

August 16, 2006

Anthony J. Thompson  
Attorney at Law  
Thompson & Simmons, PLLC  
1225 19<sup>th</sup> Street, N.W.  
Washington, DC 20036

SUBJECT: NRC APPROVAL OF R.M.D. OPERATIONS, LLC'S REQUEST FOR  
WITHHOLDING INFORMATION FROM PUBLIC DISCLOSURE FOR A  
FINANCIAL ASSURANCE PACKAGE

Dear Mr. Thompson:

By letter dated August 14, 2006, containing affidavits with the same date, and executed by Duane Bollig, Vice President for Environmental and Government Affairs for R.M.D. Operations, LLC, you requested that the U.S. Nuclear Regulatory Commission (NRC) withhold from public disclosure, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 2, Section 2.390, information contained in the following documents:

1. WRT Uranium Removal System Agreement;
2. Draft Standby Trust Agreement; and the
3. Draft Statement of Intent.

We have reviewed your application and the material in accordance with the requirements of 10 CFR 2.390 and, on the basis of your statements, have determined that the submitted information sought to be withheld contains proprietary commercial information and should be withheld from public disclosure.

Therefore, the documents listed above marked as proprietary, will be withheld from public disclosure pursuant to 10 CFR 2.390(b)(5) and Section 103(b) of the Atomic Energy Act of 1954, as amended. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned to inspect the documents.

If the basis for withholding this information from public inspection should change in the future such that the information could then be made available for public inspection, you should promptly notify the NRC. You also should understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act

A. Thompson

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request includes your information. In all review situations, if the NRC makes a determination adverse to the above, you will be notified of the date of public disclosure, in advance which will be a reasonable time thereafter.

If you have any questions regarding this matter, I may be reached at 301-415-6334.

Sincerely,

**/RA/**

Michael Raddatz, Sr. Project Manager  
Uranium Processing Section  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 40-9059

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**/RA/**

Michael Raddatz, Sr. Project Manager  
Uranium Processing Section  
Fuel Cycle Facilities Branch  
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Office of Nuclear Material Safety  
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Docket No. 40-9058

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