

From: "Kevin Taylor" <ktaylor@energysolutions.com>
To: "Marjorie McLaughlin" <MMM3@nrc.gov>
Date: Mon, Jun 5, 2006 2:56 PM
Subject: RE: Financial assurance and privacy

Yes. I see. I missed that part about ownership in the reg.

Therefore, the DP will come from Whittaker (with appropriate non-disclosure statements on appropriate pages) and the affidavit will come from EnergySolutions.

Kevin E. Taylor
 EnergySolutions, LLC
 ktaylor@energysolutions.com

-----Original Message-----

From: Marjorie McLaughlin [mailto:MMM3@nrc.gov]
Sent: Monday, June 05, 2006 12:51 PM
To: Kevin Taylor
Subject: RE: Financial assurance and privacy

Kevin:

I do not see a regulatory reason that they cannot be the same (except as stated below), but, my personal preference would be for them to be separate.

Also, bear in mind who has to sign which document. The DP must be signed by Whittaker, since they are the licensee. If the information you are requesting be withheld is EnergySolutions data, then, in accordance with 10 CFR 2.390 (a)(iii), "The affidavit shall be executed by the owner of the information, even though the information sought to be withheld is submitted to the Commission by another person." So, the affidavit may have to be signed by EnergySolutions management. It depends on who wants the info withheld.

Marjey

Marjorie McLaughlin

Health Physicist
 USNRC Region I Decommissioning
 610-337-5240 (Phone)
 610-337-5269 (Fax)

>>> "Kevin Taylor" <ktaylor@energysolutions.com> 06/05/06 2:29 PM >>>

One more question. Can the affidavit be the cover letter to the D Plan or do you think it should be a separate letter?

Kevin E. Taylor
 EnergySolutions, LLC
 ktaylor@energysolutions.com

-----Original Message-----

From: Marjorie McLaughlin [mailto:MMM3@nrc.gov]

B/24

Sent: Monday, June 05, 2006 12:25 PM
To: Kevin Taylor
Subject: Re: Financial assurance and privacy

Kevin:

Without knowing the specific justifications you would use for withholding the decommissioning cost estimate (Item 1), I can't say for certain that OGC would approve the request. I do know that it is not uncommon for us to receive and approve withholding requests for information like that in Item 2. However, I can think of no instance where we have withheld a cost estimate.

This is not to say it is not possible. I would point you again to consider the justifications that must be provided, which are listed in 10 CFR 2.390 (b)(4). If these considerations hold true for the cost estimate, then make sure you make your case in the affidavit. I don't mean to be cagey, but the final decision would not be mine, and I can't make a promise one way or the other.

Marjey

Marjorie McLaughlin

Health Physicist
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>>> "Kevin Taylor" <ktaylor@energysolutions.com> 06/05/06 2:06 PM >>>
I am putting the finishing touches on the DP and I want to make sure I am able to get what I ask for regarding public disclosure.

1 - Would the total financial assurance amount (final figure) and the financial assurance vehicle qualify for withholding from public disclosure?

2 - I am certain that labor rates and negotiated transportation and disposal rates would, right?

Thanks,

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Ex 6

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Subject: RE: Financial assurance and privacy
Creation Date Mon, Jun 5, 2006 2:55 PM
From: "Kevin Taylor" <ktaylor@energysolutions.com>
Created By: ktaylor@energysolutions.com

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