



OFFICE OF THE SECRETARY

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D.C. 20555-0001

Action: Collins, NRR

- Cys: Travers, Paperiello, Kane, Norry, Craig, Thadani, RES, Virgilio, NMSS, Cabbage, NRR, Jackson, NRR, Schroll, SECY

January 14, 2002

MEMORANDUM TO: William D. Travers, Executive Director for Operations
FROM: Annette L. Vietti-Cook, Secretary
SUBJECT: STAFF REQUIREMENTS - SECY-01-0207 - LEGAL AND FINANCIAL ISSUES RELATED TO EXELON'S PEBBLE BED MODULAR REACTOR (PMBR)

This is to advise you that the Commission has not objected to the staff publishing its preliminary positions on the legal and financial issues related to Exelon's pebble bed modular reactor (PMBR) so that the staff can engage stakeholders on these preliminary positions prior to providing the Commission with its policy recommendations in June 2002. Staff should make it clear that these positions are preliminary and do not have Commission approval.

(NRR) (EDO Suspense date: 6/21/02) 200100080
The following change should be made to SECY-01-0207, before it is released to the public:

Page 23, fourth full paragraph, revise last line to read, '...certain level; the federal government pays all public liability claims above that liability ceiling. ...'

Section E. Decommissioning Funding - modify the discussion by replacing any references to a 100-year period with a more general discussion about the ability to take a 2-percent annual real earnings credit for the entire period from the initial prepayment through the projected decommissioning period, as permitted in § 50.75(e)(1)(i).

- cc: Chairman Meserve, Commissioner Dicus, Commissioner Diaz, Commissioner McGaffigan, Commissioner Merrifield, OGC, CFO, OCA, OIG

NOTE: SENSITIVE INFORMATION -- LIMITED TO NRC UNLESS THE COMMISSION DETERMINES OTHERWISE

Handwritten notes: 4/17, Non-Public, ML 020150056, and a circled '15'