

July 9, 2009

Mr. W. Evans Reynolds, MIPS Program Manager
Babcock & Wilcox Technical Services
Group, Inc.
2016 Mt. Athos Road
Lynchburg, Virginia 24505

Dear Mr. Reynolds:

I am responding to your email of July 1, 2009, sent to James T. Wiggins, Deputy Director of the Office of Nuclear Reactor Regulation, and Victor McCree, (who was acting Deputy Executive director for Operations on that day). Your email provided a list of licensing milestones from an accelerated schedule that Babcock and Wilcox (B&W) submitted to the Department of Energy (DOE) in response to DOE's request for application for Cooperative Agreement for Molybdenum-99 (⁹⁹Mo) production.

You indicated that B&W would appreciate any insight into the licensing approach determination (application of NUREG-1537) as this could impact the accelerated schedule commitment. As we informed you at the public meeting on July 8, 2009, the staff is not at liberty to discuss the licensing issues which are addressed in a notation vote Commission paper currently still in process. The staff understands your schedule objectives and plans to request sufficient resources to support review of the MIPS construction application and operating license submittals. However, the staff notes (and as you recognized this in your July 8 presentation) that success in meeting your schedule objective depends in large measure on timely, complete, and high quality submittals. The staff appreciates the information that you provided, both in the email and in the July 8, 2009, meeting and looks forward to future constructive interactions with you on this matter.

Sincerely,

/RA/

Mary Jane Ross-Lee, Senior Program Manager
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

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Mary Jane Ross-Lee, Senior Program Manager
Division of Policy and Rulemaking
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