

**Amy Snyder - RE: BWXT Transfer of Control STATUS- I received faxed info from BWXT on 1-8-08 and more questions**

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**From:** "Cole, Barry L." [redacted]  
**To:** "Amy Snyder" <AMS3@nrc.gov>  
**Date:** 01/09/2008 3:40 PM  
**Subject:** RE: BWXT Transfer of Control STATUS- I received faxed info from BWXT on 1-8-08 and more questions  
**CC:** "Alphonsa Gooden" [redacted], "Catherine Holzle" [redacted], "Geoffrey Wertz" [redacted], "John Hull" [redacted], "Kenneth Kline" [redacted], "Lydia Chang" [redacted], "Michael Tschiltz" [redacted], "Merritt Baker" [redacted], "Mary Adams" [redacted], "Peter Habighorst" [redacted], "Robert Pierson" [redacted], "Thomas Fredrichs" [redacted], "Ward, David C." [redacted], "Colling, M. B. (Beth)" [redacted], "Yates, Carl R." [redacted], "Seabolt, Charles F. (Chuck)" [redacted], "Howard, Stephen" [redacted], "Morrell, Leah R." [redacted]

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Hello Amy,

I understand that you have received the complete letter as well as a re-faxed Enclosure 3. I apologize for the fax error. I have attached a file which provides answers to your questions. The BWXT answers are in blue.

In regards to several of the questions, the letter of credit and the standby trust agreement, BWXT respectfully requests a telephone conference between the appropriate NRC legal and financial staff and the appropriate McDermott / BWXT legal and financial staff.

In regards to the partial redaction of Chapter 10, Decommissioning, I am confirming with our Legal department that it is OK to disclose the Total Letter of Credit Assurance dollar amount.

Thanks,  
 Barry Cole

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**From:** Amy Snyder [mailto:AMS3@nrc.gov]  
**Sent:** Tuesday, January 08, 2008 3:55 PM  
**To:** Cole, Barry L.  
**Cc:** Alphonsa Gooden; Catherine Holzle; Geoffrey Wertz; John Hull; Kenneth Kline; Lydia Chang; Michael Tschiltz; Merritt Baker; Mary Adams; Peter Habighorst; Robert Pierson; Thomas Fredrichs  
**Subject:** BWXT Transfer of Control STATUS- I received faxed info from BWXT on 1-8-08 and more questions

Hi Barry,

I received your fax (copy of the January 7th letter to NRC). The fax cover sheet states that there are 20 pages (including the fax cover). I only received 18 pages. I think enclosure 3 is missing. I understand that the hard copy is in the overnight mail and NRC Document Control and I should be receiving it by 1-9-08.

Your cover letter "respectfully requests the NRC consent to the transfer of License No. SNM-42 to BWXT on or before January 30, 2008, the date of the impending restructuring." After initially reviewing your fax, the two most significant items that will prevent our start of the technical review and may impact approval are the letter of credit and the stand by trust. NRC **cannot approve** a license transfer to an entity that has not legally been incorporated in the State where it seeks to do business. I communicated this to Leah Morrell on the phone and I believe, Mary Adams,

my back up, communicated this to you sometime during the last week of December. Saying that NOG will be the "guarantor" is meaningless given the above. Also, the NRC needs to know who the trustee of the stand-by trust. There seemingly are still a lot of loose ends that BWXT must take care of before NRC can proceed. See attached file for questions that I need answered before I can make a decision on whether it is acceptable to start our Technical review.

Also, I am preparing the December 17, 2007 Meeting Minutes (to be finalized this week) and am including a list of action items that were discussed and will be included in these minutes (See attached). I compared this list to your 18-paged fax and find some things that we still need. My comments are in red highlights.

Also, I am preparing a 2.390 letter concerning partial redaction of Chapter 10, Decommissioning. I expect it to go out this week. As we discussed the total aggregate decommissioning amount is not considered proprietary nor did your rationale explain why this information should be not made public. I understand that BWXT will not be providing us with additional rationale and is in agreement with NRC on this issue.

If you have any questions, please contact me.

Sincerely,  
Amy Snyder

Amy M. Snyder, Senior Project Manager  
U.S Nuclear Regulatory Commission  
Office of Nuclear Material Safety and Safeguards  
Division of Fuel Cycle Safety and Safeguards  
Fuel Facility Licensing Directorate (FFLD)  
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[REDACTED]

**Mail Envelope Properties** (47853148.6CA : 19 : 5834)

**Subject:** RE: BWXT Transfer of Control STATUS- I received faxed info from BWXT on 1-8-08 and more questions  
**Creation Date** 01/09/2008 3:37:49 PM  
**From:** "Cole, Barry L." <[blcole@babcock.com](mailto:blcole@babcock.com)>

**Created By:** [blcole@babcock.com](mailto:blcole@babcock.com)

**Recipients**

nrc.gov

EBGWPO01.HQGWDO01  
AMS3 (Amy Snyder)  
MNB CC (Merritt Baker)  
MTA CC (Mary Adams)  
PJH2 CC (Peter Habighorst)  
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#### Route

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mcdermott.com

Files	Size	Date & Time
MESSAGE	4396	01/09/2008 3:37:49 PM
TEXT.htm	15024	
Action Items from December 17- reply.doc		34304
Mime.822	73204	

#### Options

**Expiration Date:** None  
**Priority:** Standard  
**ReplyRequested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

#### Junk Mail Handling Evaluation Results

Message is eligible for Junk Mail handling  
This message was not classified as Junk Mail

#### Junk Mail settings when this message was delivered

Junk Mail handling disabled by User  
Junk Mail handling disabled by Administrator  
Junk List is not enabled  
Junk Mail using personal address books is not enabled  
Block List is not enabled