

**From:** "McDonough, Edward F." <mcdonoef@westinghouse.com>  
**To:** 'Stephen Dembek' <SXD@nrc.gov>  
**Date:** 12/28/2006 3:14:27 PM  
**Subject:** RE: Hematite 2nd exemption request

EFM-06-1578

Stephen Dembek  
US NRC

Dear Mr. Dembek,  
Enclosed is the revised email (below) with the similar statement as this return of the contaminated steel to Hematite will not affect its possession limits.

Edward F. McDonough  
Manager Export, Import & Technology Compliance  
Legal Department  
Westinghouse Electric Company LLC  
Phone (412) 374-4754  
Fax (412) 374-3832

-----Original Message-----  
From: Stephen Dembek [mailto:SXD@nrc.gov <mailto:SXD@nrc.gov> ]  
Sent: Friday, December 22, 2006 9:19 AM  
To: Edward F. McDonough  
Cc: Janice Owens; John Hayes; Stephen Baker  
Subject: Re: FW: Hematite 2nd exemption request

Ed,

In the request for the original exemption (October 4, 2006) Westinghouse stated that the material shipped back to Hematite would not result in Hematite exceeding any of its possession limits of its license. No similar statement was made in the November 28, 2006 request to increase the amount shipped back to Hematite.

Please revise your submittal to make a similar statement for your second exemption. This will help clear up a concern that has been raised.

Thanks,

> -----Original Message-----  
> From: McDonough, Edward F.  
> Sent: Thursday, December 21, 2006 4:46 PM  
> To: Stephen Dembek  
> Cc: Janice Owens  
> Subject: FW: Hematite 2nd exemption request  
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> EFM-06-1573  
>  
> Stephen Dembek  
> US NRC  
>  
> Dear Mr. Dembek,  
> Enclosed is the second exemption request with the Proprietary header  
> removed as I agree that this is not proprietary information. Thank you  
> for your attention to this matter.  
>  
> Edward F. McDonough  
> Manager Export, Import & Technology Compliance  
> Legal Department  
> Westinghouse Electric Company LLC  
> Phone (412) 374-4754  
> Fax (412) 374-3832  
>  
>

> -----Original Message-----  
> From: McDonough, Edward F.  
> Sent: Tuesday, November 28, 2006 4:43 PM  
> To: Janice Owens  
> Subject: Hematite 2nd exemption request  
>

> EFM-06-1299  
>  
>  
> Ms. Janice Owens  
> US NRC Licensing Officer,  
>

> Dear Ms. Owens,  
> On October 4, 2006 in my email EFM-06-1160, Westinghouse requested  
> an exemption to take back (import) shipments of contaminated stainless  
> steel we exported from our Hematite facility to Mississauga Metals &  
> Alloys, Inc. in Canada under NRC License XW 003 for decontamination and  
> then recycle of the steel. This exemption request was granted and we  
> appreciate that but we have been notified that this original exemption  
> request was not sufficient to enable Mississauga to meet the newly  
> mandated lower limits to their License to Possess SNM by the Canadian  
> Government, specifically the Canadian Nuclear Safety Commission (CNSC).  
> As you know Mississauga has been shut down by the CNSC and has been  
> notified that their License to Possess SNM will be substantially reduced  
> in the future before they are permitted to resume operations. Mississauga  
> had contacted Westinghouse to remove or take back several containers of  
> unprocessed steel so as to lower their limits of SNM on site. The  
> processed or semi processed steel is to remain in Canada with the waste  
> material generated in the process of decontamination of the steel and acid  
> tone filter cake which will be imported under an NRC Import License in  
> early 2007 once Mississauga has resumed operations. We believe that this  
> generated waste material will be buried in Utah.

> What we are requesting now is an additional exemption for this  
> import license to retrieve opened containers of contaminated steel that  
> Mississauga had not yet begun to process as Mississauga cannot process  
> them and Mississauga needs them removed from their inventory so as to  
> reduce their SNM and then be permitted to operate once again to finish  
> processing the semi-processed steel on site. The containers in question

> are as follows:

- >
- > 25 Sea-land containers holding 580,000 lbs of contaminated steel with
- > 2,600 grams of U235 contained in a total of 52,000 grams of U. This will
- > bring the total to be returned in both exemptions to 770,707 lbs of steel
- > with 3,279.8 grams of U235 contained in a total of 65,987 grams of U.
- > None of this material from the first exemption or this exemption request
- > has been shipped from Mississauga to date as we are waiting for
- > Mississauga to amend their Canadian export license to include this export
- > of contaminated steel back to the US. Hematite has a license to possess
- > SNM and this return of the contaminated steel is within the limits of this
- > license. If you have any questions on this request or require more
- > information please contact me.

- >
- >
- > Edward F. McDonough
- > Manager Export, Import & Technology Compliance
- > Legal Department
- > Westinghouse Electric Company LLC
- > Phone (412) 374-4754
- > Fax (412) 374-3832

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CC: 'Janice Owens' <JEO@nrc.gov>

**Mail Envelope Properties** (4594258E.08B : 17 : 4235)

**Subject:** RE: Hematite 2nd exemption request  
**Creation Date** 12/28/2006 3:13:38 PM  
**From:** "McDonough, Edward F." <mcdonoef@westinghouse.com>  
**Created By:** mcdonoef@westinghouse.com

**Recipients**

nrc.gov

OWGWPO03.HQGWDO01  
 SXD (Stephen Dembek)

nrc.gov

TWGWPO03.HQGWDO01  
 JEO CC (Janice Owens)

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<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	5036	12/28/2006 3:13:38 PM
TEXT.htm	9049	
Mime.822	15997	

**Options**

**Expiration Date:** None  
**Priority:** Standard  
**ReplyRequested:** No  
**Return Notification:** None

**Concealed Subject:** No  
**Security:** Standard

**Junk Mail Handling Evaluation Results**

Message is eligible for Junk Mail handling  
 This message was not classified as Junk Mail

**Junk Mail settings when this message was delivered**

Junk Mail handling disabled by User  
 Junk Mail handling disabled by Administrator  
 Junk List is not enabled  
 Junk Mail using personal address books is not enabled  
 Block List is not enabled