

July 15, 2005

Mr. Phillip Strawbridge
President and Chief Executive Officer
BNG America
1235 Jefferson Davis Highway
Suite 700
Arlington, VA 22202

SUBJECT: REVIEW OF REVISION 11 TO THE BNG AMERICA QUALITY ASSURANCE
MANUAL (TAC NO. MC7058)

Dear Mr. Strawbridge:

On April 13, 2005 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML051100178), BNG America (formerly BNFL, Inc.) submitted Revision 11 to the BNG America Corporate Quality Assurance Manual (QAM) to the Nuclear Regulatory Commission (NRC) staff for review in accordance with Part 50 Appendix B, Part 71 Subpart H, Part 72 Subpart G, Part 830 Subpart A, and NQA-1 of Title 10 of the *Code of Federal Regulations* (10 CFR). This letter addresses the staff's review of the submittal only as it applies to 10 CFR Part 50. Compliance with other Parts of the 10 CFR will be reviewed and addressed separately.

The NRC staff's review evaluated the continued compliance of your program with Appendix B to 10 CFR Part 50, and focuses on changes made to the previous revision (Revision 10) of the Corporate QAM, approved by the NRC on December 4, 2003 (ADAMS Accession No. ML033421451). Based on our initial review of your proposed Revision 11 to the BNG America Corporate QAM, the NRC staff determined that the deletion of commitments to Regulatory Guide (RG) 1.28 and RG 1.33 was unacceptable in that these RGs contain regulatory positions on the acceptability of methods for complying with the provisions of Appendix B to 10 CFR Part 50. The NRC staff expressed this concern with Mr. Chris Marden of your staff on June 7, 2005 (ADAMS Accession No. ML051600426). As a result of this discussion, BNG America subsequently revised its Corporate QAM to restore the commitments to RG 1.28 and RG 1.33, and an electronic copy was transmitted to the NRC on June 7, 2005 (ADAMS Accession No. ML051600434).

Based on our review of the changes submitted on June 7, 2005, which included your continued commitment to comply with the regulatory positions of RG 1.28 and RG 1.33, the NRC staff finds that the BNG America Corporate QAM continues to comply with the provisions of Appendix B to 10 CFR Part 50, and is therefore, acceptable in accordance with 10 CFR 50.34(a)(1)(ii)(E)(7). If you have further questions on this matter, please contact Mr. Bo Pham at 301-415-8450.

Sincerely,

/RA/

Robert A. Gramm, Chief, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

cc: See next page

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Robert A. Gramm, Chief, Section 2
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