



Westinghouse Electric Company
Hematite Former Fuel Cycle Facility
3300 State Road P
Festus, MO 63028
USA

U.S. Nuclear Regulatory Commission
Document Control Administrator
Washington, DC 20555

Date: October 27, 2006

Our ref: HEM-06-86

Subject: Withdrawal of "Request for License Amendment to Revise Chapter 1 Including Authorization to Conduct Additional Characterization Activities to Support Site Decommissioning Efforts"

Reference:

- 1) Letter from Westinghouse Hematite (A. Joseph Nardi) to USNRC (Amy M. Snyder), dated June 8, 2006 "Request for License Amendment to Revise Chapter 1 Including Authorization to Conduct Additional Characterization Activities to Support Site Decommissioning Efforts, (License Number SNM-33, Docket No. 070-036)
- 2) Letter from Westinghouse Hematite (E. Kurt Hackmann) to USNRC (Chad J. Glenn), dated October 9, 2006 "Clarification of Amendment No. 52 to Materials License No. SNM-00033"
- 3) Letter from USNRC (Amy Snyder) to Westinghouse Hematite (E. Kurt Hackmann) dated August 24, 2006 "Request for Additional Information Related to the Initiation of a Detailed Technical Review of Westinghouse's June 8, 2006 LAR" (TAC No. L52692)

Dear Mr. Hayes:

The purpose of this letter is to inform the NRC that Westinghouse Electric Company (WEC) requests to withdraw the License Amendment Request (LAR) (Ref. 1) submitted on June 8, 2006.

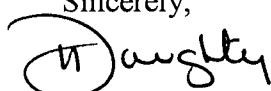
The June 8, 2006 LAR requested a revision to SNM-33 Chapter 1 and authorization to perform additional characterization in the burial areas of the Hematite site, including the burial pits. At that time, the proposed characterization method involved excavation of test trenches and deep pits to allow direct observations and sampling of waste materials and subsurface soil. On August 24, 2006, NRC issued a Request for Additional Information (RAI) regarding the June 8, 2006 LAR (Ref. 3), specifically focused on the site programs and controls for performing the characterization work. Having reviewed the RAI's, had additional discussions with the NRC and completed further technical review of characterization objectives and methods, WEC has made the decision to bore into the burial areas rather than excavate. Core boring is a less invasive method that will

NMSS01

not involve trenching, test pits or extensive water management. Additionally, this work will yield data indicative of actual pit contents, rather than just the soils around the pits. During the bi-weekly phone call on September 27, 2006, WEC informed the NRC of this decision. This work can be accomplished in a manner that is safe to human health and the environment. WEC considers core boring to be in accordance with characterization activities permitted under section 9.B. of SNM-00033 License and does not require a license amendment.

Should you have any questions concerning this issue, feel free to contact me or Tracy Chance at 314-810-3329.

Sincerely,

 FOR E. K. HACKMANN

E. Kurt Hackmann

Director of Decommissioning

Direct tel: 314-810-3368

Direct fax: 636-937-6380

Email Address: hackmaek@notes.westinghouse.com

cc: C. Glenn, NRC, HQ
R. Tadesse, NRC, HQ
E. K. Hackmann, Westinghouse Electric Company LLC
T. Chance, Westinghouse Electric Company LLC
M. McCann, USNRC, Region III
J. Cameron, USNRC, Region III