



CONNECTICUT YANKEE ATOMIC POWER COMPANY

HADDAM NECK PLANT

362 INJUN HOLLOW ROAD • EAST HAMPTON, CT 06424-3099

March 5, 2019

CY-19-007

10 CFR 50.4

10 CFR 50.82(a)(8)(vii)

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555 - 0001

Connecticut Yankee Atomic Power Company
Haddam Neck Plant Independent Spent Fuel Storage Installation
NRC License No. DPR-61 (NRC Docket No. 50-213)

Subject: Funding Status Report for Managing Irradiated Fuel and GTCC Waste

On December 5, 1996, Connecticut Yankee Atomic Power Company (CYAPCO) informed the USNRC that the Board of Directors of CYAPCO had decided to permanently cease operations at the Haddam Neck Plant and that fuel had been permanently removed from the reactor (Reference 1). In accordance with 10 CFR 50.82(a)(2), the certifications in the letter modified the CYAPCO license to permanently withdraw CYAPCO's authority to operate the reactor. In 1996, CYAPCO commenced decommissioning the power plant. On November 26, 2007, the NRC released most of the formerly licensed land for unrestricted use, shrinking the licensed land to that utilized to support the Independent Spent Fuel Storage Installation (ISFSI) only (Reference 2). Presently, CYAPCO is storing irradiated fuel and Greater than Class C (GTCC) waste on site until the Department of Energy (DOE) satisfies its contractual obligations to take title and possession of the spent fuel and GTCC waste and remove them from the site.

In Attachment 1, CYAPCO provides the attached Funding Status Report for Managing Irradiated Fuel and GTCC Waste at the Haddam Neck Plant ISFSI to comply with 10 CFR 50.82(a)(8)(vii).

This letter contains no regulatory commitments.

If you have any questions regarding this letter, please do not hesitate to contact me at (860) 267-6426 x304.

Respectfully,

Carla M. Pizzella

Vice President, Chief Financial Officer, and Treasurer

NM5501

Attachment:

1. Funding Status Report for Managing Irradiated Fuel and GTCC Waste at the Haddam Neck Plant Independent Spent Fuel Storage Installation (Status as of 12/31/2018)

References:

1. CYAPCO letter to USNRC, "Haddam Neck Plant Certifications of Permanent Cessation of Power Operation and that Fuel Has Been Permanently Removed from the Reactor Vessel," dated December 5, 1996
2. USNRC letter to CYAPCO, "Haddam Neck Plant - Release of Land from Part 50 License," dated November 26, 2007

cc: D. Lew, NRC Region I Administrator
R. Powell, Chief, Decommissioning Branch, NRC, Region 1
J. Nguyen, NRC Project Manager
J. Semancik, Director, CT DEEP, Radiation Division

ATTACHMENT 1 TO CY-19-007

FUNDING STATUS REPORT FOR THE MANAGING OF IRRADIATED FUEL AND GTCC WASTE
AT THE HADDAM NECK PLANT INDEPENDENT SPENT FUEL STORAGE INSTALLATION
(STATUS AS OF 12/31/2018)

Attachment 1 to CY-19-007
Funding Status Report for the Managing of Irradiated Fuel and GTCC Waste at the
Haddam Neck Plant Independent Spent Fuel Storage Installation
(Status as of 12/31/2018)

10 CFR Requirement	Response	Comment
10 CFR 50.82(a)(8)(vii) Requirements		
1. The amount of funds accumulated to cover the cost of managing the irradiated fuel.	~\$168 million (as of 12/31/2018)	Connecticut Yankee Atomic Power Company (CYAPCO) has established an account within its Nuclear Decommissioning Trust (NDT) entitled, "ISFSI Radiological Decom" that segregates the funds for decommissioning of the Haddam Neck Plant Independent Spent Fuel Storage Installation (ISFSI) from the larger balance of funds for ongoing management of irradiated fuel and Greater than Class C (GTCC) waste, and the pre-1983 Department of Energy (DOE) Spent Fuel Obligation held in the NDT. The market balance represented here as of December 31, 2018 excludes the funds set-aside for decommissioning the ISFSI.
2. The projected cost of managing irradiated fuel until title to the fuel and possession of the fuel is transferred to the Secretary of Energy.	~\$249.6 million (2019 – 2036*) (In 2018 dollars)	<p>The current cost estimate for management of spent fuel and Greater than Class C (GTCC) waste was filed with the Federal Energy Regulatory Commission (FERC) on September 30, 2016 and approved by FERC on November 15, 2016.</p> <p>* Currently, the irradiated fuel and GTCC waste are scheduled to be removed from the site by 2036, with decommissioning, license termination, and business closure occurring after that time period.</p>
3. If the funds accumulated do not cover the projected cost, a plan to obtain additional funds to cover the cost.	See Comment	<p>The Company has several methods of obtaining additional funds to cover projected costs.</p> <p>First, CYAPCO may collect funds through its power contracts and amendatory agreements under FERC regulation. The power contracts and the amendatory agreements specify the obligations of the purchasers for the costs of CYAPCO, including the ongoing costs of managing irradiated fuel and GTCC waste, and the costs associated with CYAPCO's pre-1983 DOE Spent Fuel Obligation. Pursuant to these power contracts, CYAPCO has the ongoing ability to seek collections from its purchasers for additional funds that may be required to cover these costs.</p> <p>Second, CYAPCO has received proceeds from the successful litigation of the first three phases of its breach of contract damages claims against the DOE for failure to begin the removal of spent nuclear fuel (SNF) and GTCC waste from the site in 1998. CYAPCO</p>

Attachment to CY-19-007
Funding Status Report for the Managing of Irradiated Fuel and GTCC Waste at the
Haddam Neck Plant Independent Spent Fuel Storage Installation
(Status as of 12/31/2018)

10 CFR Requirement	Response	Comment
		<p>will continue to file claims against the DOE as long as the DOE continues to breach its contract obligations related to SNF and GTCC waste. To that end, in 2017, the Company filed a fourth round of claims (the Phase IV case) against the DOE seeking damages for the years 2013 - 2016. On February 21, 2019, the U.S. Court of Federal Claims issued a decision for partial summary judgment for this round of claims awarding CYAPCO approximately \$40.7 million. For the same round of claims, CYAPCO is seeking \$.5 million in additional damages regarding disputed costs and a trial is scheduled for June 2019 to hear arguments on these disputed costs.</p> <p>A CYAPCO FERC filing approved in June, 2013, implemented a fifteen year funding mechanism. Until the 2013 FERC filing, the Company had employed a “full funding” assumption in developing funding requirements. The fifteen year funding mechanism was put in place to incorporate the potential for the receipt of future DOE breach of contract damages as a source of funding. If future damage recovery does not occur, the Company has the ability to apply to FERC for more funding, if necessary. The approved FERC filing also requires CYAPCO to provide an informational filing regarding the adequacy of funding if five years pass without receipt of damage awards from litigation with the DOE.</p> <p>Third, CYAPCO expects to utilize the investment return on Decommissioning Trust assets to offset future costs. The current assumed rate of investment return, after fees and taxes is 4.0%.</p>