

Mr. Don Moniak
Blue Ridge Environmental Defense League
P.O. Box 3487
Aiken, SC 29802

November 14, 2001

SUBJECT: DUKE COGEMA STONE & WEBSTER NONDISCLOSURE LETTER

Dear Mr. Moniak:

This letter is in response to your electronic mail (email) message transmitted on October 5, 2001, in which you referenced a letter of nondisclosure sent to you by Duke Cogema Stone & Webster's (DCS) attorneys. You asked in your email whether there is a U.S. Nuclear Regulatory Commission (NRC) legal procedure that mandates that you sign the subject letter. If by "procedure" you mean NRC regulation, there is no such regulation. You also asked whether signing the subject letter would bind you and/or the Blue Ridge Environmental Defense League (BREDL) to the terms of the Board's June 29, 2001, Protective Order. The NRC cannot offer you legal advice. This is a matter you would need to discuss with DCS.

In my email to you transmitted on September 28, 2001, I informed you that the NRC had erroneously sent you Enclosure 3 of a DCS letter dated August 31, 2001, which contained proprietary information. I requested that you return Enclosure 3 to the NRC and also asked that you not copy or distribute the proprietary information contained in Enclosure 3. By mail postmarked October 4, 2001, I received your copy of Enclosure 3 to DCS's August 31, 2001, letter. I appreciate your returning that information.

Sincerely,

/RA/

Andrew Persinko, Sr. Nuclear Engineer
Enrichment Section
Special Projects Branch
Division Of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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*Please see previous concurrence.

OFC	SPB	SPB	SPB	OGC
NAME	DPersinko:ddw/cc*	DHoadley*	JGiitter	JHull
DATE	11/7/01	11/7/01	11/8 /01	11/ 14/01

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