

From: [Downs, James](#)
To: [Terry, Chris T](#)
Subject: Request for Additional Information - Exemption Request from 24-hour Reporting Requirement
Date: Thursday, March 12, 2020 11:25:00 AM

Dear Mr. Terry:

This is regarding your submittal dated April 24, 2019 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML19120A285), transmitted by Letter 19-020, requesting an exemption from the 24-hour reporting requirement in Title 10 of the *Code of Federal Regulations* (10 CFR), Section 70.50(b)(1) for situations that require the imposition of additional radiological controls for greater than 24 hours due to an unplanned contamination event inside an established controlled area at BWXT Nuclear Operations Group, Inc. – Lynchburg, VA. Our review of your application has identified that additional information is needed before final action can be taken.

The following additional information should be provided within 30 days from the date of this email:

Granting the requested exemption would require the NRC to make determinations in accordance with 10 CFR 70.17 which include, in part, finding that the exemption is in the public interest. Your application states the exemption would allow resources to be focused on other activities of higher significance. However, no data was provided to quantify the resources saved.

Granting the exemption would reduce the level of transparency to the public of unplanned contamination events. An estimate of the resources saved is needed to make a finding that a reduced level of transparency is justified. The resource estimate should be limited to costs incurred by reporting the event. Costs associated with investigations and corrective actions that would be performed even if no report was made should be excluded from the estimate.

Pending your response, we anticipate completing our review by June 30, 2020. This date could change depending on the findings of our technical review, urgent assignments, or other factors. We will promptly communicate any significant changes to this schedule.

A copy of this email will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of the NRC's 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, please contact me at 301-415-7744, or via e-mail to: James.Downs@nrc.gov.

Sincerely,

James R. Downs, P.E.
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety and Safeguards

U.S. Nuclear Regulatory Commission