



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

July 21, 2020

Mr. B. Joel Burch  
Vice President and General Manager  
BWXT Nuclear Operations Group, Inc.  
P.O. Box 785  
Lynchburg, VA 24505-0785

SUBJECT: LICENSE AMENDMENT 39 – EXEMPTION FROM REPORTING CERTAIN  
UNPLANNED CONTAMINATION EVENTS (ENTERPRISE PROJECT  
IDENTIFICATION L-2019-LLA-0103)

Dear Mr. Burch:

In response to your letter dated April 24, 2019 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML19120A285), supplemented by letter dated May 6, 2020 (ADAMS Accession No. ML20149K657), and pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 70, "Domestic Licensing of Special Nuclear Material," the U.S. Nuclear Regulatory Commission (NRC) is granting an exemption from reporting certain unplanned contamination events for Material License SNM-42.

The exemption reads as follows:

- S-16 Notwithstanding the requirements of 10 CFR 70.50(b)(1), the licensee is exempted from the requirement to report unplanned contamination events when the following conditions are met:
- (a) The event occurs in a restricted area in a building which is maintained inaccessible to the public by multiple access controls;
  - (b) The area was controlled for contamination before the event occurred, the release of radioactive material is under control, and no contamination has spread outside the area;
  - (c) Radiation safety personnel trained in contamination control are readily available;
  - (d) Equipment and facilities that may be needed for contamination control are readily available; and
  - (e) The otherwise reportable unplanned contamination event is documented in the licensee's Corrective Action Program.

A safety evaluation report and the amended license are enclosed.

An enclosure transmitted by this letter contains <b>Security-Related Information</b> . When separated from Enclosure 2, this letter is decontrolled.
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B.J. Burch

2

All other license conditions shall remain the same. Enclosures 1 and 2 to this letter provide the amended Materials License SNM-42. The NRC staff's review is documented in a safety evaluation report, which is Enclosure 3 to this letter. This letter concludes action on this submittal, and Enterprise Project Identifier L-2019-LLA-0103 is considered **CLOSED**.

Enclosure 2 contains sensitive security-related information. Accordingly, it is marked as "Official Use Only," and is withheld from public disclosure. When separated from the sensitive enclosure, this letter and Enclosures 1 and 3 are decontrolled and publicly available, in accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure."

A copy of this letter and Enclosures 1 and 3 will be available electronically for public inspection in the NRC Public Document Room, or from ADAMS. The ADAMS database 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 James Downs of my staff at 301-415-7744, or via e-mail to: [James.Downs@nrc.gov](mailto:James.Downs@nrc.gov).

Sincerely,

Andrea L. Kock, Director  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-27  
License No.: SNM-42

Enclosures:

1. Amendment 39 to Materials License SNM-42
2. Amendment 39 to Materials License SNM-42 (Non-Public)
3. Safety Evaluation Report

cc: Mr. Chris Terry, Manager  
Licensing and Safety Analysis  
BWXT Nuclear Operations Group, Inc.  
[bwxt@listmgr.nrc.gov](mailto:bwxt@listmgr.nrc.gov)

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3

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**DATED:** July 21, 2020

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**ADAMS Package Accession Nos.: ML20153A474**

**\*via email**

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