



Amy Snyder

From: Cole, Barry L. [blcole@babcock.com]
Sent: Friday, March 06, 2009 11:40 AM
To: Amy Snyder
Cc: Yates, Carl R.; Goff, Cheryl K.; Wise, Catherine; Whitten, Nora J.; Ward, David C.
Subject: FW: BWXT STA - Termination Request

Dear Amy,

In your February 1, 2008, letter to me in regards to BWXT's License SNM-42 transfer request, there is a statement on Page 2 of the Enclosure at the end of the second paragraph as follows:

When the transfer is complete, the NRC will consent to cancellation of the standby trust for BWXT.

Now that the transfer is complete, do we have the NRC's consent to cancel BWXT's Standby Trust Agreement (STA) by implication from the recent Federal Register Notice (2/19/09, NRC-2008-0428), or do we need a specific letter or email from the NRC giving consent? A timely response would be greatly appreciated in order for Citibank to proceed with the termination of the BWXT STA.

Sincerely,

Barry Cole
Manager, Licensing & Safety Analysis
B&W NOG-Lynchburg
434-522-5665

From: Wise, Catherine [mailto:CWise@mcdermott.com]
Sent: Monday, March 02, 2009 10:22 AM
To: Cole, Barry L.
Cc: Howard, Stephen; Whitten, Nora J.; Colling, M. B. (Beth)
Subject: BWXT STA - Termination Request

Dear Barry,

Citibank needs to terminate the Standby Trust Agreement for BWX Technologies, Inc. that was replaced by the Standby Trust Agreement executed in December 2008 with Babcock & Wilcox Nuclear Operations Group, Inc.

In order for Citibank to proceed with the termination, they require consent from both BWXT and the NRC. Please advise if there is any official correspondence from the NRC that addresses replacing the BWXT Standby Trust Agreement with a new B&W NOG Standby Trust Agreement. Citibank may be able to use such document as evidence of NRC consent without us having to seek an additional letter from the NRC addressed to Citibank. Treasury will handle the consent of BWXT.

Many thanks,
Cathy

Catherine C. Wise | Senior Analyst, Debt-Indemnities | McDermott Incorporated

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