

Dominion Energy Kewaunee, Inc.
5000 Dominion Boulevard, Glen Allen, VA 23060
DominionEnergy.com



October 21, 2021

United States Nuclear Regulatory Commission
Attention: Director, Office of Nuclear Material
Safety and Safeguards
Washington, DC 20555-0001

Serial No. 21-339
NRA/MLW R1
Docket Nos.: 50-305
License Nos.: DPR-43

DOMINION ENERGY KEWAUNEE, INC.
KEWAUNEE POWER STATION
CHANGES TO DECOMMISSIONING TRUST AGREEMENT

This letter provides notification that Dominion Energy Kewaunee (DEK), is amending the Qualified Nuclear Decommissioning Trust Agreement for Kewaunee Power Station (KPS) to add clarification in Section 1.03 and 6.01. This notification is being provided pursuant to Section 5.01 of the nuclear decommissioning trust agreement and 10 CFR 50.75(h)(1)(B)(iii).

The KPS trust continues to be held by The Northern Trust Company, an Illinois corporation in Chicago, Illinois.

In connection with this change, the existing trust agreement is being amended to add clarification in Section 1.03 and 6.01. No other changes are being made. A copy of the amendment to the trust agreement is attached. The amendment to the trust agreement is to be made effective on December 1, 2021.

Please contact Mr. Craig D. Sly at (804) 273-2784 if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Sartain", followed by a horizontal line.

Mark D. Sartain
Vice President – Nuclear Engineering and Fleet Support
Dominion Energy Kewaunee, Inc.

Commitments made in this letter: None

Attachment:

Amendment 2 to Dominion Energy Kewaunee, Inc. Qualified Nuclear Decommissioning Trust Agreement

cc: U.S. Nuclear Regulatory Commission Region III
2443 Warrenville Road
Suite 210
Lisle, Illinois 60532-4352

Karl Sturzebecher
Decommissioning Project Manager
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555-0001

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U. S. Nuclear Regulatory Commission
Two White Flint North
11545 Rockville Pike
Mail Stop 4B72
Rockville, MD 20852-2738

Mr. David M. Kohanzo
The Northern Trust Company
Vice President
Corporate & Institutional Services
50 South LaSalle Street, M-28
Chicago, IL 60603

Attachment

**Amendment 2 to Dominion Energy Kewaunee, Inc. Qualified Nuclear
Decommissioning Trust Agreement**

**Kewaunee Power Station
Dominion Energy Kewaunee, Inc. (DEK)**

**SECOND AMENDMENT TO THE
AMENDED AND RESTATED DOMINION ENERGY KEWAUNEE, INC., QUALIFIED
NUCLEAR DECOMMISSIONING TRUST AGREEMENT**

THIS AGREEMENT is effective as of the ___ day of _____, 2021 by and between **DOMINION ENERGY KEWAUNEE, INC.**, a Wisconsin corporation (the "Grantor"), and **THE NORTHERN TRUST COMPANY**, an Illinois corporation of Chicago, Illinois (the "Trustee");

WHEREAS, the Grantor and the Trustee executed the Amended and Restated Dominion Energy Kewaunee, Inc., Qualified Nuclear Decommissioning Trust Agreement effective January 1, 2013 and subsequently amended such trust on April 7, 2015 (the "Trust");

WHEREAS, the Grantor and the Trustee desire to amend the Trust pursuant to Section 5.01 of the Trust.

NOW, THEREFORE, the sections of the Trust set forth below are amended as follows, but all other sections of the Trust shall remain in full force and effect.

1. The following language is hereby added to the end of Section 1.03:

“Committee meetings may be convened at the corporate headquarters of the Trustee in Illinois and in such case, Committee members may participate in the meetings via electronic means such a video conference provided all members of the Committee may be heard simultaneously during the meeting. Notwithstanding the foregoing, the Chair of the Committee will meet with the Trustee at the corporate headquarters of the Trustee in Illinois at least annually. Other Committee members may participate in such meetings either in person or via electronic means such as video conference.”

2. Section 6.01 is hereby replaced in its entirety with the following:

6.01 Construction and Situs

The Grantor’s intent and purpose in creating the trusts hereunder and executing this Agreement is to maintain Nuclear Decommissioning Reserve Funds pursuant to Internal Revenue Code Section 468A. All questions arising in the administration of the Trust and in the construction of this Agreement will be resolved accordingly. Further the Trustee’s principal place of business is in Illinois and as such, is subject to regulations governing an Illinois banking institution. The assets of the Trust shall be held and administered in Illinois. Accordingly, the Trust situs shall be Illinois and this Agreement will be construed, enforced, and administered in accordance with the laws of the State of Illinois, except to the extent that the laws of the United States of America take precedence, in which event, this Agreement will be construed in accordance with the laws of the United States of America. The headings and subheadings in this Agreement have been inserted for convenience only and are to be ignored in construction of the provisions.

This amendment may be executed in any number of counterparts, but all such counterparts shall together constitute but one instrument. Any such counterpart, to the extent delivered by means of a facsimile machine or by .pdf, .tif, .gif, .jpg or similar attachment to electronic mail, shall be treated in all manner and respects as an original executed counterpart.

IN WITNESS WHEREOF, the Grantor and the Trustee have executed this Amendment to the Trust Agreement by their respective duly authorized officers effective as of the day and year first written above.

DOMINION ENERGY KEWAUNEE, INC.

By: _____
Its: _____

The undersigned, _____, does hereby certify that he/she is the duly elected, qualified Assistant Secretary of **Dominion Energy Kewaunee, Inc.** (the "Grantor") and further certifies that the person whose signature appears above is a duly elected, qualified and acting officer of the Grantor with full power and authority to execute this Trust Amendment on behalf of the Grantor and to take such other actions and execute such other documents as may be necessary to effectuate this Agreement.

Assistant Secretary
Dominion Energy Kewaunee, Inc.

THE NORTHERN TRUST COMPANY

By: _____
Its: _____