



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

October 4, 2016

Mr. Lawrence J. Corte
President and General Manager
Western Nuclear Incorporated
2801 Youngfield Street, Suite 340
Golden, CO 80401

SUBJECT: WESTERN NUCLEAR INCORPORATED'S SUBMISSION OF ALTERNATE
FINANCIAL ASSURANCE FOR WESTERN NUCLEAR INCORPORATED'S
SPLIT ROCK, WYOMING SITE (DOCKET NUMBER: 040-01162)

Dear Mr. Corte:

By letter dated April 29, 2016, Western Nuclear Inc. (WNI) submitted a proposed alternative financial assurance mechanism to the U.S. Nuclear Regulatory Commission (NRC), in the form of a surety bond, to replace its current surety mechanism, a parent company guarantee (PCG) (Agencywide Documents Access and Management System (ADAMS) Accession Number ML16137A117). By letter dated June 1, 2016, NRC informed WNI that additional information was necessary in order to evaluate the proposed alternative financial surety instrument (Agencywide Documents Access and Management System (ADAMS) Accession Number ML16133A537). The additional information included an updated standby trust agreement (STA) with specific revisions to the STA's schedules A and B to reflect the current Commission-approved cost estimate and the proposed change in financial surety. By letter dated June 7, 2016, WNI submitted a subsequent updated standby trust agreement with revisions to Schedules A and B reflecting the current Commission-approved cost estimate and the replacement financial surety to the NRC (ADAMS Accession Number ML16127A088).

The NRC staff has completed its review of WNI's alternative financial surety mechanism and STA agreement. Based on this review, the NRC staff approves the alternative financial surety mechanism. The NRC staff's evaluation can be found in the enclosed technical evaluation report. License Condition 29 has been revised to reflect this revised surety mechanism. A copy of the revised license is also enclosed.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 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 NRC's ADAMS. ADAMS is accessible from the NRC Web site at:
<http://www.nrc.gov/reading-rm/adams.html>.

L. Corte

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If you have any questions please contact me at (301) 415-6749 or by e-mail at:
Dominick.Orlando@nrc.gov.

Sincerely,

/RA/

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

Enclosures:
Technical Evaluation Report
License Amendment 108

L. Corte

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Sincerely,

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Dominick A. Orlando, Senior Project Manager
Materials Decommissioning Branch
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ADAMS Accession No.: **ML16243A379** ***concurrence by email**

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