

From: [Bartlett, Matthew](#)
To: [Parr, Nancy B. \(parrnb@westinghouse.com\)](mailto:parrnb@westinghouse.com)
Cc: [Kuyler, Ray](#)
Subject: NRC Request for Clarification on WEC Request to Release Additional Funds from Financial Assurance
Date: Tuesday, January 29, 2019 9:21:00 AM

Nancy,

This email requests Westinghouse Electric Company LLC. (WEC) to clarify if the request submitted by letter (LTR-NRC-18-70) dated October 10, 2018, (Agencywide Documents Access and Management System (ADAMS) Accession Number ML18346A601), requires additional U.S. Nuclear Regulatory Commission (NRC) response, or if the request has been resolved. Note: I cc'ed Ray Kuyler on this email since he provided the original submittal.

The WEC letter contains the following two separate requests: 1) request NRC to release funds held in the Standby Trust Agreement dated January 17, 2017 (ADAMS Accession Number ML17019A396) for financial assurance for the Westinghouse Hematite facility and 2) request NRC to release the funds held for the Columbia Fuel Fabrication Facility (CFFF) that are in excess of the NRC approved 2016 Decommissioning Cost Estimate (DCE) (ADAMS Accession Number ML16134A091).

The NRC approved the first request to release the financial assurance funds held for the Westinghouse Hematite facility via letter dated December 14, 2018, (ADAMS Accession Number ML18344A476).

The NRC has several questions about the second request.

1. Does WEC want NRC to consider the request for release of funds held in the Standby Trust for CFFF in excess of the DCE approved in 2016? The NRC is aware that CFFF plans to submit an updated Decommissioning Funding Plan (DFP) in May of 2019 which is likely to change the DCE due to inflation, additional site characterization to support the environmental program, changes in remediation costs, etc.
2. Can WEC clarify the amount of funds they are requesting to be released from the CFFF stand-by-trust? The October 10, 2018, letter mentions release of funds in excess of the 2016 DCE (which could be interpreted to mean the income earned on the principle since 2016 or some other amount). The October 10, 2018, letter only requests funds previously held as financial assurance for the Hematite facility. Therefore the NRC needs clarification on what funds are being requested.
3. What is the basis (i.e., updated DCE) for WEC's request to release funds from the CFFF Standby Trust? The NRC staff observe that the CFFF Standby Trust Agreement, Section 6, "Trust Management," (ML17019A396) states, "The Trustee shall invest and reinvest the principal and income of the Fund and keep the Fund invested as a single fund, without distinction between principal and income"

Any clarification you can provide on whether the NRC staff should either proceed with a formal review or terminate the request will help ensure both NRC and WEC resources are used efficiently. I appreciate any feedback you can provide via email or phone.

Thanks.

Sincerely,

Matt Bartlett
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Fuel Cycle Project Manager
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