



U.S. Department  
of Transportation

**Maritime  
Administration**

Office of Ship Disposal

1200 New Jersey Ave., SE  
Washington, DC 20590

**Ref: 10 CFR 50.75(f)(1); 50.82(a)(7) and 50.82(a)(8)(v)-(vii)**

March 31, 2021

**ATTN: Document Control Desk**

U.S. Nuclear Regulatory Commission  
Washington, DC 20555

**SUBJECT: Docket No. 50-238; License No. NS-1; N.S. SAVANNAH**

Submittal of Decommissioning Funds Status Report for Calendar Year (CY) 2020

The Maritime Administration (MARAD) hereby submits Revision 0 of the CY2020 Decommissioning Funds Status Report for the Nuclear Ship *SAVANNAH* (NSS) as Enclosure 1.

MARAD is actively procuring decommissioning services, and the Contracting Officer has determined that some of the financial information contained in Enclosure 1 is source selection sensitive material. Accordingly, MARAD respectfully requests that this information be withheld from public disclosure in accordance with 10 CFR Section 2.390 of the Commission's regulations (Application for Withholding). Enclosure 2 is the affidavit required by 10 CFR 2.390 requesting that Enclosure 3 be withheld from public disclosure.

Enclosure 3 provides financial information from *Section 3.0, Financial Assurance Status Annual Report* that MARAD has determined should be withheld from public disclosure as confidential (source selection sensitive) material. Enclosure 3 is considered commercial or financial information as discussed in 10 CFR 2.390(d)(1).

This letter contains no new commitments.

If there are any questions or concerns with any issue discussed in this report, please contact me at (202) 366-2631, and/or e-mail [erhard.koehler@dot.gov](mailto:erhard.koehler@dot.gov).

Respectfully,

Erhard W. Koehler  
Senior Technical Advisor, N.S. *SAVANNAH*  
Office of Ship Disposal

Enclosures

ADD 1  
NRR

**Docket No. 50-238; License NS-1; N.S. *SAVANNAH***  
**Submittal of Decommissioning Funds Status Report for CY2020, Revision 0**  
**March 31, 2021**

Enclosures

1. STS-215, Decommissioning Funds Status Report for CY2020
2. Affidavit for Withholding Enclosure 3
3. Section 3.0, Financial Assurance Status Annual Report (**Confidential Information submitted under 10 CFR 2.390**)

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**Submittal of Decommissioning Funds Status Report for CY2020, Revision 0**  
**March 31, 2021**

cc:

Electronic copy

NSS ESC

NSS SRC

MAR 610, 612, 615

Hardcopy, cover letter only

MAR-600, 640, 640.2

Hardcopy with all enclosures

MAR-100, 640.2 (rf)

USNRC (Ted Smith, Katherine Warner)

USNRC Regional Administrator - NRC Region I

MD Department of the Environment (Eva Nair)

EWK/jmo



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**Docket No. 50-238; License No. NS-1; N.S. *SAVANNAH***

**Enclosure 1 to Submittal of Decommissioning Funds Status Report for CY2020**

**STS - 215, DECOMMISSIONING FUNDS STATUS REPORT FOR CY2020**



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**Enclosure 2 to Submittal of Decommissioning Funds Status Report for CY2020**

**AFFIDAVIT**

I, Erhard W. Koehler, state as follows:

1. I am Senior Technical Advisor and Manager, N.S. *SAVANNAH* Programs and as such, I have been specifically delegated the function of reviewing the confidential financial information sought to be withheld from public disclosure in connection with nuclear power plant licensing, and am authorized to apply for its withholding on behalf of MARAD.
2. I am making this Affidavit in conformance with the provisions of 10 CFR Section 2.390 of the Commission's regulations and in conjunction with the Application for Withholding requested in the cover letter.
3. The information sought to be withheld is contained in *Section 3.0, Financial Assurance Status Annual Report*, (Enclosure 3) and includes the contents of section 3.1 of *STS-215, Decommissioning Funds Status Report for CY2020*. Through the combined effects of the information contained in Section 3.1, the report identifies the remaining balance of decommissioning funds at the conclusion of CY 2020.
4. The basis for proposing that Enclosure 3 be withheld is it that on March 4, 2020, MARAD released its Request for Proposals (RFP) for decommissioning and license termination services. Fixed-price proposals in response to the RFP were received in August, and evaluation of the proposals (including revisions based on discussions) continued through the end of the reporting period. Although a contract award may be made prior to the submittal of this report, offerors who do not receive the award may protest, and the resolution to any such protest will continue beyond the report submittal date. The MARAD Contracting Officer has determined that the balance of decommissioning funds available at the beginning of CY 2021 may be a factor in any protest resolution. This information thus constitutes source selection information as described in Federal Acquisition Regulations (FAR) Part 2.101, whose disclosure could "jeopardize the integrity or successful completion of the Federal agency procurement to which the information relates."
5. Public Disclosure of the information sought to be withheld is likely to cause substantial harm to N.S. *SAVANNAH* (NSS) as follows:

*MARAD's procurement for decommissioning and license termination services is ongoing. MARAD has determined that announcing to the public the remaining balance of decommissioning funds could jeopardize the successful completion of the acquisition process by influencing any post award protest.*

6. Pursuant to the provisions of paragraph 10 CFR 2.390(b)(4), the following is furnished for consideration by the Commission in determining whether the information sought to be withheld from public disclosure should be withheld.
  - (i) The financial information contained in Enclosure 3 has been held in confidence by MARAD.
  - (ii) To the best of my knowledge, the financial information contained in Enclosure 3 is of a type customarily held in confidence by MARAD. The basis for requesting withholding of Enclosure 3 follows:

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*The information constitutes source selection information as described in Part 2.101 of the FAR.*

- (iii) MARAD will transmit Enclosure 3 in confidence and expects the Commission to receive it in confidence.
- (iv) The information in Enclosure 3 is based on Federal accounting system data which is not publicly available.
- (v) Public disclosure of the information sought to be withheld may cause substantial harm to the competitive position of MARAD by jeopardizing the integrity of the ongoing procurement.

I declare under penalty of perjury that the foregoing affidavit and the matters stated therein are true and correct to the best of my knowledge, information, and belief.

Executed on this 31<sup>st</sup> day of March 2021.

Respectfully,

A handwritten signature in black ink, appearing to read 'Erhard W. Koehler', written over a horizontal line.

Erhard W. Koehler  
Senior Technical Advisor, N.S. SAVANNAH  
Office of Ship Disposal