

Bond No [REDACTED]

NMSS Decommissioning SRP - Appendix F - Rev 0 9/15/00

9.4 MODEL SURETY BOND

PAYMENT SURETY BOND

RECEIVED
REGION 1
MAY 27 01:53

Date bond executed: 4/29/05

Effective date: 4/28/05

Principal: [Insert legal name and business address of licensee] Philotechnics, Ltd.

Type of organization: [Insert "proprietorship," "partnership," or "corporation."] Corporation

State of incorporation: (if applicable) Delaware

NRC license number, name and address of facility, and amount for decommissioning activities guaranteed by this bond: NRC #37-28329-01 600 State Street, Clairton, PA 15025

03030941

Surety: [Insert name and business address] ACSTAR Insurance Company, 233 Main Street, New Britain, CT 06050

Type of organization: [Insert "proprietorship," "partnership," or "corporation"] Corporation

State of incorporation: (if applicable) Illinois

Surety's qualification in jurisdiction where licensed facility is located. Licensed

Surety's bond number: [REDACTED]

Total penal sum of bond: \$46,007.00 forty-six thousand seven & 00/100

Know all persons by these presents, that we, the Principal and Surety hereto, are firmly bound to the U.S. Nuclear Regulatory Commission (hereinafter called NRC) in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Sureties are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety; but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

WHEREAS, the U.S. Nuclear Regulatory Commission, an agency of the U.S. Government, pursuant to the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, has promulgated regulations in Title 10, Chapter I of the Code of Federal Regulations, Part [insert 30, 40, 70, or 72], applicable to the Principal, which require that a license holder or an applicant for a facility license provide financial assurance that funds will be available when needed for facility decommissioning;

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NONNEGOTIABLE

137122
NMSS/RGNI MATERIALS-002

NOW, THEREFORE, the conditions of the obligation are such that if the Principal shall faithfully, before the beginning of decommissioning of each facility identified above, fund the standby trust fund in the amount(s) identified above for the facility;

Or, if the Principal shall fund the standby trust fund in such amount(s) after an order to begin facility decommissioning is issued by NRC or a U.S. District Court or other court of competent jurisdiction;

Or, if the Principal shall provide alternative financial assurance, and obtain NRC's written approval of such assurance, within 30 days after the date a notice of cancellation from the Surety is received by both the Principal and the NRC, then this obligation shall be null and void; otherwise it is to remain in full force and effect.

The Surety shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above. Upon notification by the NRC that the Principal has failed to perform as guaranteed by this bond, the Surety shall place funds in the amount guaranteed for the facility into the standby trust fund.

The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety hereunder exceed the amount of said penal sum.


The Surety may cancel the bond by sending notice of cancellation by certified mail to the Principal and to the NRC provided, however, that cancellation shall not occur during the 90 days beginning on the date of receipt of the notice of cancellation by both the Principal and the NRC, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the NRC and to the Surety 90 days prior to the proposed date of termination, provided, however, that no such notice shall become effective until the Surety receives written authorization for termination of the bond from the NRC.

The Principal and Surety hereby agree to adjust the penal sum of the bond yearly so that it guarantees a new amount, provided that the penal sum does not increase by more than 20 percent in any one year and no decrease in the penal sum takes place without the written permission of the NRC.

If any part of this agreement is invalid, it shall not affect the remaining provisions that will remain valid and enforceable.

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Bond NO. 

In Witness Whereof, the Principal and Surety have executed this financial guarantee bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety.

Principal Philotechnics Ltd.

[Signatures] Brian Morris

[Names] Brian Morris

[Titles] Corporate Secretary

[Corporate seal]

Corporate Surety ACSTAR Insurance Company

[Name and address] 233 Main Street, New Britain, CT 06050

State of incorporation: Illinois

Liability limit: \$ 1,914,000.00

[Signatures] Henry W. Nozko, Jr.

[Names and titles] Henry W. Nozko, Jr., President

[Corporate seal]

[For every co-surety, provide signatures, names and titles, corporate seal, and other information in the same manner as for the Sureties above.]

Bond Premium: \$ 1,150.18



233 MAIN STREET • P.O. BOX 2350 • NEW BRITAIN, CT 06050-2350 • (860) 224-2000

BOND NO. [REDACTED]

RIDER CONTAINING DISCLOSURE NOTICE OF TERRORISM COVERAGE

This disclosure notice is required by the Terrorism Risk Insurance Act of 2002 (the "Act"). No action is required on your part. This Disclosure Notice is incorporated in and a part of the attached bond, and is effective the date of the bond.

You should know that, effective November 26, 2002, any losses covered by the attached bond that are caused by certified acts of terrorism would be partially reimbursed by the United States under a formula established by the Act. Under this formula, the United States reimburses 90% of covered terrorism losses exceeding the statutory established deductible paid by the insurance company providing the coverage.

Under the Act, there is a cap on our liability to pay for covered terrorism losses if the aggregate amount of insured losses under the Act exceeds \$100,000,000,000. during the applicable period for all insured's and all insurers combined. In that case, we will not be liable for the payment of any amounts which exceeds that aggregate amount of \$100,000,000,000.

The portion of your premium that is attributed to coverage for acts of terrorism is **\$0.00.**

**IMPORTANT NOTE: THE COST OF TERRORISM COVERAGE IS SUBJECT TO
CHANGE ON ANY BONDS THAT PREMIUM IS CHARGED ANNUALLY.**

EXCLUSION OF LIABILITY FOR MOLD, MYCOTOXINS, AND FUNGI

The Bond to which this Rider is attached does not provide coverage for, and the surety thereon shall not be liable for, molds, living or dead fungi, bacteria, allergens, histamines, spores, hyphae, or mycotoxins, or their related products or parts, nor the remediation thereof, nor the consequences of their occurrence, existence, or appearance.



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NEW BRITAIN, CT 06050-2350
(860) 224-2000

POWER OF ATTORNEY
No 19280

This Power of Attorney must have original corporate seal, and red and blue ACSTAR logo to be valid.

Know all men by these presents: That ACSTAR Insurance Company, a corporation of the State of Illinois, having its principal office in the City of New Britain, Connecticut, pursuant to the following Resolution, which was adopted by the Board of Directors of the said Company on June 26, 2003, to wit:

RESOLVED, That the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

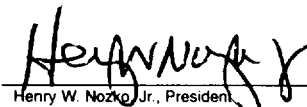
- (1) That the Chairman, the President, any Vice President and General Counsel, or any Attorney-in-fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the Chairman or President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.
- (3) The signature of the Chairman, the President, or a Vice President of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.
- (4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.

does hereby nominate, constitute and appoint

HENRY W. NOZKO, JR., ROBERT H. FRAZER, DAVID A. PRICE, MICHAEL P. CIFONE, JOAN C. FORTIER, HENRY W. NOZKO III each individually, its true and lawful Attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding TEN MILLION DOLLARS (\$10,000,000.00) each, and the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, Henry W. Nozko, Jr., President, has hereunto subscribed his name and affixed the corporate seal of **ACSTAR Insurance Company** this 1st day of July 2003.

ACSTAR Insurance Company

by 
Henry W. Nozko, Jr., President

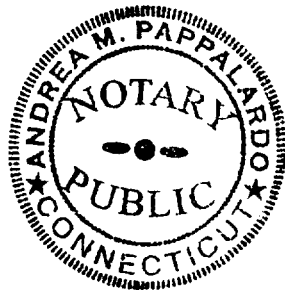
STATE OF CONNECTICUT)

) ss. NEW BRITAIN

COUNTY OF HARTFORD)

On this 1st day of July 2003, before me, a Notary Public of the State of Connecticut came, Henry W. Nozko, Jr., President of **ACSTAR Insurance Company**, to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signatures were duly affixed by the authority and direction of the said corporation, and the Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

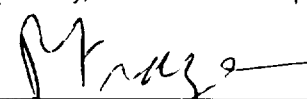
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of New Britain the day and year first above written.




Notary Public - Andrea M Pappalardo

I, the undersigned, Secretary or Assistant Secretary of **ACSTAR Insurance Company**, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary or Assistant Secretary, and affixed the corporate seal of the Corporation, this 29th day of April 2005


Robert H. Frazer/Michael P. Cifone
Secretary /Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

This is to acknowledge the receipt of your letter/application dated 5/27/2005 ^{received} and to inform you that the initial processing which

includes an administrative review has been performed.

- ☒ **Financial Assurance 37-28329-01** There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

- ☐ Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 137122.

When calling to inquire about this action, please refer to this control number. You may call us on (610) 337-5398, or 337-5260.

BETWEEN: : (FOR LFMS USE)
 : INFORMATION FROM LTS
 : -----
 :
 License Fee Management Branch, ARM : Program Code: 03218
 and : Status Code: 0
 Regional Licensing Sections : Fee Category: 6A
 : Exp. Date: 20150131
 : Fee Comments: Q
 : Decom Fin Assur Req'd: Y
 ::::::::::::::::::::::::::::::::::::::

LICENSE FEE TRANSMITTAL

A. REGION

I

1. APPLICATION ATTACHED

Applicant/Licensee: PHILOTECHNICS, LTD -DBA AFFTREX LTD
Received Date: 20050527
Docket No: 3030941
Control No.: 137122
License No.: 37-28329-01
Action Type: Fin. Assurance

2. FEE ATTACHED

Amount: /
Check No.: /

3. COMMENTS

Signed Heaven J. J. J.
Date 6/12/05

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /__/)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment _____
Renewal _____
License _____

3. OTHER _____

Signed _____
Date _____