



U.S. Department
of Transportation
**Maritime
Administration**

SAVANNAH Technical Staff
Office of Ship Disposal

1200 New Jersey Ave., SE
Washington, DC 20590

Ref: 10 CFR 50.75(f)(1); 50.82(a)(7) and 50.82(a)(8)(v)-(vii)

March 30, 2012

ATTN: Document Control Desk

U.S. Nuclear Regulatory Commission
Washington, DC 20555

SUBJECT: Docket No. 50-238; License No. NS-1; N.S. *SAVANNAH*
Submittal of Decommissioning Funds Status Report for CY 2011

References: (a) N.S. *SAVANNAH* CY 2010 Decommissioning Funds Status Report, Revision 0,
submitted March 31, 2011 under cover letter from Mr. Erhard W. Koehler
(MARAD) to U.S. Nuclear Regulatory Commission.

The Maritime Administration (MARAD) hereby submits Revision 0 of the CY 2011 Decommissioning Funds Status Report for the Nuclear Ship *SAVANNAH* (NSS) as Enclosure 1.

This letter contains one revised commitment.

If there are any questions or concerns with any issue discussed in this report, please contact me at (202) 366-2631, and/or e-mail me at erhard.koehler@dot.gov.

Respectfully,

Erhard W. Koehler
Senior Technical Advisor, N.S. *SAVANNAH*
Office of Ship Disposal

Enclosures

Docket No. 50-238; License NS-1; N.S. SAVANNAH
Submittal of Decommissioning Funds Status Report for CY 2011, Revision 0
March 30, 2012

Enclosures

1. Decommissioning Funds Status Report for CY 2011, STS – 147
2. List of Regulatory Commitments

Docket No. 50-238; License NS-1; N.S. SAVANNAH
Submittal of Decommissioning Funds Status Report for CY 2011, Revision 0
March 30, 2012

cc:

Electronic copy

NSS ESC

NSS SRC

MAR 610, 612, 615

Hardcopy, cover letter only

MAR-600, 640, 640.2

Hardcopy w/ all enclosures

MAR-100, 640.2 (rf)

USNRC (John T. Buckley, Mark C. Roberts)

USNRC Regional Administrator - NRC Region I

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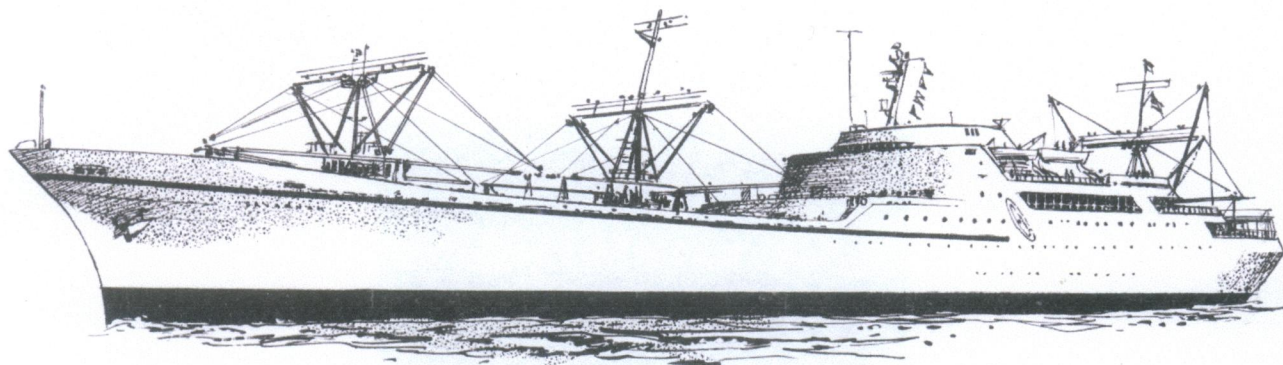
Docket No. 50-238; License No. NS-1; N.S. *SAVANNAH*

Enclosure 1 to Submittal of Decommissioning Funds Status Report for CY 2011

DECOMMISSIONING FUNDS STATUS REPORT FOR CY 2011, STS - 147



**U.S. Department of Transportation
Maritime Administration
Office of Ship Disposal**



N.S. SAVANNAH

**DECOMMISSIONING FUNDS STATUS REPORT
FOR CY 2011**

STS - 147

Revision 0

Approved: _____

Edward W. Kuhler

03/30/2012

Manager, N.S. SAVANNAH Programs

Date

Prepared by:
Sayres and Associates Corporation

Record of Revisions

Revision	Summary of Revisions
0	The original version of the Decommissioning Funds Status Report for CY 2011

List of Effective Pages

Page No.	Rev. No.	Page No.	Rev. No.	Page No.	Rev. No.
1	0	2	0	3	0
4	0	5	0	6	0
7	0	8	0	9	0
10	0	11	0	12	0

Table of Contents

1.0	INTRODUCTION	5
1.1	<i>N.S. SAVANNAH Decommissioning Status</i>	5
1.2	<i>N.S. SAVANNAH Decommissioning Funding Sources and Background</i>	5
1.3	<i>N.S. SAVANNAH CY 2011 Funding</i>	6
1.3.1	<i>Fiscal Year 2011 Enacted</i>	6
1.3.2	<i>Fiscal Year 2012 Enacted</i>	6
1.3.3	<i>Fiscal Year 2013 Requested</i>	6
2.0	10 CFR 50.75(f)(1) STATUS OF DECOMMISSIONING FUNDS ANNUAL REPORT	7
2.1	<i>The amount of decommissioning funds estimated to be required.</i>	7
2.2	<i>The amount accumulated to the end of the calendar year preceding the date of the report.</i>	7
2.3	<i>A schedule of the annual amounts remaining to be collected.</i>	7
2.4	<i>The assumptions used regarding rates of escalation in decommissioning costs, rates of earnings on decommissioning funds, and rates of other factors used in funding projections.</i>	7
2.5	<i>Any contracts upon which the licensee is relying pursuant to paragraph (e)(1)(v) of this section.</i>	7
2.6	<i>Any modifications occurring to a licensee's current method of providing financial assurance since the last submitted report.</i>	8
2.7	<i>Any material changes to trust agreements.</i>	8
3.0	10 CFR 50.82(a)(8)(v)-(vii) FINANCIAL ASSURANCE STATUS ANNUAL REPORT	8
3.1	<i>Report required by 10 CFR 50.82(a)(8)(v)</i>	8
3.2	<i>Report required by 10 CFR 50.82(a)(8)(vi)</i>	9
3.3	<i>Report required by 10 CFR 50.82(a)(8)(vii)</i>	9
4.0	REGULATORY COMMITMENTS REGARDING DECOMMISSIONING FUNDING	10
4.1	<i>Annual Request for Funds</i>	10
4.2	<i>Annual Submittal of New Estimate</i>	10
4.3	<i>Revised Decommissioning Cost Estimate</i>	10
4.4	<i>Content of MARAD Budget Requests</i>	11
5.0	TIME REMAINING TO COMPLETE DECOMMISSIONING	11
6.0	REFERENCES	11

1.0 INTRODUCTION

This Decommissioning Funds Status Report is submitted by the Maritime Administration (MARAD) as licensee for the Nuclear Ship *SAVANNAH* (NSS) and covers the CY 2011 reporting period. This report incorporates the guidance contained in Regulatory Guide (RG) 1.159-1, “Assuring the Availability of Funds for Decommissioning Nuclear Reactors,” Rev 1, Reference (a).

In accordance with the requirements of 10 CFR 50.75(f)(1), each power reactor that has already closed is required to report annually the status of its decommissioning funds to the Nuclear Regulatory Commission (NRC) on a calendar year (CY) basis. Section 2.0 of this Decommissioning Funds Status Report includes the seven (7) reports required by 10 CFR 50.75(f)(1).

In accordance with the requirements of 10 CFR 50.82(a)(8)(v)-(vii) as noticed in the Federal Register on June 17, 2011, each power reactor that has already submitted its site-specific Decommissioning Cost Estimate (DCE) is required to provide a financial assurance status report annually to the NRC on a calendar year (CY) basis. MARAD submitted its DCE with its Post Shutdown Decommissioning Activities Report (PSDAR), Rev 1, Reference (b). Section 3.0 of this Decommissioning Funds Status Report includes the reports required by 10 CFR 50.82(a)(8)(v)-(vii).

Finally, Section 4.0 of this report provides information on regulatory commitments made by MARAD that are germane to decommissioning funding.

Because the federal fiscal year (FY) does not align with the CY, each annual decommissioning funds status report will include information from at least the two FYs that directly provide funds for expenditure during the reporting period. Prior to the submission of the report on (or about) March 31, the President will submit a budget request to the Congress for the upcoming FY. Because NSS activities are funded on an annual basis, the President’s budget request is an early, although not definitive, indicator of future NSS decommissioning funding. Because that future funding can impact the decommissioning schedule described in the PSDAR, MARAD includes this public information for context, and in partial satisfaction of the 10 CFR 50.82(a)(7) requirement to notify the NRC of expected changes to content in the PSDAR.

1.1 N.S. SAVANNAH Decommissioning Status

The NSS is presently in protective storage. This phase of decommissioning activities is characterized by active surveillance, monitoring and maintenance of the nuclear facilities housed onboard the ship, and custody and maintenance of the ship as the primary physical boundary and protective barrier of the licensed site. Collectively, these are referred to as MARAD’s licensed activities, and are reported annually to the NRC.

As described in Reference (b), and elsewhere, the license termination deadline for the NSS is December 3, 2031.¹ Final decommissioning of the NSS nuclear facilities will be by the DECON method. In the interim, a project to bring the NSS into conformance with contemporary NRC SAFSTOR criteria (known as “SAFSTOR Preparations”) has been described and committed to in Reference (b).

This report addresses the funding status for all three of these decommissioning phases – licensed activities, SAFSTOR Preparations, and DECON.

1.2 N.S. SAVANNAH Decommissioning Funding Sources and Background

The Maritime Administration is a modal agency of the United States Department of Transportation (DOT). It is a federal licensee as defined by the NRC. As such, funds for decommissioning and

¹ December 3, 1971 is the de facto date of permanent cessation of operations date based on completing the reactor defueling that date by tensioning the reactor vessel head with six studs.

termination of the NSS license will be provided by federal appropriations. The budget process by which such appropriations are requested is deliberative and privileged, and is subject to Executive Branch priorities and direction. Furthermore, the legislative review and authorization / appropriation actions taken on such requests are fully within the purview of the Congress. MARAD by itself cannot guarantee that decommissioning funds will be requested by the President or authorized and appropriated by the Congress in any given fiscal year.

References (c), (d), (e) and (f) are the reports and correspondence associated with MARAD's decommissioning funds status covering CY 2009 and 2010. Together with reference (b), they describe the chronology of MARAD's decommissioning efforts and associated funding. Specific funding to support MARAD's licensed activities has been requested and appropriated annually since FY 2005. These funds are sourced within MARAD's Ship Disposal appropriation. For each of the last few years, \$3 million has been budgeted for NSS licensed activities.

1.3 N.S. SAVANNAH CY 2011 Funding

The CY 2011 reporting period includes two federal fiscal years; 2011 and 2012, during which funds were available and expended. The internal deliberative process to develop the FY 2013 budget request was in progress for much of the reporting period. As described in section 1.0, the public details of the 2013 budget request are included to provide context, and in partial satisfaction of the 10 CFR 50.82 (a)(7) PSDAR change reporting requirement.

Specific funding for the SAFSTOR Preparations and DECON decommissioning phases was not requested in any of the three fiscal years covered by this report. More detail regarding the narrative development of the MARAD budget requests and the absence of SAFSTOR Preparations funding is included in reference (f).

For the convenience of the NRC, Reference (g) provides a listing of internet addresses for the DOT budget requests for FY 2011 - 2013 (inclusive). For each fiscal year, the reference provides a link to both the DOT Budget Estimates (a summary and overview of the Department's total budget request) and the detailed MARAD Budget Estimates that support the DOT request. Discussions of NSS funding will be found in the chapters describing MARAD's Ship Disposal Program.

1.3.1 Fiscal Year 2011 Enacted

FY 2011 began on October 1, 2010 and ended on September 30, 2011. The President's FY 2011 Budget Request for the Department of Transportation, including MARAD, was submitted to the Congress on February 1, 2010. The request for the Ship Disposal account was \$10.0 million, of which \$3.0 million was described for all NSS activities. The request specifically did not include funding for SAFSTOR Preparations (or DECON). The SAFSTOR Implementation Plan was noted; with a statement that MARAD was prepared to execute that implementation plan "whenever the necessary resources were made available." Funding of \$3.0 million was provided in accordance with the request.

1.3.2 Fiscal Year 2012 Enacted

FY 2012 began on October 1, 2011 and continues through September 30, 2012. The President's FY 2012 Budget Request for the Department of Transportation (DOT), including MARAD, was submitted to the Congress on February 14, 2011. No funds were specifically requested for either SAFSTOR Preparations or DECON. The DOT appropriation was passed on November 18, 2011, and provided \$3.0 million for all NSS activities.

1.3.3 Fiscal Year 2013 Requested

The President's FY 2013 Budget Request for the Maritime Administration was submitted to the Congress on February 13, 2012. The request for NSS activities is \$3.000 million. No specific dollar amount is

requested for either SAFSTOR Preparations or DECON; however, the request notes that these funding requirements exist (DECON is noted as requiring \$98.6M in current year dollars) and MARAD is prepared to execute them when resources become available. Based on the revised decommissioning schedule submitted in Reference (e), the projected funding for FY 2013 will not result in a change to the content of the PSDAR, and consequently no 10 CFR 50.82(a)(7) notification is required.

2.0 10 CFR 50.75(f)(1) STATUS OF DECOMMISSIONING FUNDS ANNUAL REPORT

This section provides a discussion of the seven items required by 10 CFR 50.75(f)(1), and incorporates the guidance contained in Reference (a). The reporting requirements and corresponding MARAD information are provided below.

2.1 *The amount of decommissioning funds estimated to be required.*

- a) *Current licensed activities require approximately \$3 million annually. The NSS is scheduled to be drydocked for regular maintenance once (2018) during the protective storage period, at an estimated cost of \$6.8 million.²*
- b) *The October 2011 revised SAFSTOR project cost estimate is \$10.98 million.*
- c) *The October 2011 revised site-specific DECON-License Termination cost estimate is \$98.6 million.*

2.2 *The amount accumulated to the end of the calendar year preceding the date of the report.*

Accumulation of funds is not applicable to the NSS. As a federal licensee, 10 CFR 50.75(e)(1)(iv) allows funding for decommissioning activities to be obtained by appropriations when necessary.

2.3 *A schedule of the annual amounts remaining to be collected.*

Annual collection of funds is not applicable to the NSS. As a federal licensee, 10 CFR 50.75(e)(1)(iv) allows funding for decommissioning activities to be obtained by appropriations when necessary.

2.4 *The assumptions used regarding rates of escalation in decommissioning costs, rates of earnings on decommissioning funds, and rates of other factors used in funding projections.*

The 2011 revised site-specific DECON-License Termination cost estimate used 3.9% escalation for disposal of low level radioactive waste (LLRW). Transportation costs were escalated at 28.6%. Electric costs were escalated at 4%. All other industrial task costs were escalated at 1.6%. Escalation factors were taken from the latest version of NUREG 1307 available at the time of the calculation.

There are no rates of earnings on decommissioning funds.

2.5 *Any contracts upon which the licensee is relying pursuant to paragraph (e)(1)(v) of this section.*

Not applicable because MARAD, as a federal licensee, is funded per the 10 CFR 50.75(e)(1)(iv) method.

² The drydocking cost estimate is escalated to a 2018 basis from the \$4.1 million contract cost for drydocking the NSS in CY 2008.

2.6 Any modifications occurring to a licensee's current method of providing financial assurance since the last submitted report.

There have been no modifications to MARAD's financial assurance methodology, which is limited to the use of federal appropriations. Please refer, however, to the response in section 4.1 below for more information.

2.7 Any material changes to trust agreements.

Not applicable because MARAD, as a federal licensee, is funded per the 10 CFR 50.75(e)(1)(iv) method. Consequently, no trust agreements exist.

**3.0 10 CFR 50.82(a)(8)(v)-(vii) FINANCIAL ASSURANCE STATUS
ANNUAL REPORT**

This section provides a discussion of the ten items required by 10 CFR 50.82(a)(8)(v)-(vii). This is a new reporting requirement in CY 2011, and MARAD is reporting on the basis that it has already submitted its site-specific DCE. The reporting requirements and corresponding MARAD information are provided below.

3.1 Report required by 10 CFR 50.82(a)(8)(v)

(A)

- 1 The amount spent on decommissioning, both cumulative and over the previous calendar year,

Within the context of protective storage as a phase of decommissioning activities, all of the funds spent by MARAD in CY 2011 and preceding years (FY 2005 - present) have been spent for decommissioning purposes. As a practical matter, no funds have been spent on discrete actions described in either the SAFSTOR Implementation Plan or the DECON Cost Estimate, other than moderate amounts for preliminary planning.

- 2 The remaining balance of any decommissioning funds, and

Not applicable because MARAD, as a federal licensee, is funded per the 10 CFR 50.75(e)(1)(iv) method. Although funds appropriated to MARAD's Ship Disposal account are "available until expended," any year-to-year carryover is applied to immediate requirements. No balance is maintained.

3. The amount provided by other financial assurance methods being relied upon;

None. MARAD, as a federal licensee, relies solely on the 10 CFR 50.75(e)(1)(iv) method.

- (B) An estimate of the costs to complete decommissioning, reflecting any difference between actual and estimated costs for work performed during the year, and the decommissioning criteria upon which the estimate is based;

MARAD's CY 2011 estimate to complete decommissioning is \$98.6 million based on escalation from the 2010 base estimate (see 2.4 above for the escalation basis). This estimate is effective as of October 1, 2011. This estimate does not credit any work performed during the reporting period. There have been no changes to the decommissioning criteria on which the 2011 estimate was based.

- (C) Any modifications occurring to a licensee's current method of providing financial assurance since the last submitted report; and

There have been no modifications to MARAD's financial assurance methodology, which is limited to the use of federal appropriations. Please refer, however, to the response in section 4.1 below for more information.

- (D) Any material changes to trust agreements or financial assurance contracts.

Not applicable because MARAD, as a federal licensee, relies solely on the 10 CFR 50.75(e)(1)(iv) method.

3.2 Report required by 10 CFR 50.82(a)(8)(vi)

If the sum of the balance of any remaining decommissioning funds, plus earnings on such funds calculated at not greater than a 2 percent real rate of return, together with the amount provided by other financial assurance methods being relied upon, does not cover the estimated cost to complete the decommissioning, the financial assurance status report must include additional financial assurance to cover the estimated cost of completion.

Not applicable to MARAD.

3.3 Report required by 10 CFR 50.82(a)(8)(vii)

After submitting its site-specific DCE required by paragraph (a)(4)(i) of this section, the licensee must annually submit to the NRC, by March 31, a report on the status of its funding for managing irradiated fuel.

The final disposition and status of the Atomic Energy Commission's nuclear fuel utilized by the NSS is described in the September 21, 1973, Operations Report and also in Section 1.3.1 of the Final Safety Analysis Report as follows:

Thirty six spent fuel elements (Core I and Ia) were shipped from Galveston, TX to the US Atomic Energy Commission (AEC) - Savannah River Plant, Aiken, SC in nine shipments from October 4 through December 21, 1972 via a lowboy trailer using the Piqua/Elk River Shipping cask.

The 10 CFR 50.82(a)(8)(vii) report must include the following information, current through the end of the previous calendar year:

- (A) The amount of funds accumulated to cover the cost of managing the irradiated fuel;

MARAD is storing no irradiated nuclear fuel and, therefore, has no accumulated funds to cover the costs associated with managing irradiated fuel.

- (B) The projected cost of managing irradiated fuel until title to the fuel and possession of the fuel is transferred to the Secretary of Energy; and

MARAD is storing no irradiated nuclear fuel and, therefore, has no need to project the costs associated with managing irradiated fuel.

- (C) If the funds accumulated do not cover the projected cost, a plan to obtain additional funds to cover the cost.

MARAD is storing no irradiated nuclear fuel and, therefore, has no need to obtain additional funds to cover the costs associated with managing irradiated fuel.

4.0 REGULATORY COMMITMENTS REGARDING DECOMMISSIONING FUNDING

4.1 *Annual Request for Funds*

In Reference (e), MARAD made the following regulatory commitment:

Annually, MARAD will request funds specifically for decommissioning. The NRC will be informed of these decommissioning funding requests annually by March 31. [Continuing action]

Beginning in reference (b), and in periodic correspondence thereafter, MARAD has reiterated its understanding of its responsibility to request and obtain decommissioning funds in sufficient quantity and time to meet the NS-1 license termination deadline of December 3, 2031. Given the inherent nature of the budget process, MARAD defines its commitment to be satisfied annually when it makes a request for decommissioning funds to the Office of the Secretary of Transportation. MARAD has no independent authority to seek decommissioning funds if the request is not made part of the President's Budget Request for the Department of Transportation. Documentation regarding the annual request is maintained by the licensee, and is available for inspection.

Beginning with this CY 2011 Decommissioning Funds Status Report, MARAD will include a statement regarding the annual request for funds. In CY 2011, MARAD did not formally request consideration for decommissioning funds in FY 2013 because there was no room within the Agency's fiscal budget guidance for this and other requests due to the balancing of priorities and funding levels. However, MARAD remains cognizant of the responsibilities and funding commitment requirements for SAFSTOR and eventual DECON, as included in the budget summaries. Internal budget deliberations within MARAD and OST have recognized that these obligations remain to be funded and will continue to be examined and balanced during the annual budget development processes.

4.2 *Annual Submittal of New Estimate*

In Reference (f), MARAD made the following regulatory commitment:

Submit a new estimate annually by using either the 10 CFR 50.75(c)(2) formula escalation or by revising the site specific estimate based on circumstances that affect its underlying assumptions. [Continuing action]

MARAD's CY 2011 estimate is \$98.6 million based on escalation from the 2010 basis estimate. This estimate is effective as of October 1, 2011.

Because the commitment is not clear about the use of the formula, MARAD has determined that a clarification is required. Consequently, a revision to this commitment is found in **Enclosure 2, Submittal of Decommissioning Funds Status Update for CY 2011, LIST OF REGULATORY COMMITMENTS**. The revised (clarified) commitment text is as follows:

Submit a new estimate annually by either revising the site specific estimate based on circumstances that affect its underlying assumptions, or by using cost escalation factors no smaller than those in the most recent revision to NUREG 1307.

The basis for this commitment change is the wording of the original commitment can be misread that MARAD may use the 10 CFR 50.75(c)(2) formula to determine decommissioning costs for the NSS. This formula exaggerates the decommissioning costs for small power reactors and, therefore, will not be used by MARAD. The revised commitment more clearly states the intent of the original commitment.

4.3 *Revised Decommissioning Cost Estimate*

In Reference (f), MARAD made the following regulatory commitment:

The site specific Decommissioning Cost Estimate will be revised at least every five (5) years.

The site specific Decommissioning Cost Estimate is scheduled for full revision in CY 2015.

4.4 Content of MARAD Budget Requests

In Reference (c), MARAD made the following regulatory commitment:

Because the privity of the federal budgeting process precludes public notification of the content of agency budget requests prior to their submittal to the Congress, MARAD has determined that future 10 CFR 50.82(a)(7) notifications will be submitted under a 10 CFR 2.390 request for withholding.

Based on the revised Decommissioning Activities Schedule submitted to the NRC in reference (f), MARAD determined that no 10 CFR 50.82(a)(7) notification was required during CY 2011.

5.0 TIME REMAINING TO COMPLETE DECOMMISSIONING

As of December 3, 2011, twenty years remain to complete decommissioning (i.e. two thirds of the sixty years allowed by 10 CFR 50.82 have passed).

6.0 REFERENCES

- a. Regulatory Guide 1.159, Assuring the Availability of Funds for Decommissioning Nuclear Reactors, Rev. 1, October 2003
- b. Letter from Mr. Erhard W. Koehler (MARAD) to U.S. Nuclear Regulatory Commission (NRC), dated December 11, 2008, Submittal of Post Shutdown Decommissioning Activities Report, Revision 1
- c. Letter from Mr. Erhard W. Koehler (MARAD) to U.S. Nuclear Regulatory Commission, dated June 04, 2010, Submittal of Decommissioning Funds Status Update for CY 2009 and Governmental Statement of Intent for Decommissioning Financial Assurance
- d. Letter from U.S. Nuclear Regulatory Commission to Mr. Erhard W. Koehler (MARAD), dated August 2, 2010, Receipt of Decommissioning Funds Status Update for N.S. SAVANNAH
- e. Letter from Mr. Erhard W. Koehler (MARAD) to U.S. Nuclear Regulatory Commission, dated March 9, 2011, Response to Receipt of Decommissioning Funds Status Update (CY 2009) for N.S. SAVANNAH
- f. Letter from Mr. Erhard W. Koehler (MARAD) to U.S. Nuclear Regulatory Commission, dated March 31, 2011, Submittal of Decommissioning Funds Status Report for CY 2010 and updated Governmental Statement of Intent for Decommissioning Financial Assurance
- g. Listing of internet addresses for the DOT budget requests for FY 2011 - 2013
 - 1) U.S. Department of Transportation Fiscal Year 2011 Budget Estimates
<http://www.dot.gov/budget/2011/budgetestimates/>
 - 2) U.S. Department of Transportation Fiscal Year 2012 Budget Estimates
<http://www.dot.gov/budget/2012/budgetestimates.html>
 - 3) U.S. Department of Transportation Fiscal Year 2013 Budget Highlights
http://www.dot.gov/budget/2013/dot_budget_highlights_fy_2013.pdf
 - 4) Department Of Transportation, Maritime Administration, Budget Estimates. Fiscal Year 2011, Submission for Use of the Committee on Appropriations
<http://www.dot.gov/budget/2011/budgetestimates/marad.pdf>

- 5) Department Of Transportation, Maritime Administration, Budget Estimates. Fiscal Year 2012, Submission for Use of the Committee on Appropriations
<http://www.dot.gov/budget/2012/budgetestimates/marad.pdf>
- 6) Department Of Transportation, Maritime Administration, Budget Estimates. Fiscal Year 2013, Submission for Use of the Committee on Appropriations
<http://www.dot.gov/budget/2013/budgetestimates/marad.pdf>



U.S. Department
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**Maritime
Administration**

SAVANNAH Technical Staff
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1200 New Jersey Ave., SE
Washington, DC 20590

Docket No. 50-238; License No. NS-1; N.S. *SAVANNAH*

Enclosure 2 to Submittal of Decommissioning Funds Status Update for CY 2011

LIST OF REGULATORY COMMITMENTS

The following table identifies those actions committed to by MARAD in this document. Any other statements in this submittal are provided for information purposes and are not considered to be regulatory commitments. Please direct questions regarding these commitments to Erhard Koehler (202) 366-2631, and/or erhard.koehler@dot.gov.

REGULATORY COMMITMENT	TYPE (Check One)		DUE DATE
	One Time Action	Continuing Action	
Submit a new estimate annually by either revising the site specific estimate based on circumstances that affect its underlying assumptions, or by using cost escalation factors no smaller than those in the most recent revision to NUREG 1307.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Per 10 CFR 50.75(f)(1)