

November 2, 2015

Ms. Nancy Parr, EH&S License Manager  
Westinghouse Electric Co., LLC  
Nuclear Fuel Division  
5801 Bluff Road  
Hopkins, SC 29061-9121

SUBJECT: AMENDMENT 18 – EXEMPTION FROM 10 CFR PART 30, APPENDIX A, SECTION II.C.1; EXEMPTION FROM 10 CFR, PART 20.1703(c)(5); CHANGE IN THE CALIBRATION INTERVAL OF PORTABLE RADIATION SURVEY INSTRUMENTATION; INCREASE IN POSSESSION LIMITS; APPROVAL OF PHYSICAL SECURITY PLAN, REVISION 45; CHANGE IN PRINCIPAL OFFICERS; REMOVAL OF COMPLETED LICENSE CONDITIONS (TECHNICAL ASSIGNMENT CONTROL NUMBER L33353)

Dear Ms. Parr:

In accordance with the following letters, and pursuant to Part 70 to Title 10 of the *Code of Federal Regulations* (10 CFR), special nuclear material (SNM) license SNM-1107 is hereby amended as Enclosure 1 (unredacted) and Enclosure 2 (redacted).

By letter dated January 3, 2014, Westinghouse requested an exemption from 10 CFR Part 30, Appendix A, Section II.C.1, requiring that a licensee demonstrate its continued eligibility to use the parent company guarantee within 90 days after the close of the fiscal year. In a letter to U.S. Nuclear Regulatory Commission (NRC) dated March 24, 2014, Westinghouse responded to requests for additional information (RAIs). In a letter to Westinghouse dated June 19, 2014, the NRC staff approved the exemption, allowing Westinghouse to demonstrate their continued eligibility within 120 days of the close of the fiscal year. The Safety Evaluation Report (SER) was an enclosure to the letter and it is available in NRC's Agencywide Documents Access and Management System (ADAMS) as accession number ML14114A545. Condition S-9 is added to SNM-1107 to read as follows:

- S-9 Notwithstanding the requirements in 10 CFR Part 30, Appendix A, Section II.C.1, Westinghouse shall demonstrate its continued eligibility to use the parent company guarantee within 120 days of the close of the fiscal year. This exemption remains in effect until either: (i) Westinghouse ceases to use a parent company guarantee from its current parent, Toshiba Corporation; (ii) Westinghouse fails to qualify for a parent company guarantee from its current parent, Toshiba Corporation; or (iii) the NRC's regulations in 10 CFR Part 30, Appendix A, Section II.C.1 are revised. If the submittal is sent by mail, Westinghouse is to use first class or overnight mail, postmarked no later than the date corresponding to the 120-day milestone.

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Condition S-1 of license SNM-1107 has been amended to incorporate, by reference, the letters date January 3, 2014, and March 24, 2014.

By Letters dated July 2, 2014 and July 18, 2014, Westinghouse requested an exemption from 10 CFR Part 20.1703(c)(5), requiring a determination by a physician that a person is medically fit to use respiratory protection equipment. In a letter to NRC dated October 8, 2014, Westinghouse responded to RAIs. In a letter to Westinghouse dated December 12, 2014, the NRC staff approved the request, allowing Westinghouse to have a licensed health care professional make the determination. The SER was an enclosure to the letter and is available in ADAMS as accession number ML14303A323. Condition S-10 is added to license SNM-1107 to read as follows:

S-10 Notwithstanding the requirements of 10 CFR Part 20.1703(c)(5), Westinghouse may use a licensed health care professional to determine the medical fitness of personnel at the Columbia Fuel Fabrication Facility to use respiratory protection equipment. The respiratory protection program must be designed by, and under the supervision of, a physician. Though the physician need not administer each determination personally, the physician is ultimately responsible for the fitness determination. The physician is to be involved in the supervision of the fitness program, the review of overall results, individual cases that fall outside certain predetermined parameters, and supervision of personnel performing the tests.

Condition S-1 of license SNM-1107 has been amended to incorporate, by reference, the letters dated July 2, 2014, July 18, 2014, and October 8, 2014.

By letter dated July 8, 2014, Westinghouse requested a change to Section 5.2.59 of their license application specifying that portable radiation survey instrumentation be calibrated at least annually, instead of semi-annually. The NRC staff did not have RAIs. In a letter to Westinghouse dated November 13, 2014, the NRC staff approved the request to change Section 5.2.59 of the license application. The SER was an enclosure to the letter and it is available in ADAMS as accession number ML14304A138.

Condition S-1 of license SNM-1107 has been amended to incorporate, by reference, the letter dated July 8, 2014.

By letter dated November 11, 2014, Westinghouse requested an increase in the possession limits of uranium enriched in isotope U-235 up to 5 percent by weight and uranium daughter products. The application was supplemented by letters dated November 21, 2014, January 26, 2015, and February 27, 2015. In a letter dated June 5, 2015, and an e-mail dated June 18, 2015, both to NRC, Westinghouse responded to RAIs. By this letter, the NRC staff approves the amendment request to increase the possession limits; the SER is Enclosure 3 (unredacted) and Enclosure 4 (redacted). Section 6.C of license SNM-1107 is amended to the requested increase in the possession limits. Condition S-11 is added to license SNM 1107 to read as follows:

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S-11 The increase in the possession limit, authorized by Amendment 18, is for the storage of UF<sub>6</sub> cylinders.

To clarify the possession limit, column 1 of Section 6.C, "Byproduct Source, and/or Special Nuclear Material", now reads, "Uranium enriched to ≤ 5%, including any uranium daughter isotopes." In column 3 of Section 6.C, the isotope of uranium is now specified with the mass limit.

Also by the November 11, 2014, letter, Westinghouse made a page change to the license application, revising the principal officers. The NRC staff agrees with the change; the SER is Enclosure 5 to this letter.

Condition S-1 of license SNM-1107 has been revised to incorporate, by reference, the letters dated November 11, 2014, November 21, 2014, January 26, 2015, February 27, 2015, and June 5, 2015, as well as the e-mail dated June 18, 2015.

Concurrent with the amendment request to increase the possession limits, Revision 44 and Revision 45 of the Physical Security Plan were reviewed. Revision 45 is the active version. By this letter, Revision 45 of the Physical Security Plan is approved. The SER, previously in ADAMS under (ML15232A260), is not publically available. For your convenience, a copy is included after Enclosure 5. Condition SG-2.1 of license SNM-1107 has been amended as follows:

SG-2.1 The licensee shall follow the physical protection plan entitled, "Physical Security Plan," Revision 45, dated June 8, 2015, and as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).

Condition S-7 of license SNM-1107 required Westinghouse to complete the second Nuclear Criticality Safety Improvement Project (NCSIP-II), and revise the Integrated Safety Analysis Summary (ISA) to reflect the changes by no later than January 31, 2015. By letter dated January 26, 2015, Westinghouse notified the NRC that NCISP-II had been completed and the ISA had been updated accordingly. The NRC staff verified that NCISP-II has been completed, and thus, has removed condition S-7.

Condition S-8 of license SNM-1107 states that Westinghouse licensee is authorized to process four uncertified UF<sub>6</sub> cylinders and one legacy UF<sub>6</sub> cylinder in the autoclave of Line 5. By letter dated April 22, 2014, Westinghouse notified NRC that subject UF<sub>6</sub> were safely processed without any issues in March 2014 in the autoclave of Line 5. The NRC staff is verified that the UF<sub>6</sub> had been processed without incident, and thus, has removed condition S-8.

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All other conditions of this license shall remain the same.

This letter concludes the action on Amendment 18. By this letter, TAC L33353 is now closed.

Enclosure 1, Enclosure 3, and the SER (ML15232A260), contain sensitive unclassified information, and is accordingly marked as Official Use Only. Upon removal of Enclosure 1, Enclosure 3, and Enclosure 6, the remaining document is decontrolled.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of ADAMS. ADAMS is accessible from the NRC Web site at: <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this matter, contact the licensing project manager, Christopher Ryder at (301) 287-0651, or via e-mail to: [Christopher.Ryder@nrc.gov](mailto:Christopher.Ryder@nrc.gov).

Sincerely,

/RA/

Robert K. Johnson, Chief  
Fuel Manufacturing Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Enclosures:

1. License SNM-1107 (non-public)
2. License SNM-1107 (public)
3. SER/Possession Limits (non-public)
4. SER/Possession Limits (public)
5. Change in Principal Officers

Documents transmitted herewith contain OFFICIAL USE ONLY information. When separated from Enclosures 1, 3, and the SER (ML15232A260), this document is decontrolled.
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If you have any questions regarding this matter, contact the licensing project manager, Christopher Ryder at (301) 287-0651, or via e-mail to: [Christopher.Ryder@nrc.gov](mailto:Christopher.Ryder@nrc.gov).

Sincerely,

/RA/

Robert K. Johnson, Chief  
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**ADAMS Accession No. ML15125A235 Package No.: ML15125A279**

<b>OFFICE</b>	FCSE/FMB	FCSE/FMB	FCSE/FMB
<b>NAME</b>	CRyder	TBrockington	RJohnson
<b>DATE</b>	8/21/2015	9/3/2015	11/2/2015

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