

U.S. NUCLEAR REGULATORY COMMISSION

Amendment No. **51****MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		In accordance with the letters dated May 31, 2005 and October 6, 2005
1. Westinghouse Electric Company LLC		3. License number SNM-00033
2. 3300 State Road P		4. Expiration date License is continued until decommissioning is complete and the U.S. Nuclear Regulatory Commission notifies Westinghouse Electric Company LLC in writing that the license is terminated.
Festus, Missouri 63028		5. Docket No. 070-00036 Reference No.
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Uranium enriched to maximum 5.0 weight percent in the U-235 isotope	A. Any (excluding metal powders)	A. 1,250 kilograms U-235
B. Uranium, enriched to any enrichment in the U-235 isotope	B. Any (excluding metal powders)	B. 350 grams U-235
C. Uranium (natural or depleted)	A. Any (excluding metal powders)	C. 2,000 KILOGRAMS
D. Cobalt-60	D. Sealed sources	D. 40 millicuries
E. Cesium-137	E. Sealed sources	E. 500 millicuries
F. Byproduct material, including americium 241	F. Any	F. 400 microcuries
G. Special, Source, and Byproduct Material	G. Any (residual contamination)	G. Existing at the Hematite site On July 1, 2001
H. Californium 252	H. Sealed Sources	H. 23.77 micrograms
9. Authorized Use: Items A through E. Uses as described in letter dated August 22, 2002, and limited to decommissioning activities as follows:		
A. Activities necessary to reduce the current inventory of Special Nuclear Material, Source		

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Material, and Byproduct material from the site including, but not limited to, such activities as:

1. Preparation, packaging, and shipment of the remaining inventory of Special Nuclear and Source Material.
 2. Waste preparation, packaging, and shipment.
 3. Equipment testing, clean-out, and decontamination in preparation for packaging and shipment.
- B. Activities necessary to plan for the decommissioning of the site including, but not limited to, such activities as site characterization.
- C. Activities necessary to maintain the facilities and site in a safe condition pending license termination including, but not limited to, such activities as:
1. Facility maintenance, inspection, testing, and preventive maintenance activities necessary to maintain safe conditions such as ventilation control and operation, alarm systems, process controls, building maintenance etc.
 2. Process equipment maintenance.
- D. Activities necessary to decommission the facilities and site including but not limited to such activities as:
1. Waste preparation, packaging, and shipment.
 2. Equipment clean-out and decontamination.
 3. Building surface decontamination.
- E. The licensee shall not perform the following activities until they are approved by specific license amendment or an NRC-approved Decommissioning Plan:
1. Building demolition.
 2. Soil and groundwater remediation.
 3. Final status surveys.

CONDITIONS

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10. Licensed material shall be possessed at the licensee's Hematite facilities located in Hematite, Missouri.
11. A. The Radiation Safety Officer (RSO) is responsible for the oversight and implementation of the licensee's Radiation Protection Program. The duties of the RSO are described in Section 2.1.3.
- B. The Project Director for the Hematite Facility is Henry A. Sepp. The duties of the Project Director are described in Section 2.1.1.
- C. The Project Oversight Committee (POC) Chairman for the Hematite Facility is A. Joseph Nardi. The duties of the POC Chairman are described in Section 2.1.2.
12. The licensee is hereby granted the special authorizations in Chapter 1, Section 1.6(a) through 1.6(h) of the renewal application.
13. The licensee shall follow **Revision 7 of its Fundamental Nuclear Material Control Plan, dated October 6, 2005**. This Plan may be further revised in accordance with, and pursuant to, the provisions of either 10 CFR 70.32(c) or 70.34.
14. The licensee shall follow the physical protection plan entitled, "Physical Security Plan" Revision 5, Westinghouse document No.: PO-GM-006 (undated) transmitted by letter dated January 28, 2003, and supplements dated July 14, 2003, January 26, and April 7, 2004; and as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).
15. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated **May 12, 2005 (Chapter 2) and supplement dated February 22, 2006 (Table of Contents)**. Applications dated October 29, 1993 (**Chapter 6**), January 14 (**Chapter 5**), March 21 (**Chapter 3**), June 14, 1994 (**Chapters 1 & 3**); July 10, 1998 (**Chapter 4**); December 6, 1999 (**Chapter 4**); June 2, 2000 (**Chapter 1 & 5**); August 2, 2001 (**Chapters 1, 3, 4, 5, 6 & 7**), August 22, 2002 (**Chapters 1 & 8**); and December 7, 2004 (**Chapter 3**).
- B. Letters dated **September 28, November 3, and November 20, 1998 (Chapter 14)**; **September 11, 2001; January 26, April 7, and June 29, 2004**.

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FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: 3/24/06

/RA/

Claudia M. Craig, Acting Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

