



OFFICE OF THE
SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

Action: Collins, NRR

Cys: Travers
Paperiello
Kane
Norris
Craig
Thadani, RES
Virgilio, NMSS
Cubbage, NRR
Jackson, NRR
Schroll, SECY

January 14, 2002

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: STAFF REQUIREMENTS - SECY-01-0207 - LEGAL AND
FINANCIAL ISSUES RELATED TO EXELON'S PEBBLE BED
MODULAR REACTOR (PBMR)

This is to advise you that the Commission has not objected to the staff publishing its preliminary positions on the legal and financial issues related to Exelon's pebble bed modular reactor (PBMR) so that the staff can engage stakeholders on these preliminary positions prior to providing the Commission with its policy recommendations in June 2002. Staff should make it clear that these positions are preliminary and do not have Commission approval.

(NRR)

(EDO Suspense date: 6/21/02)

200100080

The following change should be made to SECY-01-0207, before it is released to the public:

Page 23, fourth full paragraph, revise last line to read, '...certain level; the federal government pays all public liability claims above that liability ceiling. ...'

Section E. Decommissioning Funding - modify the discussion by replacing any references to a 100-year period with a more general discussion about the ability to take a 2-percent annual real earnings credit for the entire period from the initial prepayment through the projected decommissioning period, as permitted in § 50.75(e)(1)(i).

cc: Chairman Meserve
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CFO
OCA
OIG

NOTE: SENSITIVE INFORMATION -- LIMITED TO NRC UNLESS THE COMMISSION
DETERMINES OTHERWISE

4/17
Non-Public
ML 020150056