



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

January 22, 2024

Camille T. Zozula, Manager
Infrastructure & Facilities Licensing
Westinghouse Electric Company
1000 Westinghouse Drive
Building 1, Suite 165
Cranberry Township, PA 15066

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, LLC, CONVEYANCE OF REVISED
STANDBY TRUST AGREEMENT TO SUPPORT THE DECOMMISSIONING
FUNDING PLAN (ENTERPRISE PROJECT IDENTIFER L-2023-DFA-0009)

Dear Camille Zozula:

The Nuclear Regulatory Commission (NRC) staff reviewed your revised financial assurance instruments and an updated certification of financial assurance submitted by letter dated December 4, 2023 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML23338A336). The NRC approves the revised mechanism financial assurance instruments and updated certification of financial assurance. Specifically, the NRC finds that the dollar amount cited in the updated standby trust agreement is based on reasonable and documented assumptions, and that it reasonably estimates the cost, at this time, to decommission the facility, if necessary. The signed revised document is enclosed.

The NRC staff evaluated information provided in the referenced submittal and compared the decommissioning funding reflected in the submittal against the latest Decommissioning Funding Plan (DFP) estimate provided in correspondence dated May 9, 2022 (ML22129A154). That DFP estimate was found to be acceptable to the NRC on September 27, 2022 (ML22259A179).

Decommissioning funding is being provided in the form of three new surety bonds which replace only the cash value portion of the decommissioning funding assurance from the previous submittal. The remainder of the DFP amount is already covered by other surety bonds.

Title 10 of the *Code of Federal Regulations* (10 CFR), paragraph 70.25 (f)(2) allows the use of surety bonds. Further, staff evaluated the December 4, 2023, submittal following the guidance of Section A.5, Surety Bonds, of NUREG-1757, Vol. 3, Rev.1 and found the submittal satisfies the criteria and addresses the following:

<p>The enclosure transmitted herewith contains proprietary information. When separated from the enclosure this document is decontrolled.</p>
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C. Zozula

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1. Issuer of surety bonds is qualified as NRC staff confirmed the company issuing the surety bonds is listed on the most recent edition of the U.S. Department of Treasury's Circular 570.
2. The level of coverage is adequate as the sum of all surety bonds meets the most recently approved decommissioning cost estimate amount.
3. The submittal contains a copy of the broker/agent's power of attorney authorizing the broker/agent to issue bonds on behalf of the issuing company.
4. The bonds specifically include:
 - Date bond executed
 - Effective date
 - Principal
 - Type of organization
 - State of incorporation
 - NRC license number, docket number, name and address of facility, and amount for decommissioning activities guaranteed by this bond
 - Surety name and business address
 - Type of organization
 - State of incorporation
 - Surety's qualification in jurisdiction where licensed facility is located
 - Surety's bond number
 - Total penal sum of bond

The surety bond mechanisms are adequate to meet the DFP estimate, and accordingly, staff finds that the licensee meets decommissioning funding assurance requirements of 10 CFR 70.25(e) and thus would continue to provide reasonable and adequate protection of public health, safety, safeguards, security, and the protection of the environment.

Your submittal was assigned Enterprise Project Identifier (EPID) L-2023-DFA-0009. The EPID is considered **CLOSED**.

In accordance with 10 CFR Part 2, "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room (PDR) or from ADAMS. ADAMS is accessible from the NRC website at: <http://www.nrc.gov/reading-rm/adams.html>. The PDR is open by appointment. To make an appointment to visit the PDR, please send an email to PDR.Resource@nrc.gov or call 1-800-397-4209 or 301-415-4737, between 8 a.m. and 4 p.m. eastern time (ET), Monday through Friday, except Federal holidays.

C. Zozula

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If you have any questions concerning this letter, please contact me at 301-415-2328, or via email to Jennifer.Tobin@nrc.gov.

Sincerely,



Signed by Tobin, Jennifer
on 01/22/24

Jenny Tobin, Project Manager
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 70-1151
License No. SNM-1107

Enclosure:
Surety Bond revision (signed)

cc: N. Mamish, Westinghouse
J. Ferguson, Westinghouse
S Subosits, Westinghouse

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DOCUMENT DATE: January 22, 2024

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