

PMLevyCOLPEm Resource

From: Habib, Donald
Sent: Thursday, March 17, 2016 7:08 AM
To: Bob Kitchen (Robert.Kitchen@duke-energy.com)
Cc: Santos, Cayetano; Hoellman, Jordan
Subject: Financial Assurance License Conditions for Levy

Bob –

Below are two additional license conditions that the staff will be proposing in the Levy FSER and draft license. Please let me know if you have any concerns about them.

- 1) Upon the scheduled date for initial fuel load, DEF shall provide satisfactory documentary evidence to the Director of the Office of Nuclear Reactor Regulation that it has obtained the appropriate amount of primary and secondary financial protection required of licensees pursuant to 10 CFR 140.11(a)(4) and 10 CFR 50.54(w).
- 2) Prior to the scheduled date of initial fuel load, and within ninety (90) days after the NRC publishes the notice of intended operation in the *Federal Register*, the licensees shall provide evidence to the NRC that they would have the ability to pay into the nuclear industry introspective rating plan in the event of a nuclear incident and in the amount specified in 10 CFR Part 140.11(a)(4) for one calendar year using one of the following methods:
 - (a) Surety bond,
 - (b) Letter of credit,
 - (c) Revolving credit/term loan arrangement,
 - (d) Maintenance of escrow deposits of government securities, or
 - (e) Annual certified financial statement showing either that a cash flow (i.e., cash available to a company after all operating expenses, taxes, interest charges, and dividends have been paid) can be generated and would be available for payment of retrospective premiums within three (3) months after submission of the statement, or a cash reserve or a combination of cash flow and cash reserve.

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From: Habib, Donald

Created By: Donald.Habib@nrc.gov

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Tracking Status: None

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Tracking Status: None

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