



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

August 19, 2025

Dustin T. Hamman, Director Nuclear  
and Regulatory Affairs  
Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, KS 66839

SUBJECT: THE U.S. NUCLEAR REGULATORY COMMISSION'S ANALYSIS OF WOLF  
CREEK NUCLEAR OPERATING CORPORATION'S 2021 AND 2024 UPDATED  
DECOMMISSIONING FUNDING PLANS FOR WOLF CREEK GENERATING  
STATION INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS

Dear Dustin T. Hamman:

By letters dated October 26, 2021, (Agencywide Documents Access and Management System [ADAMS] Accession No. ML21299A029) and October 28, 2024 (ML24302A307), Wolf Creek Nuclear Operating Corporation (WCNOC) submitted proposed decommissioning funding plans (DFPs) and updates to the DFP and Decommissioning Cost Estimate (DCE) for the independent spent fuel storage installation (ISFSI) located at the Wolf Creek Generating Station (WCGS) in Burlington, Kansas, for the U.S. Nuclear Regulatory Commission (NRC) staff review and approval.

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 72.30(c), at the time of license renewal and at intervals not to exceed 3 years, the DFP required to be submitted by 10 CFR 72.30(b) must be resubmitted with adjustments as necessary to account for changes in costs and the extent of contamination in an updated DFP. The updated DFP must update the information submitted with the original or prior approved plan. In addition, the DFP must specifically consider the effect of the following events on decommissioning costs, as required by 10 CFR 72.30(c)(1)-(4): (1) spills of radioactive material producing additional residual radioactivity in onsite subsurface material, (2) facility modifications, (3) changes in authorized possession limits, and (4) actual remediation costs that exceed the previous cost estimate.

In accordance with 10 CFR 72.30(c), and using NUREG-1757, Vol. 3, Rev. 1, "Consolidated Decommissioning Guidance," the NRC staff reviewed the updated DFP for WCGS, including the updated DCEs and the method of assuring funds for decommissioning.

#### 2021 Initial DFP

By letter dated October 26, 2021, WCNOC submitted, for the NRC staff review and approval, proposed DFPS for the ISFSI at WCGS (ML21299A029).

Pursuant to 10 CFR 72.30(b), each holder of, or applicant for, a license under 10 CFR Part 72 must submit for the NRC review and approval a DFP containing information on how reasonable assurance will be provided that funds will be available to decommission its ISFSI[s]. The DFP must contain a detailed DCE, in an amount reflecting: (1) the cost of an independent contractor

to perform all decommissioning activities, (2) an adequate contingency factor, and (3) the cost of meeting the 10 CFR 20.1402 unrestricted use criteria (or the cost of meeting the 10 CFR 20.1403 restricted use criteria, provided the licensee can demonstrate its ability to meet these criteria). The licensee's DFP must also identify and justify using the key assumptions contained in the DCE. Further, the DFP must describe the method of assuring funds for ISFSI decommissioning, including means for adjusting cost estimates and associated funding levels periodically over the life of the ISFSI. Additionally, the DFP must specify the volume of onsite subsurface material containing residual radioactivity that will require remediation to meet the criteria for license termination and contain a certification that financial assurance for ISFSI decommissioning has been provided in the amount of the DCE.

In WCNO's submittal, they explained "The Wolf Creek ISFSI construction was completed in 2021. There has been no previous submittal of an ISFSI DFP. The following events listed in 10 CFR 72.30 (c) (1)- (4) have been addressed, taking into consideration the newly designed and constructed ISFSI."

The NRC staff reviewed and analyzed the information submitted by WCNO on how reasonable assurance will be provided that funds will be available to decommission the ISFSIs, including the amount of the DCE and the method of assuring funds for decommissioning. Per the licensee (ML21299A029), WCNO estimates that the total cost to decommission the ISFSI at WCGS for unrestricted use is \$10.4 million DCE, in 2020 dollars for the ISFSI respectively. Based on its analysis of WCNO's submittals, the staff finds that the submitted DCE: is based on reasonable costs of a third-party contractor; include an adequate contingency factor; and is based on reasonable and documented assumptions. Therefore, the NRC finds that the DCE adequately estimates the cost, at this time, to carry out required ISFSI decommissioning activities prior to license termination, and that the DCE is acceptable.

In the 2021 initial DFP, WCNO relied on an external sinking fund as financial assurance for ISFSI decommissioning, a method authorized by 10 CFR 50.75(e). The NRC staff finds that the aggregate dollar amount of the licensee's financial instruments provide adequate financial assurance to cover its cost estimates, and therefore, that these financial instruments are acceptable.

Accordingly, the NRC finds that the DFPs contain the information required by 10 CFR 72.30(b) and WCNO has provided reasonable assurance that funds will be available to decommission the ISFSIs at WCGS.

#### 2024 Updated DFP

In its 2024 updated DFP, submitted by letter dated October 28, 2024 (ML24302A307), WCNO estimated that the total cost to decommission the ISFSI at WCGS is \$12.4 million, for unrestricted use, in 2024 dollars.

WCNO's 2024 DCEs provided narratives on each of the requirements of 10 CFR 72.30(c)(1)-(4). Specifically, the licensee explained that there were no changes in the factors listed in 10 CFR 72.30(c)(1)-(4). Based on its review of WCNO's 2024 submittal, the NRC staff finds that the updated DCE: is based on reasonable costs of a third-party contractor; includes an adequate contingency factor; reflects the cost of meeting the 10 CFR 20.1402 criteria for unrestricted use; and is based on reasonable and documented assumptions. Therefore, the NRC staff finds that the 2024 updated DCE adequately estimated the cost, at the time, to carry

out required ISFSI decommissioning activities prior to license termination, and that the updated DCE is acceptable.

In the 2024 updated DFP, WCNOG relied on an external sinking fund as financial assurance for ISFSI decommissioning, a method authorized by 10 CFR 50.75(e)(1)(ii)(A) and (B) which is allowed under 10 CFR 72.30(e)(5). This is allowed because the WCNOG ISFSI belongs to a licensee with a power reactor license under 10 CFR Part 50. The NRC staff has reviewed the licensee's 2024 updated DFP and found that the aggregate dollar amount of the licensee's financial instruments provides adequate financial assurance to cover its cost estimates. Therefore, the NRC staff finds that these financial instruments are acceptable.

### Conclusion

The NRC staff reviewed WCNOG's 2021 initial submittal in accordance with 10 CFR 72.30(b), and WCNOG's 2024 updated DFP submissions, including the updated DCEs and the method of assuring funds for decommissioning, in accordance with 10 CFR 72.30(c) and NUREG-1757, Vol. 3, Rev. 1, "Consolidated Decommissioning Guidance." Based on its review, the NRC staff finds that the updated DFPs contain the information required by 10 CFR 72.30(c) and 72.30(b) and that WCNOG's has provided reasonable assurance by which funds will be available to decommission the ISFSI at WCGS. Therefore, the NRC staff finds that the DCEs adequately estimated the cost, at this time, to carry out required ISFSI decommissioning activities prior to license termination, and that the DCEs are reasonable.

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 the Publicly Available Records component of the NRC's 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](mailto: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.

If you have any questions regarding this matter, please contact me at (301) 415-8064 or via email at [yaira.diaz-sanabria@nrc.gov](mailto:yaira.diaz-sanabria@nrc.gov).

Sincerely,



Signed by Diaz-Sanabria, Yoira  
on 08/19/25

Yoira Diaz-Sanabria, Chief  
Storage and Transportation Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-79  
License No.: SFGL-67  
EPID No.: L-2024-FPR-0002

cc: Wolf Creek Nuclear Operating Corporation

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DOCUMENT DATE: August 19, 2025

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