



**FREPORT-McMoRAN
COPPER & GOLD**

One North Central Avenue, Phoenix, AZ 85004 ♦ (602) 366-8100 ♦ Fax (602) 366-7314

Jerry Roose
Director, North American Environmental Operations

March 27, 2009

Richard Chang - Project Manager
Decommissioning and Uranium Recovery Licensing Directorate
Division of Waste Management and Environmental Protection
11545 Rockville Pike
Rockville, MD 20852

**Re: Financial Assurance Update and Notice of Confidential Commercial Information in
Financial Documents Submitted Pursuant to Western Nuclear, Inc.'s Split Rock
Facility located in Jeffery City, Wyoming – NRC License # SUA-56**

Dear Mr. Chang,

Western Nuclear, Inc. ("WNI") hereby submits the financial information required by the above-referenced license to demonstrate financial assurance for its Split Rock Facility to the U.S. Nuclear Regulatory Commission ("NRC"). Specifically, I have enclosed the following documents and information:

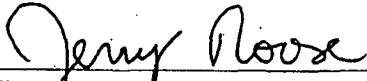
1. Letter from the Chief Financial Officer of Freeport-McMoRan Copper & Gold Inc. ("FCX"), WNI's parent, and Form 10-K filed with the Securities and Exchange Commission (Fiscal year ended December 31, 2008) which includes a copy of an independent certified public accountant's report on page 117 ;
2. Financial Assurance Worksheet (Exhibit A);
3. Total U.S. Assets Schedule, which includes commercially sensitive information submitted under 10 C.F.R. § 2.390 (Attachment A); and
4. A report from FCX's independent certified public accountant comparing the data used by the parent company in the financial test to the requirements of 10 C.F.R. Chapter I, Part 30, Appendix A.II.2(i)-(iv).

Pursuant to Section 1314 of the Atomic Energy Act (42 U.S.C. § 2167), the Freedom of Information Act (5 U.S.C. § 552), and the rules and regulations promulgated by the NRC (10 C.F.R. § 2.390), FCX hereby designates the enclosed Total U.S. Assets Schedule as confidential commercial information. The Total U.S. Assets Schedule qualifies as confidential commercial information for the reasons set forth in enclosed affidavit. Accordingly, the document and information should be treated as confidential by the NRC.

Pursuant to the above-referenced authorities, the NRC should maintain the enclosed Total U.S. Assets Schedule as confidential and exempt from disclosure pursuant to the Freedom of Information Act and other public records or disclosure laws. If a request is made for public review of the document or information, the NRC must notify FCX and provide FCX with a reasonable opportunity to substantiate its claim that the information is confidential.

I appreciate the NRC's consideration. If you have any questions, please do not hesitate to contact me directly at 602-366-8458.

Sincerely,



Jerry Roose

Enclosures



**FREPORT-McMoRAN
COPPER & GOLD**

One North Central Avenue, Phoenix, AZ 85004 ♦ (602) 366-8016

Kathleen Quirk
Chief Financial Officer - Exec. VP and Treasurer - FCX

March 26, 2009

Richard Chang - Project Manager
Decommissioning and Uranium Recovery Licensing Directorate
Division of Waste Management and Environmental Protection
11545 Rockville Pike
Rockville, MD 20852

Dear Mr. Chang:

I am the chief financial officer of Freeport-McMoRan Copper & Gold Inc. (the "Company") located at One North Central Avenue, Phoenix, Arizona 85004, a Delaware corporation. This letter is in support of the Company's use of the financial test to demonstrate financial assurance using a parent company guarantee as specified in NRC's 1988 *Technical Position on Financial Assurances for Reclamation, Decommissioning, and Long-Term Surveillance and Control of Uranium Recovery Facilities* ("Technical Position").

The Company guarantees, through a parent company guarantee submitted to demonstrate compliance under 10 CFR Part 40, including Appendix A, and the above-mentioned NRC Technical Position, the decommissioning of the following facility owned and for operated by a subsidiary of this Company. The current cost estimates or certified amounts for decommissioning, so guaranteed, are shown for such facility:

<u>Name and Location Facility</u>	<u>License Number</u>	<u>Certified Amounts or Current Cost Estimates</u>
Western Nuclear, Inc. Split Rock Facility 22 Ore Road Jeffrey City, Fremont County, Wyoming 82310	SUA-56	\$1,041,006

This Company is required to file a Form 10-K with the U.S. Securities and Exchange Commission for the latest fiscal year.


The fiscal year of this firm ends on December 31. The figures are derived from this Company's independently audited, year-end financial statements and footnotes for the latest completed fiscal year, ended December 31, 2008. A copy of the Company's most recent financial statements is enclosed.

PARENT COMPANY GUARANTEE FINANCIAL TEST

1.	Current decommissioning cost estimates or certified amounts	
a.	Decommissioning amounts covered by this parent company guarantee	<u>\$ 1,041,006</u>
b.	All decommissioning amounts covered by other NRC or Agreement State parent company guarantees or self-guarantees	<u>\$ -0-</u>
c.	All amounts covered by parent company guarantees, self-guarantees or financial tests of other Federal or State agencies	<u>\$307,828,632</u>
	TOTAL	<u>\$308,869,638</u>

Attached as Exhibit "A" is a spreadsheet demonstrating compliance with the Financial Test as specified in 10 C.F.R. Part 30, Appendix A II.A.2.

I hereby certify that the content of this letter is true and correct to the best of my knowledge.



Kathleen Quirk, Chief Financial Officer - Exec. VP
and Treasurer - FCX

Date: 3/26/09

AFFIDAVIT


STATE OF ARIZONA)
) ss.
County of Maricopa)

I, Kathleen Quirk, being first duly sworn, state as follows:

1. I am Chief Financial Officer.
2. I declare that the enclosed Total U.S. Assets Schedule constitutes confidential information based on the Nuclear Regulatory Commission's regulations contained in 10 C.F.R. § 2.390. This information is considered confidential by Freeport-McMoRan Copper & Gold Inc. ("FCX"); the information contains financial information considered confidential by FCX; the information is being transmitted to NRC in accordance with the 10 C.F.R. § 2.390 to maintain its confidentiality; the information is not available through public sources; and the disclosure of the information will cause substantial harm to FCX's competitive position.
3. Disclosure of the information subject to this confidential claim could harm FCX's business interests, including future sale of assets, procurement of insurance, and other business transactions if the information is released to the public.


Further Affiant Says Not.

Dated this 27 day of March, 2009.



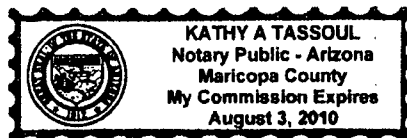
Kathleen Quirk

SUBSCRIBED AND SWORN TO before me this 27 day of March, 2009.



Notary Public, State of Arizona

My commission expires:





Ernst & Young LLP
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2 North Central Avenue, Suite 2300
Phoenix, Arizona 85004
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Report of Independent Registered Public Accounting Firm

To the Board of Directors and Management of
Freeport-McMoRan Copper & Gold Inc.

We have audited, in accordance with the standards of the Public Company Accounting Oversight Board (United States), the consolidated balance sheet of Freeport-McMoRan Copper & Gold Inc. as of December 31, 2008 and the related consolidated statement of operations, stockholders' equity and cash flows for the year then ended, and have issued our report thereon dated February 18, 2009.

In connection with our audit, nothing came to our attention that caused us to believe that the Company failed to comply with the terms of Title 10, Chapter I, Part 30, Appendix A.II.A.2(i)-(iv) of the Code of Federal Regulations, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance.

The amounts utilized to determine compliance with the requirements of Title 10, Chapter I, Part 30, Appendix A.II.A.2(i)-(iv) were derived from the audited financial statements of the Company as of and for the year ended December 31, 2008.

This report is intended solely for the information and use of the board of directors and management and the Nuclear Regulatory Commission and is not intended to be and should not be used by anyone other than the specified parties.

Ernst & Young LLP

February 18, 2009