



SACRAMENTO MUNICIPAL UTILITY DISTRICT □ 6201 S Street, P.O. Box 15830, Sacramento CA 95852-1830, (916) 452-3211
AN ELECTRIC SYSTEM SERVING THE HEART OF CALIFORNIA

AGM/NUC 89-164

October 17, 1989

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Docket No. 50-312
Rancho Seco Nuclear Generating Station
License No. DPR-54
AMENDMENT TO INDEMNITY AGREEMENT

Attention: Ira Dinitz
Senior Insurance/Indemnity Specialist
Mail Stop 12E-4

Enclosed is one signed acceptance of the amendment to the Rancho Seco Indemnity Agreement per the requirements of revised 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements."

Members of your staff with questions requiring additional information or clarification may contact Jerry Delezenski at (209) 333-2935, extension 4914.

Sincerely,

Dan R. Keuter
Assistant General Manager
Nuclear

Enclosure

cc w/encl: J. B. Martin, NRC, Walnut Creek
A. D'Angelo, NRC, Rancho Seco

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

Docket No . 50-312

Amendment to Indemnity Agreement No. B-66
Amendment No. 8

Effective July 1, 1989, Indemnity Agreement No. B-66, between Sacramento Municipal Utilities District and the Atomic Energy Commission, dated March 1, 1973, as amended, is hereby further amended as follows:

The amount "\$160,000,000" is deleted wherever it appears and the amount "\$200,000,000" is substituted therefor.

The amount "\$124,000,000" is deleted wherever it appears and the amount "\$155,000,000" is substituted therefor.

The amount "\$36,000,000" is deleted wherever it appears and the amount "\$45,000,000" is substituted therefor.

Paragraph 1, Article I is modified to read as follows:

1. "Nuclear reactor," "byproduct material," "person," "source material," "special nuclear material," and "precautionary evacuation" shall have the meanings given them in the Atomic Energy Act of 1954, as amended, and the regulations issued by the Commission.

The definition of "public liability" in paragraph 7, Article I is deleted, and the following is substituted therefor:

"Public liability" means any legal liability arising out of or resulting from a nuclear incident or precautionary evacuation (including all reasonable additional costs incurred by a State or a political subdivision of a State, in the course or responding to a nuclear incident or precautionary evacuation), except (1) claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed (a) at the location or, if the nuclear incident occurs in the course of transportation of the radioactive material, on the transporting vehicle, and (b) in connection with the licensee's possession, use or transfer of the radioactive material; (2) claims arising out of an act of war; and (3) claims for loss of, or damage to, or loss of use of (a) property which is located at the location and used in connection with the licensee's possession, use, or transfer of the radioactive material, and (b) if the nuclear incident occurs in the course of transportation of the radioactive material, the transporting vehicle, containers used in such transportation, and the radioactive material.

Paragraph 4(c), Article II is revised to read as follows:

- (c) Any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof.

In paragraph 1, Article VIII, the amount "\$5,000,000" is deleted and the amount "\$63,000,000" is substituted therefor.

Item 2a of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

a. \$1,000,000	(From 12:01 a.m., March 1, 1973, to 12 midnight, August 15, 1974, inclusive)
\$110,000,000	(From 12:01 a.m., August 16, 1974, to 12 midnight, March 20, 1975, inclusive)
\$125,000,000	(From 12:01 a.m., March 21, 1975, to 12 midnight, April 30, 1977 inclusive)
\$140,000,000*	(From 12:01 a.m., May 1, 1977, to 12 midnight, April 30, 1979 inclusive)
\$160,000,000*	(From 12:01 a.m., May 1, 1979, to 12 midnight, June 30, 1989 inclusive)
\$200,000,000*	(From 12:01 a.m., July 1, 1989)

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Cecil O. Thomas

Cecil O. Thomas, Chief
Policy Development and Technical Support Branch
Program Management, Policy Development
and Analysis Staff
Office of Nuclear Reactor Regulation

Accepted Oct. 13, 1989

By *[Signature]*
Sacramento Municipal Utilities
District

*and, as of August 1, 1977, the amount available as secondary financial protection.