

**From:** [Smith, Brody](#)  
**To:** [Ullrich, Elizabeth](#)  
**Cc:** [Salomon, Erich](#)  
**Subject:** RE: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb  
**Date:** Thursday, April 30, 2015 10:30:40 AM

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Betsy. We are in the process of replacing all of the financial assurance instruments in place associated with this license prior to the expiration on June 1. You will have a new standby trust along with new CFO guarantees and the related documents. There will be no further delays.

-Brody

-----Original Message-----

From: Ullrich, Elizabeth [<mailto:Elizabeth.Ullrich@nrc.gov>]  
Sent: Thursday, April 30, 2015 9:33 AM  
To: Smith, Brody  
Cc: Salomon, Erich  
Subject: RE: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

Brody,

We last spoke on March 20, and I still have not seen any new documents submitted. Please give me an update. It is now 624 days that this issue has been open.

Betsy

Betsy Ullrich, Senior Health Physicist  
Commercial, Industrial, R&D and Academic Branch Division of Nuclear Materials Safety US NRC Region I Office  
(610) 337-5040 (office)  
(484) 919-8348 (cell)  
[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)

-----Original Message-----

From: Smith, Brody [<mailto:smithb@bsk.com>]  
Sent: Tuesday, March 17, 2015 3:28 PM  
To: Ullrich, Elizabeth  
Cc: Smith, Brody; Salomon, Erich  
Subject: Re: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

Betsy,

I am in court today, but will give you a call tomorrow with a full update.

-Brody

Sent from my iPhone

On Mar 17, 2015, at 8:32 AM, "Ullrich, Elizabeth"  
<[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)<<mailto:Elizabeth.Ullrich@nrc.gov>>> wrote:

<image001.jpg>  
Update, please???

From: Smith, Brody [<mailto:smithb@bsk.com>]  
Sent: Monday, March 09, 2015 10:15 AM

To: Ullrich, Elizabeth; Salomon, Erich  
Subject: RE: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

Hi Betsy,

We are in the process of completing our financial assurance documents for all facilities for 2015 with the bank. I will make a call today and get back to you right away.

-Brody

From: Ullrich, Elizabeth [<mailto:Elizabeth.Ullrich@nrc.gov>] <[mailto:\[mailto:Elizabeth.Ullrich@nrc.gov\]](mailto:[mailto:Elizabeth.Ullrich@nrc.gov])>  
Sent: Monday, March 09, 2015 8:12 AM  
To: Smith, Brody; Salomon, Erich  
Subject: RE: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

Brody,

I need a progress update, please. Another 6 weeks have passed since our last update. When we spoke on January 23, you said that only a few signatures were needed, and expected the new documents to be submitted quickly.

Thanks,  
Betsy

Betsy Ullrich, Senior Health Physicist  
Commercial, Industrial, R&D and Academic Branch Division of Nuclear Materials Safety US NRC Region I Office  
(610) 337-5040 (office)  
(484) 919-8348 (cell)  
[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov) <<mailto:Elizabeth.Ullrich@nrc.gov>>

From: Smith, Brody [<mailto:smithb@bsk.com>]  
Sent: Friday, January 23, 2015 10:51 AM  
To: Ullrich, Elizabeth; Salomon, Erich  
Subject: RE: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

Betsy,

I am sorry for the delay. There was confusion on our end with the bank because this property has two trusts associated with it. I am sorry for the delay and am working to correct it now. Please call me if you have any questions.

Best Regards,  
Brody

Brody Smith  
Member  
Property  
315.218.8225 Direct  
315.218.8925 Fax  
[bsmith@bsk.com](mailto:bsmith@bsk.com) <<mailto:bsmith@bsk.com>>  
Bio <<http://www.bsk.com/attorneys/bio.cfm?ID=2306>>  
<image002.gif> <<http://www.bsk.com/>>

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From: Ullrich, Elizabeth [<mailto:Elizabeth.Ullrich@nrc.gov>]

Sent: Friday, January 23, 2015 9:23 AM

To: Smith, Brody; Salomon, Erich

Subject: I need an update on the progress of the Standby Trust Agreement for Bristol Myers Squibb

License No. 06-27843-02

Docket No. 030-29266

Control No. 581560

Erich,

I have tried to get an update from Brody Smith on December 22, 2104 and January 6, 2015, by email and telephone, to know the status of the new Standby Trust Agreement. Based on our last email dated November 24, 2014, he expected this to be completed by the end of the calendar year.

As of today, this licensing action to resolve the financial assurance instrument issue is 533 days old. We need to get the new Standby Trust, with all its required attachments, as soon as possible. Here is what is needed, as was listed in my 11/24/14 email:

The Standby Trust Agreement, with the following:

- Schedule A
- Schedule B
- Schedule C
- Specimen certificate of events
- Specimen certificate of resolution
- Letter of acknowledgement

The guidance for this can be found in NUREG-1757, volume 3, Appendix A.12. Here is a link to that NUREG:  
<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1757/v3/>

Please let me know if you have any updated information as to the status of the new (replacement) Standby Trust Agreement.

Thanks,  
Betsy