



## CBS Corporation

Richard K. Smith  
Vice President - Environmental Remediation  
11 Stanwix Street, Room 370  
Pittsburgh, PA 15222

Phone: 412-642-3285  
Fax: 412-642-3957  
E-mail: Richard.Smith@cbs.com

April 20, 2007

U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
ATTN: Document Control Desk

Subject: Request for an Amendment to the Technical Specifications for License No. TR-2  
Docket No. 50-022

Dear Sir or Madam:

CBS Corporation, the current holder of nuclear facility license TR-2, hereby submits this application for an amendment to section 5.0 of its TR-2 license technical specifications to change the words "which is owned and controlled by Viacom Inc" to "which is owned by Westinghouse Electric Company LLC." TR-2 authorizes possession and decommissioning (but not operation) of the former Westinghouse Test Reactor ("WTR") at the Waltz Mill Site in Pennsylvania.<sup>1</sup>

The need for this change arises from Westinghouse's decision to exercise an option to take title to the Waltz Mill Site pursuant to the 1998 Asset Purchase Agreement between CBS Corporation and WGNH Acquisition, LLC (now known as Westinghouse Electric Company LLC and controlled by Toshiba Nuclear Energy Holdings (US), Inc.).

CBS Corporation, as the TR-2 licensee, will retain the responsibility to maintain the WTR in a safe condition, to comply with the TR-2 license, and to comply with all other applicable NRC requirements. The requested change does not involve any change in the licensee's management organization, personnel, location, facilities, equipment, or procedures responsible for the conduct of licensed activities under TR-2. All existing commitments, obligations, applications, and representations remain in effect. However, CBS Corporation will document its arrangement with the new Site owner as may be needed to allow CBS Corporation to demonstrate it has such rights of Site access and control as are necessary or appropriate to allow it to discharge its responsibilities as licensee, including maintaining the controlled and restricted areas as defined elsewhere in the technical specifications.

Mr. Richard K. Smith in CBS Corporation's Pittsburgh office will remain as the NRC point of contact. The pending arbitration proceeding involving Westinghouse Electric Company LLC is not affected. All financial assurance mechanisms will remain in full force and effect. CBS Corporation will continue to be

---

<sup>1</sup> An application to change the name on the license and technical specifications from Viacom Inc to CBS Corporation is pending at NRC. Certain assets of Viacom Inc., not including the WTR and other assets at Waltz Mill, were transferred to a new, publicly traded company called Viacom, Inc., referred to as the "New Viacom." The existing company was renamed CBS Corporation, and it retained various substantial Viacom Inc. assets including the Waltz Mill Site and the former WTR.

115501

technically and financially qualified to conduct the licensed activities. The requested amendment will not give rise to any environmental impacts and no environmental report should be needed.

The fee for this request is based on full cost recovery, and will be paid upon billing by NRC in accordance with 10 C.F.R. Part 170.

In support of this application, attached is a "No Significant Hazards Consideration" evaluation (Exhibit A).

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard K. Smith". The signature is fluid and cursive, with the first name "Richard" being more prominent than the last name "Smith".

Richard K. Smith, P.E.  
Vice President - Environmental Remediation

Attachment

Cc: Regional Administrator  
U.S. Nuclear Regulatory Commission, Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

Mr. Jack Hayes, Project Manager  
Research and Test Reactors Section  
Office of Nuclear Reactor Regulation  
Mail Stop O-12G13  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Mr. Robert Maiers, Chief Decommissioning Section  
Commonwealth of Pennsylvania Department of Environmental Protection  
Rachel Carson State Office Building  
P.O. Box 8469  
Harrisburg, PA 17105-8469

Mr. James G. Yusko, Regional Manager Radiation Protection  
Commonwealth of Pennsylvania Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

Mr. Wayne Vogel, Radiation Safety Officer  
Westinghouse Electric Company LLC  
P.O. Box 158  
Madison, PA 15663-0158

Copies transmitted: 3 notarized and 5 conformed

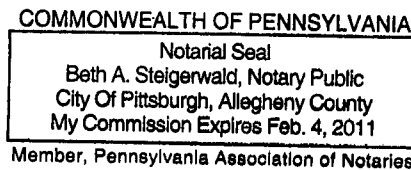
COMMONWEALTH OF PENNSYLVANIA     )  
   ) SS:  
COUNTY OF ALLEGHENY                 )

Before me, the undersigned notary public, this day personally appeared Richard K. Smith, Vice President, Environmental Remediation, CBS Corporation, 11 Stanwix Street, Pittsburgh, PA 15222-1384, to me known, who being duly sworn according to law, deposes and says that the statements sworn to in this letter and attachment are correct and accurate to the best of his knowledge.

Richard C. Smith  
Signature of Affiant

Subscribed and sworn to before me this  
20<sup>th</sup> day of April, 2007

Beth A. Stegerwald  
Notary Public



## EXHIBIT A

### NO SIGNIFICANT HAZARDS CONSIDERATION EVALUATION PURSUANT TO 10 C.F.R. § 50.92 FOR TRANSFER OF OWNERSHIP OF THE WALTZ MILL SITE TO WESTINGHOUSE ELECTRIC COMPANY LLC, TECHNICAL SPECIFICATION CHANGE FOR LICENSE NO. TR-2, NRC DOCKET NO. 50-22

The proposed change has been evaluated against the standards in 10 C.F.R. § 50.92 (c) and it has been determined that no significant hazards consideration is involved. Specifically, the change does not involve any irreversible consequences and it:

- (1) Does not involve a significant increase in the probability or consequences of an accident previously evaluated.

The WTR is currently the subject of a possession only license. The reactor fuel has been removed, the pressure vessel and vessel internals have been removed, other reactor equipment has been removed, and at the appropriate time, coincident with TR-2 license termination, remaining residual radioactivity will be transferred to the SNM-770 license (held by Westinghouse Electric Company LLC) in accordance with the NRC approved TR-2 Decommissioning Plan. The WTR is being maintained in a safe condition in accordance with the license and technical specifications. The current radiological status of the facility is described in the "Westinghouse Test Reactor Licensed Facility Radiological Status Report (Docket No. 50-22), October 2003. The technical specifications provide in section 3.2.4. that "the extremely small source term at the [W]TR is adequately confined by the containment building." This will not change.

CBS Corporation, as the TR-2 licensee, retains the responsibility to maintain the WTR in a safe condition, to comply with the TR-2 license, and to comply with all other applicable NRC requirements. The requested change does not involve any change in the licensee's management organization, personnel, location, facilities, equipment, or procedures responsible for the conduct of licensed activities under TR-2. All existing commitments, obligations, applications, and representations remain in effect. All financial assurance mechanisms remain in full effect. CBS Corporation continues to be technically and financially qualified to conduct the licensed activities. The WTR physical facility remains unchanged. The proposed change is confined to a change in the Site ownership. CBS Corporation will document its arrangement with the new Site owner as may be needed to allow CBS Corporation to demonstrate it has such rights of Site access and control as are necessary or appropriate to allow it to discharge its responsibilities as licensee, including maintaining the controlled and restricted areas as defined elsewhere in the technical specifications.

Given the forgoing, the change does not affect any accident initiators and does not affect any matter that could increase the consequences of any accident. The already low probability and small consequences of an accident previously evaluated will not be significantly increased by the requested change.

- (2) Does not create the possibility of a new or different kind of accident from any accident previously evaluated.

The change does not modify the WTR physical facility or safety procedures, so no new accident initiators will be introduced.

- (3) Would not involve a reduction in a margin of safety.

There will be no reduction in any margin of safety for the reasons given in (1) and (2) above.