

March 29, 2005

Mr. Charlie F. Holman, Manager  
Environmental, Health, Safety  
and Licensing  
Framatome ANP, Inc.  
1724 Mount Athos Road  
P.O. Box 11646  
Lynchburg, VA 24506-1646

SUBJECT: AMENDMENT 3 - FRAMATOME ANP, INC. (LYNCHBURG), FUNDAMENTAL  
NUCLEAR MATERIAL CONTROL PLAN REVISION 17 (TAC L31860)

Dear Mr. Holman:

This letter refers to your submittal dated November 10, 2004 in which you provided Revision 17 of your Fundamental Nuclear Material Control (FNMC) Plan. Our review determined that the changes were administrative in nature and do not decrease the effectiveness of the Material Control and Accountability program in your license application.

Pursuant to Part 70 of Title 10 of the Code of Federal Regulations, Materials License SNM-1168 is hereby amended to incorporate Revision 17 of the FNMC Plan. Accordingly, Safeguards Condition SG-1.1 will be changed to the following:

SG-1.1 The licensee shall follow Chapters 1.0 through 9.0 of its "Fundamental Nuclear Materials Control Plan," Revision 17, dated March 10, 2004. This Plan may be further revised in accordance with, and pursuant to, the provisions of either 10 CFR 70.32(c) or 70.34.

Additionally, SG-2.1 was changed with an update to the physical security plan on December 13, 2004. This amendment will incorporate the previous change to SG-2.1. SG-2.1 will be changed to the following:

SG-2.1 The licensee shall follow the physical protection plan entitled "Framatome ANP, Inc., Mt. Athos Road Facility Security Plan, dated July 13, 2004 (USNRC Materials Licensee SNM-1168, Docket-70-1201);" and as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).

C. Holman

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All other license conditions remain the same. If you have any questions regarding this letter, please contact Robert Lukes of my staff at (301) 415-4025 or by e-mail at [rjl@nrc.gov](mailto:rjl@nrc.gov).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and Enclosure 1 will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/reading-room/adams.html>.

Sincerely,

/RA/

Gary S. Janosko, Chief  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No: 70-1201

License No: SNM-1168

Enclosures: 1. Materials License SNM-1168  
2. Safety Evaluation Report

C. Holman

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All other license conditions remain the same. If you have any questions regarding this letter, please contact Robert Lukes of my staff at (301) 415-4025 nor by e-mail at rgl@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and Enclosure 1 will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Gary S. Janosko, Chief  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No: 70-1201  
License No: SNM-1168

- Enclosures: 1. Materials License SNM-1168  
2. Safety Evaluation Report

**CLOSES TAC L31821**

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<b>NAME</b>	R. Lukes		B. Garrett		R. Caldwell		M. Markley		G. Janosko	
<b>DATE</b>	3/24/05		3/29/05		3/28/05		3/29/05		3/29/05	

**OFFICIAL RECORD COPY**

DOCKET NO: 70-1201  
LICENSE NO: SNM-1168  
LICENSEE: Framatome ANP, Inc.  
Lynchburg, VA  
SUBJECT: SAFETY EVALUATION REPORT FOR AMENDMENT 3 - APPROVAL  
OF FUNDAMENTAL NUCLEAR MATERIAL CONTROL PLAN,  
REVISION 17, FOR THE FRAMATOME ANP, INC. LYNCH BURG  
FACILITY (TAC NO. L31860)

## BACKGROUND

By cover letter dated November 10, 2004, Framatome ANP, Inc. (FANP) submitted a revised Fundamental Nuclear Material Control (FNMC) Plan, Revision 17. All changes were submitted pursuant to 10 CFR 70.32(c).

## DISCUSSION

The licensee provided a revision to Chapter 5 of its FNMC Plan which corrected one typographical error in an equation that did not affect the operation of the facility. The staff review determined that the request by Framatome ANP, Inc., meets the requirements of 10 CFR 70.32(c)(1)(iii) in that there is no decrease in the effectiveness of the material control and accounting program, or the measurement control program, implemented pursuant to 10 CFR 74.31(b). Therefore, approval of this amendment is recommended.

## ENVIRONMENTAL REVIEW

The staff has determined that the revision to the FNMC Plan is administrative in nature. The regulations in 10 CFR 51.22(c)(11) allows for a categorical exclusion if the following requirements have been satisfied:

- i. There is no significant change in the types or significant increase in the amounts of any effluents that may be released off-site,
- ii. There is no significant increase in individual or cumulative occupational radiation exposure,
- iii. There is no significant construction impact, and
- iv. There is no significant increase in the potential for consequences from radiological accidents.

The changes to be made in Revision 17 of the FNMC Plan are administrative and comply with the criterion i., ii., or iv. discussed above. The changes also do not have a construction component so there is no impact for item iii. identified above. Based on this evaluation, there is

Enclosure

no significant impact to the environment and the implementation of Revision 17 of the FNMC Plan is eligible for categorical exclusion. Therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required.

## CONCLUSION

The staff concludes that Revision 17 to the FANP Lynchburg FNMC Plan does not reduce the effectiveness of the licensee's Material Control and Accounting program. Thus, the existing license Safeguards Condition SG-1.1 should be reissued to reflect the current FNMC Plan as follows:

SG-1.1           The licensee shall follow Chapters 1.0 through 9.0 of its "Fundamental Nuclear Materials Control Plan," Revision 17, dated November 10, 2004. This Plan may be further revised in accordance with, and pursuant to, the provisions of either 10 CFR 70.32(c) or 70.34.

## PRINCIPAL CONTRIBUTORS:

Bob Lukes  
Michael Kelly