



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

April 28, 2015

Ms. Gay Fussell, Deputy Director
Hematite Decommissioning Project
Westinghouse Electric Company
3300 State Road P
Festus, Missouri 63028

SUBJECT: NRC INSPECTION REPORT 07000036/2015001(DNMS) WESTINGHOUSE
ELECTRIC COMPANY (HEMATITE)

Dear Ms. Fussell:

On March 13, 2015, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at the Westinghouse Hematite facility located near Festus, Missouri. The purpose of the inspection was to determine whether decommissioning activities were conducted safely and in accordance with NRC requirements. Specifically, the inspection focused on management organization and controls, radiation protection, radioactive waste management, effluent control and environmental protection, and closeout inspection and surveys. The enclosed report presents the results of this inspection, which were discussed with you and other members of your staff during an exit teleconference on March 13, 2015.

The inspection consisted of an examination of decommissioning activities at the Westinghouse Hematite facility as they relate to safety and compliance with the Commission's rules and regulations. Areas examined during the inspection are identified in the enclosed report. Within these areas, the inspection consisted of a selective examination of procedures, representative records, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that no violations of NRC requirements occurred.

In accordance with Title 10 of the *Code of Federal Regulations* (CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>.

G. Fussell

-2-

We will gladly discuss any questions you may have regarding this inspection. If you have any questions, please feel free to contact Michael LaFranzo of my staff at 630-829-9865.

Sincerely,

/RA/

Robert J. Orlikowski, Chief
Materials Control, ISFSI
and Decommissioning Branch
Division of Nuclear Materials Safety

Docket No. 070-00036
License No. SNM-00033

Enclosure:
IR 07000036/2015001(DNMS)

cc w/encl: Hematite Service List

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket No.:	070-00036
License No.:	SNM-00033
Report No.:	07000036/2015001(DNMS)
Licensee:	Westinghouse Electric Company, LLC
Facility:	Former Hematite Fuel Manufacturing Facility
Location:	Festus, Missouri
Inspection Period:	January 9, 2015 through March 13, 2015
NRC Inspectors:	Michael M. LaFranzo, Sr. Health Physicist Eugenio A. Bonano, Health Physicist Navid Tehrani, Health Physicist
Approved By:	Robert J. Orlikowski, Chief Materials Control, ISFSI, and Decommissioning Branch Division of Nuclear Materials Safety

Enclosure

EXECUTIVE SUMMARY

Westinghouse Electric Company, LLC Hematite Fuel Manufacturing Facility (Decommissioning) NRC Inspection Report 07000036/2015001(DNMS)

Management Organization and Controls

The inspectors determined that management observation cards were effective in identifying a variety of issues and improvement areas for work in the field. In addition, the inspector determined there had been no negative trends in the Corrective Action Prevention and Learning (CAPAL) during this inspection period. (Section 1.0)

Radiation Protection

The U.S. Nuclear Regulatory Commission (NRC) did not identify any significant deficiencies in the licensee's radiological safety program during this inspection period. (Section 2.0)

Closeout Inspection and Survey

The inspectors continue to review the licensee's radiological analysis of the soil beneath the 8-inch natural gas pipeline to ensure that, if the licensee decides to leave the soil in place, that NRC's release criteria is met (Information Follow-Up Item (IFI) 07000036/2015001-001). (Section 3.1)

The licensee has not yet provided the NRC an adequate policy or procedure to ensure that Gamma Walk-Over Surveys (GWS) during a Final Status Survey (FSS) can identify areas within a survey unit that exceed the appropriate Derived Concentration Guideline Levels (DCGL) and appropriate actions are taken (IFI 07000036/2015001-002). (Section 3.2)

The licensee has not yet provided the NRC an adequate amount of information to show that all potential burial pits containing licensed material could be identified and remediated (IFI 07000036/2015001-003). (Section 3.3)

The licensee has not yet provided the NRC an adequate justification to demonstrate radiological contamination within the burial pits are below the appropriate DCGL's (IFI 07000036/2015001-004). (Section 3.4)

The inspectors determined that decommissioning activities continued to be conducted in accordance with the NRC license, approved Decommissioning Plan (DP), work plans, procedures, and NRC regulations. (Section 3.5)

Report Details

1.0 Management Organization and Controls (88005)

Inspection Scope

The inspectors reviewed the licensee's oversight program to determine if management observations of work in the field were identifying issues and areas for improvement and if so, whether adequate corrective actions were being taken. The inspectors reviewed a selection of management observation CAPAL issue reports between October 2014 and January 2015, and interviewed individuals associated with the documents reviewed. The inspectors also reviewed the licensee's implementation of the CAPAL to determine if there had been any degrading performance during this inspection period.

Observations and Findings

The inspectors interviewed the Quality Assurance (QA) manager to obtain an overview of the entire QA program. The inspector reviewed several documents related to the QA program. These included: HDP-PO-QA-001, 003, 004, 007, 016, 020. The inspectors also reviewed the Health Physics (HP) and non-HP oversight records and management observations records for October 2014, November 2014, December 2014, and January 2015. The QA manager reviewed each record and determined if the observation can be classified as a deficiency. The QA manager identified zero deficiencies in October 2014, four deficiencies in November 2014, one deficiency in December 2014, and zero deficiencies in January 2015.

The inspectors determined that the classification of deficiencies and the QA program was adequately being performed.

During the inspectors' review of the licensee's implementation of the CAPAL, no negative trends were identified during this inspection period.

No findings of significance were identified.

Conclusions

The inspectors determined that management observation cards were effective in identifying a variety of issues and improvement areas for work in the field. In addition, the inspector determined there had been no negative trends in the CAPAL during this inspection period.

2.0 Radiation Protection (83822)

a. Inspection Scope

The inspectors performed site tours to assess radiological conditions and controls. The inspectors interviewed licensee staff and technicians involved in radiation protection activities to determine if they had adequate knowledge to ensure safety and compliance with NRC requirements. The inspectors also interviewed licensee staff associated with those activities.

b. Observations and Findings

The inspectors observed health physics practices, such as personnel radiological surveys, donning and doffing personnel protective gear and radiological analysis of contaminated soil.

No findings of significance were identified.

c. Conclusions

The NRC did not identify any significant deficiencies in the licensee's radiological safety program during this inspection period.

3.0 Closeout Inspection and Survey (83890)

3.1 Natural Gas Line

a. Inspection Scope

The inspectors reviewed the licensee's radiological survey program surrounding an 8-inch high-pressure natural gas line which lies parallel to the railroad tracks. The inspectors also had a meeting with representatives of Laclede Gas Company, operators of the 8-inch high-pressure natural gas line, on February 11, 2015.

b. Observations and Findings

During the inspection period, the licensee has informed the NRC that it is continuing its radiological analysis of the soil underneath the 8-inch high-pressure natural gas line which included, but was not limited to, soil at-depth laboratory analysis. The licensee believes that remediation of soil under the natural gas line could compromise the integrity of the piping. Consequently, the licensee's radiological analysis of the soil under the natural gas line was to determine whether residual radiological contamination could be left un-remediated and still meet the NRC's release criteria. The inspectors understand that, in 2014, the licensee and Laclede Gas Company ("Laclede") were in discussions regarding the status of the natural gas pipeline; following those discussions, the licensee determined that the cost of replacement and re-route of the gas line and the time it would take to perform those operations was not acceptable. Although the licensee submitted several documents to the NRC, the licensee stated that additional analysis shall be performed prior to a final determination by the licensee whether residual contamination will meet the NRC's release criteria. The NRC will then conduct an independent assessment to determine whether the NRC's release criteria shall be met.

On or about February 9, 2015, representatives of Laclede contacted the NRC and requested a meeting to discuss Westinghouse's proposal to leave in place radiologically contaminated soil beneath the natural gas pipeline at the Hematite site. Specifically, Laclede was made aware of this proposal based upon publically available documents from the licensee dated December 18, 2014, (ML14352A415) entitled "Hematite Decommissioning Project – Request for Review of Approach for Unrestricted Release of Soil in the Vicinity of the Former Evaporation Ponds that Structurally Support an 8-Inch Diameter High Pressure Natural Gas Pipeline at the Hematite Decommissioning Project"

and January 15, 2014, (ML15021A180) titled "Hematite Decommissioning Project - Natural Gas Pipeline Supplemental Information." On February 11, 2015, NRC Regional and Headquarter representatives meet with Laclede representatives to listen to Laclede's concerns and present NRC's regulatory position. In summary, it was Laclede's position that it was unacceptable to allow Westinghouse/Hematite to leave radiological contaminated soil in the vicinity of the natural gas pipeline and, eventually, the pipeline will require replacement and unnecessarily expose Laclede workers to radiation. In addition, Laclede expressed concern that, after the license was terminated, Laclede and its ratepayers may be responsible for radiological disposal costs associated with residual contamination left at the site.

On February 12, 2015, NRC Regional and Headquarter representatives discussed Laclede's position with licensee senior management. The licensee committed to have future discussions with Laclede's representatives to resolve any outstanding issues.

In a letter dated March 5, 2015, (ML15069A039) titled "Response to Westinghouse's 'Request for Review of Approach for Unrestricted Release of Soil in the Vicinity of the Former Evaporation Ponds that Structurally Support an 8-Inch Diameter High Pressure Natural Gas Pipeline at the Hematite Decommissioning Project' (ML14352A415)," Laclede provided its position in writing to the NRC.

The NRC will continue to monitor the licensee actions regarding the appropriate methods to either properly analyze or remediate soil under the 8-inch diameter high pressure natural gas pipeline (IFI 07000036/2015001-001).

No findings of significance were identified.

c. Conclusions

The inspectors continue to review the licensee's radiological analysis of the soil beneath the 8-inch natural gas pipeline to ensure that, if the licensee decides to leave the soil in place, that NRC's release criteria is met.

3.2 Gamma Walkover Surveys: DCGL_w and DCGL_{emc}

a. Inspection Scope

The inspectors reviewed the licensee's methods for the calculations associated with relating the appropriate DCGL's to survey meter output values.

Observations and Findings

In November 2014, the licensee informed the NRC that nine FSS procedures had been finalized and the licensee was prepared to perform survey unit FSS. As part of the procedural implementation, the licensee had stated that it was to perform FSS Gamma Walk-Over Surveys (GWS) of Class 1 areas and cover 100 percent of the survey unit and relate the results of the GWS to the appropriate DCGL's.

On January 9, 2015, the licensee started to perform FSS of a selected number of survey units.

On January 16, 2015, the NRC contacted the licensee telephonically and presented 46 comments regarding the licensee's procedures. One of the comments was that the licensee did not adequately demonstrate the relationship between survey meter output (cpm) and the DCGL's. Consequently, the licensee could not determine whether the GWS had detected areas that exceeded the appropriate DCGL's.

On January 19, 2015, the licensee responded to the NRC's comments but did not adequately address the issue that the licensee GWS could not identify areas within a scanned survey unit that exceeded the appropriate DCGL's.

On February 12, 2015, during a site visit, the NRC requested additional information that supported the licensee's ability during a GWS that the appropriately defined DCGL was exceeded or not. The licensee stated that they would provide the NRC the requested information.

Between November 2014 and the end of this inspection period, the licensee has made 7 revisions to the FSS procedures and developed 2 Technical Basis Documents (TBD). In reviewing all the appropriate FSS procedures and TBD's provided, the licensee had not provided the NRC a policy or procedure to ensure that results from a GWS during an FSS can identify and take appropriate action areas within a survey unit that exceed the appropriate DCGL (IFI 07000036/2015001-002). Such a determination is necessary to ensure the licensee can radiologically release areas which meet the conditions of NRC's release criteria.

No findings of significance were identified.

b. Conclusions

The licensee has not provided NRC an adequate policy or procedure to ensure that results from a GWS during an FSS can identify and appropriately remediate areas within a survey unit that exceed the DCGL.

3.3 Burial Pit Identification

a. Inspection Scope

The inspectors reviewed the licensee's methodology to determine if all burial pits containing licensed material were identified and remediated to support NRC's unrestricted site release criteria.

Observations and Findings

During the initial site characterization, the licensee determined that burials pits containing licensed material existed and that remediation was needed to meet NRC unrestricted release criteria. The licensee determined that the burial pit sizes were approximately 20 feet wide by 40 feet long. During the final remediation actions, the licensee developed procedures where bore holes, which were used to identify potentially unknown burial pits, were to be drilled at a maximum of 20 feet apart. The licensee felt that such a design would identify all potentially unknown burial pits containing licensed material.

During a review of the licensee's characterization of survey unit LSA-10-04, the licensee had drilled bore holes at a maximum of 20 feet apart to identify any unknown burial pits. However, the document provided to NRC (See file LSA_1004_Crit_Boring_010715_11x17.jpg") showed burial pit outlines that were smaller than 20 feet by 40 feet. In fact, the outlines were less than 20 feet by 20 feet. During discussions with the licensee, the licensee did not provide additional information or a procedure to ensure that all burial pits containing licensed material were properly identified during remediation.

Based on the information above, the licensee's procedures do not address additional burial pits smaller than 20 feet by 20 feet that may exist within the site boundaries. **(IFI-07000036/2015001-003)**. The NRC will continue to monitor the licensee's process and procedures to ensure all burial pits containing licensed material are identified and remediated to ensure the site can be released for unrestricted use.

No findings of significance were identified.

b. Conclusions

The licensee has not yet provided NRC an adequate amount of information to show that all potential burial pits containing licensed material could be identified and remediated.

3.4 Final Status Survey: Soil Sample Survey Unit Size

a. Inspection Scope

The inspectors reviewed the licensee's methodology for determination of Survey Unit size in relationship to systematic soil sampling.

b. Observations and Findings

In November 2014, the licensee informed the NRC that nine FSS procedures had been finalized and the license was prepared to perform survey unit FSS. As part of the procedural implementation, the licensee had stated that it was to obtain a predetermined number of soil samples within the survey unit.

On January 9, 2015, the licensee started to perform FSS of a selected number of survey units.

On January 16, 2015, the NRC contacted the licensee telephonically and presented 46 comments regarding the licensee's procedures. One of the comments was that the licensee had two survey unit areas. The larger of the two documented areas was to determine the size of the survey unit where a GWS was to be performed by the licensee. The smaller of the two documented areas was to determine the area where a systematic grid would be placed to obtain soil samples. The difference between the two areas was, being this was a pit, the side-walls of the burial pit were not included in the systematic grid spacing related to obtaining of soil samples.

On January 19, 2015, the licensee responded to the NRC's comments and stated that the sides of the burial pit were considered part of a three-dimensional area of the survey unit and that Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) guidance on the implementation of a systematic soil sampling grid is based on the two-dimensional areal extent of the survey unit.

The NRC is awaiting further information from the licensee to ensure they have adequately addressed lateral movement of radiological contamination of Te-99 from burial pits into the surrounding soil. **(IFI 07000036/2015001-004)**.

No findings of significance were identified.

c. Conclusions

The licensee has not yet provided adequate justification to ensure radiological contamination within the burial pit sides are below the appropriate DCGL.

3.5 Additional Aspects of Final Status Survey Program

a. Inspection Scope

The inspectors evaluated the licensee's FSS Program in regards to: (1) training and qualification of the contractor technical staff to conduct final status surveys; (2) adequacy of average site background determination for FSSs; (3) data security integrity and chain-of-custody; and (4) whether the Data Quality Objectives (DQO) and Data Quality Assessment (DQA) processes were applied to the FSS's four principal elements as described in Chapter 14 of the DP. The inspectors reviewed personnel training records, and lesson plans; and interviewed contractor/licensee technical, training, and management staff.

b. Observations and Findings

Through discussions with both technical staff and managers, and a review of personnel training records of completed courses such as: (a) HDP-PR-FSS-711: FSSs and Sampling of Soil and Sediment; (b) HDP-PR-FSS-712, FSSs of Structures, Systems and Components (SSCs); (c) HDP-PR-FSS-710: Final Status and Radiological Sampling and Re-Use; and (d) HDP-PR-GM-020: "Training Material Development and Documentation of Training." The NRC inspectors determined that contractor technical staff conducting FSSs were trained and qualified to their assigned responsibilities; lesson plans were complete and adhered to course objectives, and were consistent with FSS procedures.

Based on discussions with the site RSO and decommissioning contractor, the licensee periodically assesses the site's background data used to subtract from gross counts during FSSs and makes necessary adjustments from the 2003 average site background data.

The decommissioning contractor and technical staff maintain the integrity and security of all FSS data against unauthorized access and manipulation. Chain-of-Custody (i.e., forms and control of samples) are complete for all samples collected to support FSSs.

The licensee implicitly adheres to the DQO and DQA processes, applied to the FSS's four principal elements as described in Chapter 14 of the DP. All DQO and DQA criteria are discussed implicitly in their FSS packages for completed survey units. The licensee plans to develop and implement a checklist that explicitly shows this process and its completion for each completed survey unit.

No findings of significance were identified.

c. Conclusions

The inspectors determined that decommissioning activities continued to be conducted in accordance with the NRC license, approved DP, work plans, procedures, and NRC regulations.

ATTACHMENT: SUPPLEMENTAL INFORMATION

SUPPLEMENTAL INFORMATION

PARTIAL LIST OF PERSON CONTACTED

Westinghouse Electric Company

J. Smetanka, Managing Director, Hematite Decommissioning Project
G. Fussell, Deputy Director, Hematite Decommissioning Project
K. Pallagi, Licensing Manager
J. Miller, ES&H Manager
J. Mobley, Field Operations Manager
W. Clark, Radiation Safety Officer
W. Mattern, Security Manager

INSPECTION PROCEDURES

IP 88005 Management Organization and Controls
IP 83822 Radiation Protection
IP 83890 Closeout Inspection and Survey

ITEMS OPENED, CLOSED AND DISCUSSED

<u>Opened</u>	<u>Type</u>	<u>Summary</u>
IFI 07000036/2015001-001	IFI	Contaminated Soil under Natural Gas Pipeline
IFI 07000036/2015001-002	IFI	Gamma Walk-Over Surveys: DCGL
IFI 07000036/2015001-003	IFI	Burial Pit Identification
IFI 07000036/2015001-004	IFI	Survey Unit: Soil Sampling

<u>Closed</u>	<u>Type</u>	<u>Summary</u>
None	--	--

<u>Discussed</u>	<u>Type</u>	<u>Summary</u>
None	--	--

DOCUMENTS REVIEWED

The following is a partial list of documents reviewed during the inspection. Inclusion on this list does not imply that the NRC inspectors reviewed the documents in their entirety, but rather, that selected sections or portions of the documents were evaluated as part of the overall inspection effort. Inclusion of a document on this list does not imply NRC acceptance of the document or any part of it, unless this is stated in the body of the report.

Contractor's Personnel Training Records: 4 Technical Staff

File "LSA_1004_Crit_Boring_010715_11x17.jpg" date modified January 7, 2015

File "10-04 Biased Samples.csv" date modified January 14, 2015

File "10-04 Collimated GWS.pdf" date modified January 14, 2015

File "10-04 Final GWS Map.pdf" date modified January 14, 2015

File "10-04 Sample Map.pdf" date modified January 14, 2015

File "10-04 Systematic Samples.xls" date modified January 14, 2015

File "10-04 Tc-99 Sample.xls" date modified January 14, 2015

File "LSA-10-04 Core Bore Survey Date – reduced.pdf" date modified January 14, 2015

File "LSA-10-04 FSS Plan – reduced.pdf" date modified January 14, 2015

File "LSA-10-04 FSS Plan P-1 Part1of2 – reduced.pdf" date modified January 14, 2015

File "LSA-10-04 FSS Plan P-3 Part 2of2 – reduced.pdf" date modified January 14, 2015

File "Copy of LSA 1004 depth at Crit Boring Table.xlsx" date modified January 14, 2015

File "Copy of LSA10-04 FSSPD P-1 P-4 Worksheets.xlsx" dated modified January 20, 2015

File "10-04 Final GWS Map – Supporting Information.pdf" date modified January 26, 2015

Form HDP-PR-GM-020-1, "Training Material Approval" Lesson Plan: Overview of Final Status Survey Program; Date: 9 August 2011; HP-DS-FSSURVEY (Component 1 of 4), Revision 0

HDP-PO-FSS-700 Rev. 3 and 4 "Final Status Survey Program"

HDP-PO-QA-001 Rev. 1 titled "Project Quality Plan (PQP)"

HDP-PO-QA-003 Rev. 0 titled "Qualification of Auditors"

HDP-PO-QA-004 Rev. 1 titled "Nonconformances"

HDP-PO-QA-007 Rev. 3 titled "Quality Assurance Inspections"

HDP-PO-QA-016 Rev. 8 titled "Management Self-Assessments, Oversight, and Observations"

HDP-PO-QA-020 Rev. 4 titled "HDP Corrective Action Program"

HDP-PR-FSS-701 Rev. 3, 4 and 5 "Final Status Survey Plan Development"

HDP-PR-FSS-703 Rev. 1 "Final Status Survey Quality Control"

HDP-PR-FSS-710 Rev. 6 "Final Status Surveys and Radiological Sampling of Re-Use Soil"

HDP-PR-FSS-711 Rev. 4 and 5 "Final Status Surveys and Sampling of Soil and Sediment"

HDP-PR-FSS-712 Rev. 2 and 3 "Final Status Surveys of Structures, Systems, and Components (SSCs)"

HDP-PR-FSS-720 Rev. 1 "Final Status Survey Data Integrity and Management"

HDP-PR-FSS-721 Rev. 3, 4 and 5 "Final Status Survey Data Evaluation"

HDP-PR-FSS-722 Rev. 3 "Final Status Survey Reporting"

HDP-PR-GM-020, Rev. 6 "Training Material Development and Documentation of Training"

HDP-TBD-FSS-001 Rev. 0 "Radiological Unrestricted Release Assessment of Soil Under the Natural Gas Distribution Pipeline"

HDP-TBD-FSS-002 Rev. 0 "Evaluation and Documentation of the Scanning Minimum Detectable"

Concentrations (MDC) for Final Status Surveys (FSS)"

Letter from Hematite dated December 18, 2014, (ML14352A415) entitled "Hematite Decommissioning Project – Request for Review of Approach for Unrestricted Release of Soil in the Vicinity of the Former Evaporation Ponds that Structurally Support an 8-Inch Diameter High Pressure Natural Gas Pipeline at the Hematite Decommissioning Project"

Letter from Hematite dated January 15, 2014, (ML15021A180) titled "Hematite Decommissioning Project - Natural Gas Pipeline Supplemental Information"

Letter from Laclede Gas Company dated March 5, 2015, (ML15069A039) titled "Response to Westinghouse's "Request for Review of Approach for Unrestricted Release of Soil in the Vicinity of the Former Evaporation Ponds that Structurally Support an 8-Inch Diameter High Pressure Natural Gas Pipeline at the Hematite Decommissioning Project" (ML14352A415)"

Technical Document: "DQO Process as it Relates to the Selection of FSS Instrumentation"

LIST OF ACRONYMS USED

ADAMS	Agencywide Documents Access and Management System
CAPAL	Corrective Action Prevention and Learning
CFR	Code of Federal Regulations
CPM	Counts Per Minute
DCGL	Derived Concentration Guideline Levels
DNMS	Division of Nuclear Materials Safety
DOE	Department of Energy
DP	Decommissioning Plan
DQA	Data Quality Assessment
DQO	Data Quality Objective
FSS	Final Status Survey
GWS	Gamma Walkover Survey
HDP	Hematite Decommissioning Project
HP	Health Physics
IFI	Information Follow-Up Item
IP	Inspection Procedure
IR	Inspection Report
MARSSIM	Multi-Agency Radiation Survey and Site Investigation Manual
NRC	U.S. Nuclear Regulatory Commission
PQP	Project Quality Plan
QA	Quality Assurance
QC	Quality Control
RSO	Radiation Safety Officer
SNM	Special Nuclear Material
TBD	Technical Basis Document
WEC	Westinghouse Electric Company