



Westinghouse Electric Company  
Legal, Risk & Commercial Affairs  
1000 Westinghouse Drive  
Cranberry Township, PA  
16066  
USA

August 20, 2015

Via Overnight Mail and Electronic Mail

Director  
Office of Nuclear Material Safety Safeguards  
U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington D. C. 20555-0001

RE: Decommissioning Financial Assurance – Standby Trust Agreement for the Hematite Decommissioning Project (License SNM-33) and the Columbia Fuel Fabrication Facility (License SNM-1107) (Proprietary and Non-Proprietary versions) and Letter of Credit (Non-Proprietary version) and Affidavit

Dear Director:

Westinghouse Electric Company LLC (“Westinghouse”) is demonstrating financial assurance for decommissioning of the above referenced facilities for the current fiscal year through submission of a Letter of Credit and related Standby Trust Agreement. The Letter of Credit (Proprietary) was submitted separately and was received by NRC on August 7, 2015. Subsequently, NRC requested that the Letter of Credit be revised. The revised Letter of Credit (Proprietary) was sent by overnight mail to NRC on August 17, 2015. Enclosed is Amendment No. 2 to the Standby Trust Agreement (Proprietary and Non-Proprietary copies). Please send me a copy of Amendment No. 2 to the Standby Trust Agreement after it has been executed by NRC.

Please note that both the Letter of Credit which was submitted and the enclosed documents contain Proprietary Information and should be withheld from disclosure pursuant to 10 CFR 2.390. Also enclosed with this letter are an Application for Withholding Proprietary Information from Public Disclosure and an Affidavit and non-proprietary versions of the Letter of Credit and the Standby Trust Agreement. The Affidavit sets forth the basis on which the information identified as proprietary may be withheld from public disclosure. Correspondence with respect to the proprietary aspects of the application for withholding or the Westinghouse Affidavit should reference AW-15-4255 and should be addressed to the undersigned.

Westinghouse previously had submitted a Parent Guarantee as financial assurance for the subject facilities and requests that, upon review and acceptance of the Letter of Credit and Standby Trust Agreement, NRC return the Parent Guarantee to Westinghouse with written confirmation that the Parent Guarantee is no longer required.

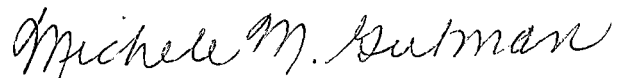
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If you have any questions regarding this submission, please contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Michele M. Gutman".

Michele M. Gutman

Deputy General Counsel

412-374-5570

724-940-8508 (fax)

*gutmanmm@westinghouse.com*

/enclosure

cc: D. W. Weaver, Westinghouse, w/encl.  
N. B. Parr, Westinghouse, w/encl.  
G. M. Fussell, Westinghouse, w/encl.  
L. W. Bognar, Westinghouse, w/encl.



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AW-15-4255

August 20, 2015

APPLICATION FOR WITHHOLDING PROPRIETARY  
INFORMATION FROM PUBLIC DISCLOSURE

Subject: "Letter of Credit for Financial Assurance for Westinghouse Electric Company LLC Facilities License Numbers SNM-1107, Docket Number 70-1151 and SNM-33, Docket Number 070-00036" and "Amendment No. 2 to Standby Trust Agreement (Proprietary and Non-Proprietary Versions)"

Reference: Letter from Michele Gutman dated August 20, 2015

This Application for Withholding Proprietary Information from Public Disclosure (Non-Proprietary) is submitted by Westinghouse Electric Company LLC (Westinghouse), pursuant to the provisions of paragraph (b)(1) of Section 2.390 of the Commission's regulations. The documents submitted with this application contain commercial/financial information proprietary to Westinghouse and customarily held in confidence.

The proprietary information for which withholding is being requested is identified in the proprietary version of the subject documents. In conformance with 10 CFR Section 2.390, Affidavit AW-15-4255 accompanies this Application for Withholding Proprietary Information from Public Disclosure, setting forth the basis on which the identified proprietary information may be withheld from public disclosure.

Accordingly, it is respectfully requested that the subject information which is proprietary to Westinghouse be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations.

Very truly yours,

A handwritten signature in cursive script that reads "Michele M. Gutman".

Michele M. Gutman  
Deputy General Counsel  
412-374-5570  
724-940-8508 (fax)  
[gutmanmm@westinghouse.com](mailto:gutmanmm@westinghouse.com)

Enclosures

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA:

SS

COUNTY OF BUTLER:

I, Christopher Kamman, am authorized to execute this Affidavit on behalf of Westinghouse Electric Company LLC (Westinghouse), and that the averments of fact set forth in this Affidavit are true and correct to the best of my knowledge, information, and belief.

Christopher Kamman

Christopher Kamman

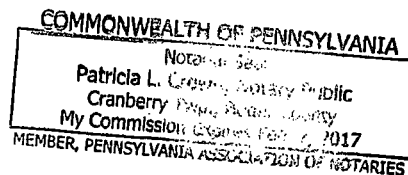
Project Accounting Manager

General Accounting and Closing

Sworn to and subscribed before me  
this 20<sup>th</sup> day of August, 2015.

Patricia L. Crown

Notary Public



- (1) I am Project Accounting Manager, General Accounting and Closing Department, Westinghouse Electric Company LLC (Westinghouse), and as such, I have been specifically delegated the function of reviewing financial proprietary information sought to be withheld from public disclosure, and am authorized to apply for its withholding on behalf of Westinghouse.
- (2) I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations and in conjunction with the Westinghouse Application for Withholding Proprietary Information from Public Disclosure accompanying this Affidavit.
- (3) I have personal knowledge of the criteria and procedures utilized by Westinghouse in designating information as a trade secret, privileged or as confidential commercial or financial information.
- (4) Pursuant to the provisions of paragraph (b)(4) of Section 2.390 of the Commission's regulations, the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The information sought to be withheld from public disclosure is owned and has been held in confidence by Westinghouse. The information sought to be withheld constitutes sensitive financial and commercial information.
  - (ii) The information is of a type customarily held in confidence by Westinghouse and not customarily disclosed to the public. Westinghouse has a rational basis for determining the types of information customarily held in confidence by it and, in that connection, utilizes a system to determine when and whether to hold certain types of information in confidence. The application of that system and the substance of that system constitute Westinghouse policy and provide the rational basis required.
  - (iii) The information is being transmitted to the Commission in confidence and, under the provisions of 10 CFR Section 2.390, it is to be received in confidence by the Commission.
  - (iv) The information sought to be protected is not available in public sources.

- (v) The proprietary information sought to be withheld in this submittal is that which is contained in "Letter of Credit for Westinghouse Electric Company LLC Financial Assurance for the Westinghouse Columbia Fuel Fabrication Facility License Number SNM-1107 and the Westinghouse Hematite Decommissioning Project License Number SNM-33" (Proprietary), for submittal to the Commission, which was transmitted by letter dated August 17, 2015, and Amendment No. 2 to Standby Trust Agreement transmitted by letter dated August 20, 2015 from Michele Gutman, Deputy General Counsel and Application for Withholding Proprietary Information from Public Disclosure, to the Document Control Desk. The proprietary information as submitted by Westinghouse is that associated with demonstrating financial assurance for decommissioning, and may be used only for that purpose.

Further the deponent sayeth not.

## **PROPRIETARY INFORMATION NOTICE**

Transmitted herewith are the proprietary and non-proprietary versions of documents furnished to the NRC in connection with demonstration of financial assurance for decommissioning.