



April 22, 2011

Document Control Desk
US Nuclear Regulatory Commission
Washington, D.C. 20555-0001

References:

1. License SNM-2001, Shallow Land Disposal Area.
2. Memorandum of Understanding (MOU) Between the U.S. Nuclear regulatory Commission and the U.S. Army Corps of Engineers for Coordination (USACE) of Cleanup & Decommissioning of the Formerly Utilized Sites Remedial Action Program (FUSRAP) Sites with NRC Licensed Facilities, July 5, 2001.

BWX Technologies, Inc. (BWXT) is writing this letter to confirm our understanding regarding license suspension and eventual license termination for the Shallow Land Disposal Area (SLDA), SNM-2001. The following summarizes our understanding of the process based on the MOU (Ref. 2) and resulting from a number of meetings with NRC, USACE, the Pennsylvania Department of Environmental Protection (PADEP):

- On March 11, 2011, USACE notified NRC that it was prepared to take physical possession of the site on June 2, 2011, and requested that NRC suspend the license, SNM-2001. BWXT understands that NRC is preparing an Order for license suspension that, once executed, will transfer physical possession and control of the site (for the purposes of control of radiation) to USACE.
- Once the Order is executed, BWXT understands that all license conditions and requirements invoked by license SNM-2001 will be suspended until such time as they are reinstated according to the MOU. Specifically, BWXT intends to suspend all activities required by License Conditions 10, 11, 12, 13, and 14 of Amendment 8 of SNM 2001. Regarding Conditions 15 and 16, BWXT intends to maintain the existing financial assurance during the period when the license is in suspension, will maintain a point-of-contact, and will notify NRC of any changes.

END

BWX Technologies, Inc. (BWXT) is writing this letter to confirm our understanding regarding license suspension and eventual license termination for the Shallow Land Disposal Area (SLDA), SNM-2001. The following summarizes our understanding of the process based on the MOU (Ref. 2) and resulting from a number of meetings with NRC, USACE, the Pennsylvania Department of Environmental Protection (PADEP):

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- BWXT understands that the MOU and Record of Decision for the USACE response action at the SLDA require the site to be decontaminated to levels acceptable for unrestricted use according to 10 CFR 20.1402 and that NRC is reviewing the Final Status Survey Plan to be executed by USACE. Based upon this, we believe that all sampling, data collection, and reporting necessary to demonstrate completion of the response action and to demonstrate decontamination to unrestricted release levels of 10 CFR 20.1402, supporting license termination, will be provided by USACE to NRC in accordance with Articles III.K and IV of the MOU. Given this understanding, BWXT does not intend to perform any confirmatory sampling or data collection either during execution or after completion of the response action by USACE.

We request either confirmation or clarification of the above from NRC in order that we can assure all necessary actions are planned and executed during and after the remediation process.

If you have questions or need additional information, please contact me at 434-522-6243 or the SLDA Project Manager, Terry Chalker, at 434-522-5531.

Sincerely,

Handwritten signature of S.W. Schilthelm, dated 4/22/11.

S.W. Schilthelm
SLDA License Manager
BWXT Technologies, Inc.

cc via email:

Yolande Norman, USNRC SLDA Project Manager
William Lenart, USACE SLDA Program Manager
Michael Forbeck, PADEP Waste Program Manager
Paul Taylor, ARCO SLDA Project manager
Terry Chalker, BWXT Technologies, SLDA Project Manager