_

\_\_\_\_\_  
NRR/DIRS Project Completion Date: \_\_\_\_\_

\_\_\_\_\_  
NRR/DIRS Branch Chief Signature: \_\_\_\_\_

Contact: Rick Baum (301) 415-0018, rgb1@nrc.gov.

The TAC Nos. provided in Enclosure 1 should be referenced in future correspondence related to this request and in the Human Resources Management System for recording staff time expended on this effort.

Enclosures: 1. 72.30 DFP Reviews to be Completed  
2. Template Approval Letter

**DISTRIBUTION**

DSFM R/F                      KLois-NRR/DIRS/IFIB

G:/SFST/72.30 Decommissioning Funding Plans/2015 Submissions Part 70.30(c)/March 18, 2016 Memo from Ruffin to Bowers.docx

ADAMS Accession No Package: ML16088A135, Memo: ML16088A204, Encl ML16088A205

<b>OFC</b>	NMSS/DSFM	NMSS/DSFM	NMSS/DSFM
<b>NAME</b>	RBaum	WWheatley	SRuffin
<b>DATE</b>	03/18/16	03/22/16	03/28/16

**OFFICIAL RECORD COPY**

[Licensee Officer Name  
Licensee Title Licensee  
Address]

SUBJECT: NRC'S ANNAUL ANALYSIS OF [LICENSEE'S NAME]'S OF THE 2015  
TRI-ANNAUL DECOMMISSIONING FUNDING PLAN(S) FOR [PLANT  
NAME(S)] INDEPENDENT SPENT FUEL STORAGE INSTALLATION(S)

Dear [Licensee's Officer's Name]:

By letter dated [date of report], [licensee] submitted, for U.S. Nuclear Regulatory Commission (NRC) staff review and approval, decommissioning funding plans (DFPs) for the Independent Spent Fuel Storage Installations (ISFSIs) at [plant names] (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML Number]). [INSERT if RAIs were issued: The NRC staff reviewed the DFPS and issued a request for additional information (RAI) by letter dated [date of RAI] (ADAMS Accession No. [ML Number]). [The licensee] responded to the NRC's RAI on [date of response] (ADAMS Accession No. [ML Number]).]

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 72.30(c), each holder of, or applicant for, a license under Part 72 must submit for NRC review and approval a DFP containing information on how reasonable assurance will be provided that funds will be available to decommission its ISFSI[s]. The DFP must contain a detailed decommissioning cost estimate (DCE), in an amount reflecting: (1) the cost of an independent contractor to perform all decommissioning activities, (2) an adequate contingency factor, and (3) the cost of meeting the 10 CFR 20.1402 unrestricted use criteria (or the cost of meeting the 10 CFR 20.1403 restricted use criteria, provided the licensee can demonstrate its ability to meet these criteria). The licensee's DFP must also identify and justify using the key assumptions contained in the DCE. Further, the DFP must describe the method of assuring funds for ISFSI decommissioning, including means for adjusting cost estimates and associated funding levels periodically over the life of the ISFSI. Additionally, the DFP must specify the volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the criteria for license termination, and contain a certification that financial assurance for ISFSI decommissioning has been provided in the amount of the DCE.

The NRC staff reviewed and analyzed the information submitted by [licensee] on how reasonable assurance will be provided that funds will be available to decommission the ISFSIs, including the amount of the DCE and the method of assuring funds for decommissioning.

[The licensee] estimates that the total cost to decommission the ISFSIs at [plant names] for [SELECT ONE: unrestricted OR restricted] use is \$[amount of DCE for each ISFSI ], respectively. Based on its analysis of [the licensee]'s submittals (ADAMS No. [INSERT applicable ADAMS ML Nos.]), the staff finds that the submitted DCEs: are based on reasonable costs of a third party contractor; include an adequate contingency factor; and are based on reasonable and documented assumptions. Therefore, the NRC finds that the DCEs

Enclosure 2

adequately estimate the cost, at this time, to carry out required ISFSI decommissioning activities prior to license termination, and that the DCEs are acceptable.

*[Note-This paragraph should only be added if the licensee submitted an application for the original 2012 submission under 70.30(b)]*

In addition, NRC also reviewed the previous December XX, 2012 DFP submission pertaining to Part 70.30(b) [ML Nos]. [The licensee] estimates that the total cost to decommission the ISFSIs at [plant names] for [SELECT ONE: unrestricted OR restricted] use is \$[amount of DCE for each ISFSI ], respectively. Based on its analysis of [the licensee]'s submittals (ADAMS No. [INSERT applicable ADAMS ML Nos.]), the staff finds that the submitted DCEs: are based on reasonable costs of a third party contractor; include an adequate contingency factor; and are based on reasonable and documented assumptions. Therefore, the NRC finds that the DCEs adequately estimate the cost for both 2012 and 2015 submissions, at this time, to carry out required ISFSI decommissioning activities prior to license termination, and that the DCEs are acceptable.

[The licensee] currently relies on [list or describe financial instruments/mechanisms] as financial assurance for ISFSI decommissioning, [a] method[s] authorized by 10 CFR 72.30(e). The NRC staff finds that the aggregate dollar amount of the licensee's financial instrument(s) provide(s) adequate financial assurance to cover its cost estimates, and therefore, that these financial instruments are acceptable.

Accordingly, the NRC finds that the DFPs contain the information required by 10 CFR 72.30(b) and (c) and [the licensee] has provided reasonable assurance that funds will be available to decommission the ISFSIs at [plant names].

If you have any questions regarding this matter, please contact me at [phone number] or [email].

Sincerely,

[Name,  
Title  
Branch  
Division  
Office]

Docket  
No(s):  
TAC No(s):

cc: [SELECT ONE: Distribution via Listserv *[for plants that NRR has the PM responsibility for]* OR  
[Licensee] Service List *[for plants that FSME or NMSS has the PM responsibility for]*]