

January 3, 2005

Mr. Henry A. Sepp, Site Manager
3300 State Road P
Festus, MO 63028

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, LLC - HEMATITE SITE,
AMENDMENT 49 - (TAC NO. 52647)

Dear Mr. Sepp:

Enclosed is amendment No. 49 to U.S. Nuclear Regulatory Commission (NRC) License No. SNM-33, in accordance with your request transmitted by your letter from Ms. Karen Craig, Manager, Regulatory and Licensing, dated December 7, 2004. This amendment changes the ventilation requirements for work in building complexes at the Hematite facility. We have completed our review of the revisions to Chapter 3, Section 3.2.2, and have found it to be acceptable. Accordingly, License Condition 17 has been revised to include the December 7, 2004 revision of Chapter 3, and to read as follows:

"Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

- A. Application dated December 7, 2004 (Chapter 3 modified). Application dated April 21, 2004 (Chapter 2). Application dated October 29, 1993, (Chapters 1, and Chapters 3 through 8) and supplements dated November 24, 1993; January 14, January 28, March 21, April 20, June 14, and October 24, 1994; January 28, February 27, April 24, July 27, October 31, and December 15, 1995; January 26, May 29, and October 23, 1996; August 8, August 11, August 12, and December 8, 1997; July 10, 1998; January 15, March 12, June 3, August 13, and December 6, 1999; February 7, April 7, June 21, and December 22, 2000; and March 6, August 2, September 11, and October 24, 2001.
- B. Letters dated August 22, and 28, 2002, September 4, 2002, December 30, 2003, April 7, June 15, August 27, 2004, and December 7, 2004."

Enclosed are copies of the revised Materials License SNM-33 and the Safety Evaluation Report. We also have determined that this action qualifies for a categorical exclusion pursuant to 10 CFR 51.22(c)(11). The requested action is administrative in nature and is not a major federal action. As such, the preparation of an Environmental Assessment is not required.

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or pdrr@nrc.gov.

If you have any questions regarding this matter, please contact Amir Kouhestani of my staff at (301) 415-0023 or by e-mail to aak@nrc.gov.

Sincerely,

/RA/

Daniel M. Gillen, Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No. 70- 36

License No. SNM-33

Amendment No. 49

Enclosures:

1. Materials License SNM-33
2. Safety Evaluation Report

H. Sepp

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DISTRIBUTION: w/enclosure

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NAME	TMixon		AKouhestani		KGruss		APersinko		DGillen	
DATE	12/20/04		12/20/04		12/22/04		1/3 /05		1/3/05	

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