



Westinghouse Electric Company
Hematite Facility
3300 State Road P
Festus MO 63028
U.S.A.

August 22, 2002

Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555

ATTN: Document Control Desk

Subject: Resubmitted application for License Amendments and to delete License Condition Number SG-2.2
(License Number SNM-33, Docket 70-36)

References: 1) Westinghouse Letter dated June 17, 2002 from A. J. Nardi to USNRC
2) Westinghouse Letter dated September 11, 2001 from A. J. Nardi to USNRC.

By letter dated June 17, 2002 (Reference 1) Westinghouse submitted an application for a license amendment. This letter replaces in its entirety that application and incorporates an additional request for a license amendment. Therefore in order to simplify the records, this application is a stand-alone submittal. The changes that have been incorporated into this submittal are identified below.

The Westinghouse Electric Company hereby submits this application for an amendment to License Number SNM-33 to:

1. Revise the requirement in Chapter 8 of the SNM-33 License Application for an Emergency Plan in accordance with the provisions of 10CFR70.22(i)(1)(i), and
2. Delete License Condition Number SG-2.2 which requires that surveillance tours be conducted of the UF₆ outdoor storage area.
3. Revise Sections 1.4 and 1.5 in Chapter 1 to change the possession limits and the list of authorized activities.

Discussion of requested changes:

1. Emergency Plan requirement

By Reference #2, Westinghouse notified the NRC that it had ceased principal licensed activities performed under License SNM-33 at the Hematite facility. Operations at the site are now limited to those associated with decommissioning activities.

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In accordance with the provisions of 10CFR70.22(i)(1)(i), an emergency plan is not required if the licensee can provide "an evaluation showing that the maximum exposure to a member of the public due to a release of radioactive material would not exceed 1 rem effective dose or an intake of 2 milligrams of soluble uranium". The current Emergency Plan provides an analysis of various accident scenarios including the bounding cases for a criticality, a UO₂ release and a UF₆ release. In that analysis the UF₆ release exceeded a 1 rem maximum effective dose. UF₆ has been removed from the site and the current authorized activities under the license would not permit future receipt of this material. With the continuing reduction in the uranium inventory on the site, the possibility of a criticality accident becomes even more unlikely than before. However, the possibility remains an evaluated accident. This analysis is provided in Section 2.1.8 of the Emergency Plan, which demonstrates that the radiation dose would not exceed 1 effective rem. The third accident considered in the Emergency Plan is a major UO₂ release associated with a fire and explosion associated with the sintering and dewaxing furnace area. This equipment is no longer being used. A reevaluation was made of potential bounding accidents appropriate for the site. Attachment 1 to this letter provides the analysis for a fire involving a bulk container containing uranium contaminated waste materials. The conclusion of that analysis is that the exposure associated with such a fire is less than 1 effective rem and an intake of less than 2 milligrams soluble Uranium. Based on these analyses, an Emergency Plan meeting the requirements of 10CFR70.22(i)(3) is no longer required for this license.

Attachment 2 to this letter provides revised license pages to reflect the removal of the requirement to have an Emergency Plan. This revision reflects telephone conversations held with Mr. G. M. McCann concerning the emergency preparedness program that would remain in place at the Hematite site during the decommissioning phase. The revised Chapter 8 provides a description of this emergency preparedness program.

2. Delete License Condition Number SG-2.2

The second requested license amendment is to delete License Condition SG-2.2 from the license. This condition requires that surveillance tours be conducted of the UF₆ outdoor storage area. This requirement is no longer applicable because no UF₆ is possessed on the site, and the current authorized activities for the license prohibit the receipt of such materials.

3. Revise License Possession Limits and Authorized activities

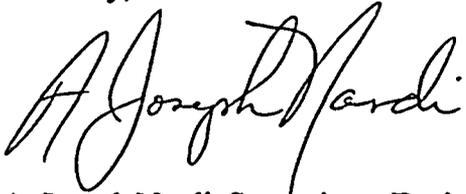
License Amendment #42 approved a revision of Sections 1.4 and 1.5 of the license as requested by an application (Reference 2). Attachment 2 to this letter provides revised pages to Chapter 1 of the license application that reflects additional changes being requested. The requested possession limits have been revised to:

1. Decrease the possession limits for Items A and C of the Table to reflect the continued removal of licensed material present on the site.
2. Remove the possession limit for the ²⁵²Cf sources (Item G) as these sources have been removed from the site.
3. Increase the possession limit for Item F from 200 microCuries to 400 microCuries to provide for the receipt of used shipping containers that are contaminated with Byproduct Material. Section 1.5 has been revised to change the Authorized Activities for Item F to allow for the receipt of contaminated shipping containers. This change

is requested because the wording of the current license only provides for the receipt of shipping containers that are contaminated with SNM and/or Source Material.

If you have any questions concerning this submittal, please contact me at (412) 374-4652 or by email at nardiai@westinghouse.com.

Sincerely,

A handwritten signature in cursive script that reads "A. Joseph Nardi".

A. Joseph Nardi, Supervisory Engineer
Environment, Health and Safety

Attachment

Cc:

T. Dent – Westinghouse Hematite
K. Hayes – Westinghouse Hematite
R. Land – Westinghouse Hematite
G. M. McCann – NRC Region III
Patrick Hiland – NRC-Region III
Chris Miller – NRC-Region III
R. A. Kucera, Director, Intergovernmental Cooperation, MDNR