



Nuclear Fuel Services, Inc.

21G-19-0044
GOV-01-55-04
ACF-19-0087

April 25, 2019

Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

- References:
- 1) Docket No. 70-143; SNM License 124
 - 2) Letter from Richard J. Freudenberger to NRC, dated November 30, 2018, (21G-18-0148), Updated Decommissioning Funding Plan as Required by 10 CFR 70.25(e)(2)
 - 3) Letter from NRC to Richard J. Freudenberger, dated March 28, 2018, (Enterprise Project Identification Code L-2018-DFA-0011), Request for Additional Information Concerning Updated Decommissioning Funding Plan

Subject: Response to NRC Request for Additional Information (RAI) Concerning Updated Decommissioning Funding Plan

Nuclear Fuel Services, Inc. (NFS) hereby submits, in the Attachments, responses to the subject RAI issued in Reference 3. **The information in the Decommissioning Cost Estimate is considered proprietary in nature as set forth in the enclosed affidavit; therefore, NFS requests that this information be withheld from public disclosure.**

If you or your staff have any questions, require additional information, or wish to further discuss this matter, please contact me, or Mr. Randy Shackelford, Nuclear Safety & Licensing Section Manager, at (423) 743-2504. Please reference our unique document identification number (21G-19-0044) in any correspondence concerning this letter.

Sincerely,

NUCLEAR FUEL SERVICES, INC.

Richard J. Freudenberger, Director
Safety and Safeguards

NMSSZO

AAM/pj

**PROPRIETARY INFORMATION
TRADE SECRETS OR COMMERCIAL INFORMATION
WHEN DETACHED – HANDLE THIS PAGE AS DECONTROLLED**

Enclosure: Affidavit – Financial Information

Attachment 1: Response to NRC Request for Additional Information (RAI) Concerning Updated Decommissioning Funding Plan

Attachment 2: Decommissioning Funding Plan

Attachment 3: Decommissioning Cost Estimate

Copy:

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Mr. Larry Harris
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Enclosure

Affidavit

(2 pages to follow)

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**AFFIDAVIT
FINANCIAL INFORMATION**

I, Richard J. Freudenberger, Director of Safety and Safeguards at Nuclear Fuel Services, Inc. (NFS), that to the best of my knowledge and beliefs, make the following representation contained herein:

- A. The following document(s) which Nuclear Fuel Services, Inc. (NFS) wishes to have withheld from public disclosure is:

Attachments to Letter (21G-19-0044) dated April 25, 2019:

Response to NRC Request for Additional Information (RAI) Concerning Updated Decommissioning Funding Plan

- B. The information contained in the document(s) cited in A above has been held in confidence by Nuclear Fuel Services, Inc. (NFS), in that it contains financial information as specified in Title 10, Code of Federal Regulations, Part 2.390(a). The basis for requesting that this document(s) be withheld from public disclosure is explicitly marked on the cover page to each of the aforementioned documents and/or the top of each affected page, as appropriate, in accordance with 10 CFR 2.390(b)(i)(B).
- C. The information contained in the document(s) cited in A above is the intellectual property of Nuclear Fuel Services, Inc. (NFS), and as such is customarily held in confidence by Nuclear Fuel Services, Inc. (NFS). As such, Nuclear Fuel Services, Inc. (NFS) has customarily submitted privileged and confidential information of this type to the Nuclear Regulatory Commission (NRC) and to its predecessor, the Atomic Energy Commission (AEC), in confidence.
- D. The information contained in the document(s) cited in A above has not been made available to public sources by Nuclear Fuel Services, Inc. (NFS), nor has Nuclear Fuel Services, Inc. (NFS) authorized that it be made available. In accordance with Nuclear Fuel Services, Inc. (NFS) policies governing the protection and control of information, proprietary information contained herein has been made available, on a limited basis, to others outside NFS only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- E. The public disclosure of the information contained in the document(s) cited in A above is likely to cause substantial economic harm to the competitive advantage held by Nuclear Fuel Services, Inc. (NFS). The basis for withholding said information is that it is vital to a competitive advantage held by Nuclear Fuel Services, Inc. (NFS), would be helpful to competitors of NFS, and would likely cause substantial harm to the competitive position of Nuclear Fuel Services, Inc. (NFS).

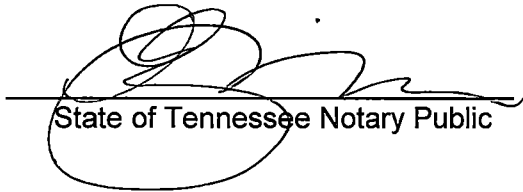
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F. The proprietary information that Nuclear Fuel Services, Inc. (NFS) requests to be withheld from public disclosure is contained in the entire document(s) as so marked.

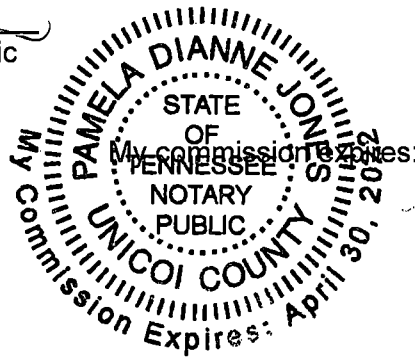


Richard J. Freudenberger
Director, Safety and Safeguards
Nuclear Fuel Services, Inc.

I certify the above named person appeared before me and executed this document on this the 25th day of April, 2019.



State of Tennessee Notary Public



My commission expires: 4-30-22

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Attachment 1

**Response to NRC Request for Additional Information (RAI) Concerning Updated
Decommissioning Funding Plan**

(1 page to follow)

**Response to NRC Request for Additional Information (RAI) Concerning Updated
Decommissioning Funding Plan**

1. Clarify the “miscellaneous costs” section in Decommissioning Cost Estimate (DCE).

We acknowledge that, during the last update, we approved the key assumption that the U.S. Department of Energy (DOE) would remove high-enriched uranium (HEU) from the site if operations cease. This is based on the fact that HEU is a strategic resource requiring extensive security measures and that HEU can be transported only by the DOE Office of Secure Transport. However, we are concerned that reviewers of future updates may not understand the statement in the miscellaneous costs section that “...all special nuclear material requiring such security has been removed.” Please add the statement, “Planning has established that DOE will retrieve strategic special nuclear material requiring extensive security measures if operations cease,” and add a reference to the HEU Materials section.

This information is required to verify compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) Paragraph 70.25(e)(1)(ii) which requires the identification and justification of key assumptions.

This above statement and reference have been added to the text portion of the Decommissioning Funding Plan.

2. Provide the basis for statements in the “LEU Materials” section.

In the letter dated August 30, 2016 (ADAMS ML16252A325), Nuclear Fuel Services, Inc. provided a detailed estimate of the cost to load, survey, and ship 10 LR230 Transport containers to Columbia, SC. This cost was compared to the total NFS liability to demonstrate that it was less than 0.25 percent. The DCE needs to retain this level of detail. Provide an updated estimate of this cost in the DCE to demonstrate that it continues to be less than 0.25 percent of the total NFS liability.

This information is required to verify compliance with 10 CFR 70.25(e)(1)(ii) which requires the identification and justification of key assumptions.

The detailed estimate of the cost to load, survey, and ship 10 LR230 Transport containers to Columbia, SC, has been added to the decommissioning cost estimate portion of the Decommissioning Funding Plan. This detail will remain in future submittals.