



MEMORANDUM

To: Sophia Angelini, Attorney Advisor
Office of the General Counsel for Civilian Nuclear Programs, GC-52

Date: March 24, 2011

From: Theann Kennebeck
Department Specialist
ConverDyn

Re: DOE Notice of Inquiry on the Convention on Supplementary Compensation for Nuclear Damage (CSC) Contingent Cost Allocation --March 16, 2011 conference call with ConverDyn

On March 16, 2011, ConverDyn and DOE had a conference call to discuss ConverDyn's November 2010 comments on the DOE Notice of Inquiry on the Convention on Supplementary Compensation for Nuclear Damage (CSC) Contingent Cost Allocation.

ConverDyn Participants

Ganpat Mani, President & CEO
Malcolm Critchley, Vice President, Marketing
Scott Lumadue, Vice President, Marketing
Theann Kennebeck, Department Specialist

DOE Participants

Anita Capoferri and Sophia Angelini, Office of the General Counsel
Sean Tyson, Office of Nuclear Energy

DOE informed ConverDyn that DOE will be re-opening the Notice of Inquiry because of new and different issues related to CSC. This would occur once DOE finished meeting with all groups that filed comments in 2010.

ConverDyn made the following key points:

- 1) ConverDyn clarified to DOE that it does not ship UO₂.

- 2) ConverDyn clarified contracting characteristics of the front end of the fuel cycle.
- 3) ConverDyn is supportive of a large pool of suppliers being involved in the risk pool, but due regard should be given to the risks associated with each supplier's goods and services.
- 4) In response to the DOE's question about how to determine if a particular good or service is considered *de minimis*, ConverDyn suggested first analyzing the risk involved with the good or service and then consider the export quantity or total export revenue.
- 5) DOE asked ConverDyn for examples of studies on risks associated with conversion services, and ConverDyn replied that it is not aware of any.
- 6) ConverDyn asked DOE to ensure consistency in definition of terms between CSC signatory countries, such as for "covered installation," to avoid conflict with Price Anderson Act.
- 7) U.S. suppliers are concerned about incurring liability for an event occurring in a covered installation in a CSC country that they do not or have not supplied to.

ConverDyn looks forward to staying in touch with the DOE.

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