

SAFETY EVALUATION REPORT

DOCKET: 70-1227

LICENSEE: AREVA INC.
2101 Horn Rapids Road
Richland, WA 99354-0130

SUBJECT: APPLICATION FOR AMENDMENT TO LICENSE NUMBER SNM-1227; NAME
CHANGE ASSOCIATED WITH AREVA INTERNATIONAL REORGANIZATION

BACKGROUND INFORMATION

By letter dated August 5, 2013, AREVA NP Inc.'s, (AREVA), Richland Facility submitted a request for U.S. Nuclear Regulatory Commission (NRC) consent to certain license transfers that were anticipated to occur as a result of a planned internal reorganization within the AREVA family of companies in the U.S. The request was submitted pursuant to Section 184 of the Atomic Energy Act of 1954, as amended and applicable regulations. The planned reorganization involved only U.S. companies within the AREVA corporate organization, and involved no outside, third party or transferees.

By letter dated October 1, 2013, the NRC documented its evaluation of AREVA's request to certain license transfers within the AREVA family of companies in the U.S. The applicable regulations, according to Title 10 of the *Code of Federal Regulations* (10 CFR), Paragraphs 30.34(b), 40.46, and 70.36(a), provide that no license granted pursuant to Parts 30, 40, or 70 can be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer control of any license to any person, unless the Commission [gives] its consent in writing. According to AREVA's submittal, the licensees' personnel, organizations, location, facilities, equipment, procedures, surveillance programs, record retention, and financial assurances would not be impacted or changed. Additionally, the NRC indicated in this letter that the merger proposed by AREVA would still require an administrative license amendment to change the name of the licensee and that the licensee provides evidence that all required financial assurance instruments are valid and appropriately assigned. Based on the submittal with respect to AREVA's proposed transaction, the NRC concluded that the reorganization within the AREVA family of companies in the U.S. would not constitute a transfer of control under 10 CFR 30.34(b), 40.46, and 70.36(a) and provided final approval of the proposed license transfers.

By letter dated October 30, 2013, AREVA indicated that AREVA NP, Inc. will change the corporate name to AREVA Inc. In addition, AREVA indicated that this change will be a change in name only, and shall be effective January 1, 2014.

The documents mentioned above contain business proprietary information and are non-publicly available per 10 CFR 2.390(b).

DISCUSSION

By letter dated May 7, 2014 (Agencywide Documents Access and Management System Accession No. ML14129A013), AREVA submitted an application for amendment to License No. SNM-1227; Name Change Associated with AREVA Internal Reorganization. AREVA informed the NRC that the change became effective January 1, 2014, and that the name change was a final step in an internal reorganization within the AREVA family of companies in the U.S. that involved certain NRC license transfers affecting AREVA NR Inc. AREVA change its name from "AREVA NP, Inc." to "AREVA Inc."

In this letter, AREVA enclosed the revised Chapter 1.0 – 11.0 of SNM-1227. The revision to these chapters were limited to changing the "AREVA NP" designations to "AREVA" with the exception of Chapter 9, "Environmental Protection." Chapter 9 includes additional revisions to include correction of a sampling requirement relative to fluoride-in-forage sampling and documentation of a minor movement in an ambient air sampling station.

In accordance with Special Authorization 1.2.5.1 of License SNM-1227, the name change constitutes an administrative change to AREVA's license and can be made without NRC pre-approval.

The NRC staff revised License SNM-1227 to change the name of the facility throughout the License. Additionally, the staff revised the following licensed conditions to update them with current information.

- S-1 Authorized use: For use in accordance with the statements, representations, and conditions in the LA dated October 24, 2006, and supplements dated December 13, 2006 (License Application and Request for Additional Information Responses); December 10, 2008; E-mail from R.E. Link titled "Compliance Plan" dated March 5, 2009; June 12, 2008, August 22, 2008, June 5, 2009, July 13, 2009, November 11, 2009, December 4, 2009, February 4, 2010, E-mail and Attachment Submitted by C.D. Manning on April 16, 2010, April 28, 2010; and E-mail and Attachment Submitted by C.D. Manning on July 1, 2010. Letters and LA dated February 14, 2011, October 8, 2010, August 24, 2011, February 13, 2012 and April 19, 2013.

The NRC staff performed an administrative change to correct the date from October 8, 2011 to October 8, 2010 in the S-1 license condition.

- S-2 The licensee shall maintain and execute the response measures in its Emergency Plan titled "Emergency Preparedness-Part I, Emergency Plan (E08-01-1.0)," Version 10, dated February 27, 2014, or as further revised by the licensee consistent with 10 CFR 70.32(i).

The NRC staff performed administrative changes to revise the date of the current version of the Emergency Plan and to ensure consistency in formatting with other licenses.

SG-1.1 The licensee shall follow Sections 0.0 through 8.0 of the Fundamental Nuclear Material Control Plan, Version 5.1, dated October 29, 2012. This Plan may be further revised in accordance with, and pursuant to, the provisions of 10 CFR 70.32(c) or 70.34.

The NRC staff revised this license condition to include the current version of the Fundamental Nuclear Material Control Plan.

ENVIRONMENTAL PROTECTION

In the license amendment application, AREVA proposed a revision to the table of surface-level environmental media sampling in Section 9.4 of the renewal application (ML063110089) to reflect that fluoride-in-forage will be sampled monthly during the growing season, April - September, changed from April - October. The NRC staff reviewed this change and confirmed that it is consistent with Washington State regulations at Washington Administrative Code 173-481-110 and determined that it is acceptable.

AREVA also proposed a change in location of fluoride ambient air sampling station No.3, identified in Figure 9-1. Sampling station No.3 was moved from northeast of the intersection of Horn Rapids Road and Stevens Drive to a new location southwest of the same intersection. The NRC staff consulted with the Washington Department of Ecology (ECY), which has jurisdiction over ambient air quality. In an email from Philip Gent, PE, dated July 16, 2014 (ML14199A109), Mr. Gent stated that ECY has no issues with the station location change. The NRC staff therefore finds the change in location of sampling station No.3 acceptable.

ENVIRONMENTAL ASSESSMENT

The NRC staff has determined that the name change to the license and license application are editorial and corrective revisions that are categorically excluded by 10 CFR 51.22(c)(10)(v) from the requirement to prepare an Environmental Impact Statement (EIS) or Environmental Assessment (EA). Changing the forage sampling schedule and relocating the fluoride ambient air sampling station constitute procedural changes that are categorically excluded by 10 CFR 51.22(c)(11) from the requirement to prepare an EIS or EA. Therefore, amendment of SNM-1227 to make the changes requested in the amendment application is an action that belongs to a category of actions the Commission has declared to be a categorical exclusion, in accordance with 10 CFR 51.22(c)(10)(v) and (c)(11).

CONCLUSION AND RECOMMENDATION

Based on the review and evaluation of the licensee's submittal, the staff has determined that the proposed changes to the facility's License Application either administrative in nature or consistent with the appropriate regulations. Therefore, the commitments in the License Application continue to ensure effective programs at the AREVA facility. Approval of the amendment request is recommended.

PRINCIPAL CONTRIBUTORS

Mary Adams, NMSS
Soly I. Soto, NMSS