



Nuclear Operations Division

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May 16, 2008
08-051

Director
Office of Nuclear Material Safety and Safeguards
Attn: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

- References:
- (1) License SNM-42, Docket 70-27
 - (2) Letter dated November 14, 2007, Leah Morrell (BWXT) to Director, NMSS (NRC), Notification of Company Name Change and Request to Revise Chapters 1 through 7, 10, and 11 of License Application SNM-42
 - (3) Letter dated January 7, 2008, Barry Cole (BWXT) to Director, NMSS (NRC), Submittal of Financial Information for Babcock and Wilcox Nuclear Operations Group, Inc. (TAC L32657)
 - (4) Letter dated February 1, 2008, Amy Snyder (NRC) to Barry Cole (BWXT), Public Disclosure Determination Request for Nuclear Regulatory Commission Consent to the Transfer of Control of BWX Technologies, Inc. to Babcock & Wilcox Nuclear Operations Group, Inc. (TAC L32657)
 - (5) Letter dated February 29, 2008, Barry Cole (BWXT) to Director, NMSS (NRC), BWX Technologies, Inc. Reply to NRC Letter Dated February 1, 2008 (Reference 7) in Regards to Public Disclosure Determination of BWXT Financial Information (TAC L32657)
 - (6) Letter dated March 31, 2008, Amy Snyder (NRC) to Barry Cole (BWXT), Final Public Disclosure Determination Regarding the Request for Nuclear Regulatory Commission Consent to the Transfer of Control of BWX Technologies, Inc. to Babcock & Wilcox Nuclear Operations Group, Inc. (TAC L32657)

Subject: BWX Technologies, Inc. Reply to NRC Letter Dated March 31, 2008 (Reference 6) in Regards to Final Public Disclosure Determination of BWXT Financial Information (TAC L32657)

Dear Sir:

BWX Technologies, Inc. (BWXT) is providing its response to the NRC letter dated March 31, 2008 (Reference #6) in regards to the NRC's final public disclosure determination of BWXT financial information that was submitted by letters dated November 14, 2007 (Reference #2) and January 7, 2008 (Reference #3).

BWXT appreciates the NRC's decision to withhold portions of Chapter 10 and other submitted information from public disclosure as described in letters dated February 1, 2008 (Reference #4) and March 31, 2008 (Reference #6).

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BWXT has decided to not contest the NRC's final public disclosure determination stated in the Reference #6 letter, and respectively requests that the NRC proceed immediately with public disclosure of the SNM-42 license transfer information as determined in the Reference #4 and Reference #6 letters. BWXT has obtained permission from the U.S. Department of Energy (DOE) to also release information contained on Pages 10-i, 10-1, 10-6 and 10-7 of SNM-42 Chapter 10 that references the DOE program that was not listed as being approved for release in the Reference #4 and Reference #6 letters. Based on the Reference #4 and Reference #6 letters, BWXT understands that the following items in SNM-42 Chapter 10 will not be released: the individual cost estimates from each plant area contained in Table 10.3 on page 10-6, and all information contained in Appendices 10-2 through 10-7.

If you have any questions regarding this matter, please contact me at (434) 522-5665.

Sincerely,



Barry L. Cole
Manager, Licensing & Safety Analysis
(Licensing Officer)

Cc: U.S. NRC Region II
NRC, Resident Inspector
NRC, Amy Snyder