



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 27, 2007

Docket No. 07000698
Control No. 140543

License No. SNM-770

Wayne D. Vogel
Radiation Safety Officer
Westinghouse Electric Company LLC
Waltz Mill Site
P.O. Box 158
Madison, PA 15663-0158

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY LLC, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR RENEWAL OF LICENSE,
CONTROL NO. 140543

Dear Mr. Vogel:

This is in reference to your application dated May 18, 2007 requesting to renew Nuclear Regulatory Commission License No. SNM-770. In order to continue our review, we need the following additional information:

1. Your application should have been signed by a management representative rather than the Radiation Safety Officer (RSO). Please submit a letter signed by a management representative indicating that management has reviewed the application and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence that requests a change in your license. Our records show the designated management representative is Mr. A. J. Nardi.
2. The address of use submitted on page 3-1 of your application gives a post office box address. A post office box address is not acceptable for the location of use. Please confirm that the address of use as currently listed on the license is accurate, which states "...facilities located at the Waltz Mill site, Interstate 70, Exit 54 and Madison Road, Madison, PA."
3. A significant increase in the maximum quantity of radioactive material was requested with this application. Please describe the basis for the large inventory increase needs.
4. 10 CFR 30.32(g) requires that an application for a specific license to use byproduct material in the form of a sealed source or in a device that contains a sealed source must either identify the source or device by manufacturer and model number as registered with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State; **or** contain the information identified in 10 CFR 32.210(c). Item 5.1 O. did not list the isotope, manufacturer, or model number of the sealed sources. Please provide this information for the sealed source(s) requested in your application.

5. You currently have an authorized use for review and storage of contaminated records. Your renewal application did not request this authorization. Please confirm that you no longer need the authorized use to review and store contaminated records.
6. You specify on page 6-3, 10-21, and page 10-22 that you will use Table 1 of "Guidelines for Decontamination of Facilities and Equipment Prior to release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material," dated April 1993. This guideline is non-conservative for alpha emitting radionuclides on building surfaces. You may wish to review NUREG-1757, Volume 1, Revision 3, "Consolidated NMSS Decommissioning Guidance, Decommissioning Process for Material Licensees" section 6.63 and NUREG/CR-5512, Volume 3, "Residual Radioactive Contamination from Decommissioning, Table 5.19 (Use Adams Search "ML003726967") for additional information. Please resubmit your release criteria.
7. NUREG-1556, Volume 11, Section 8.7.1 recommends in Item 7 to include an organizational chart describing the management structure, reporting paths, and the flow of authority between executive management, the Radiation Safety Committee (RSC) and the RSO. The organizational chart provided in section 7.1 of your application did not include the RSC. Please describe the reporting path of your RSC to your executive management and the RSO.
8. Describe the criteria your Radiation Safety Committee (RSC) will use to approve authorized users and uses for activities utilizing licensed material. These criteria should specify the minimum acceptable standards for training and experience of the users, facilities and equipment, the operating or handling procedures, the types of surveys or monitoring and the survey frequency requirements. Your application must provide sufficient detail to assure that the RSC evaluations are sufficient in scope and depth to satisfy 10 CFR 33.13(c)(3). In addition, you may wish to correlate the survey frequency for research laboratories to the hazard using a scheme such as that found in Appendix K of NUREG-1556, Volume 11, "Program Specific Guidance About Licenses of Broad Scope."
9. NRC will provide even greater flexibility to Type A Broad Scope licensees to make program changes and changes to procedures specifically identified in documents which were previously approved by the Commission and incorporated into the license, without prior Commission approval. Please provide the following additional statements for authorization for this flexibility:
 - a. Changes to your program and procedures will be limited to the following areas: training; audit program; radiation monitoring instruments; material receipt and accountability; safe use of radionuclides and emergency procedures; and radiation surveys. In addition, state that you will apply for, and receive an amendment to your license prior to implementing any other programmatic or procedural changes.

- b. The proposed revision will be documented, reviewed, and approved by the your Radiation Safety Committee in accordance with established procedures prior to implementation. At a minimum, documentation shall state the reason for the change and summarize the radiation safety matters that were considered prior to approval of the change.
- 10. Provide a copy of senior management's written statement of delegation of authority to the Radiation Safety Officer. This statement should include the requisite authority to communicate with and direct your personnel regarding NRC regulations and license provisions and to enforce these requirements including the ability to terminate any unsafe operation involving the use of licensed material. Appendix J of NUREG-1556, Volume 11 contains a model delegation of authority and may be helpful to you in developing your response.
- 11. In section 9.4 of your application, you state that cognizant manager may approve facility modifications which does not involve an unreviewed radiation safety question. This process is not defined for a part 30, 40, and 70 licensee. As stated in NUREG-1556, Item 9, please describe your procedures for control, review, and approval of significant facilities or equipment modifications.
- 12. In section 10.9 of your application, you described your Respiratory Protection Program. In your program your allow for a grace period for up to 90 days as approved by the Program Administrator on respirator to be re-evaluated medically and for the quantitative fit test beyond the submitted frequency. As stated in Regulatory Guide 8.15, "Acceptable Programs for Respiratory Protection," revision 1, dated October 1999, it states in section 5.1.3 and 5.3.5 that if annual re-screening is indicated, three consecutive examinations should not exceed 39 months. Please confirm that you will meet this additional criteria as stated in Regulatory Guide 8.15.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 140543. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5366.

W. Vogel
Westinghouse Electric Company LLC

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In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

Sincerely,

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
R.G. Cline, Manager, Nuclear Services Environment, Health, and Safety

W. Vogel
Westinghouse Electric Company LLC

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SUNSI Review Complete: DLawyer

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