

January 12, 2007

Ms. Leah R. Morrell  
Licensing Officer  
BWX Technologies, Inc.  
Nuclear Products Division  
P.O. Box 785  
Lynchburg, Virginia 24505-0785

SUBJECT: BWX TECHNOLOGIES, INC., AMENDMENT 119 - REVISION TO PHYSICAL PROTECTION PLAN, REVISION 8 (TAC L31976)

Dear Ms. Morrell:

This letter is in reference to your submittal dated November 7, 2006, which provided changes to your Physical Protection Plan (PPP), under the provisions of Title 10 of the Code of Federal Regulations (CFR) 10 CFR 70.32(e). We have completed the review of the revised PPP and have determined that this revision did not decrease the effectiveness of the Security Plan, and was submitted within the required two month period.

Accordingly, pursuant to 10 CFR Part 70, Materials License SNM-42 is hereby amended to accommodate your request. Safeguards Condition SG-6.1 will read as follows:

SG-6.1 The licensee shall follow the measures described in the plan titled, "BWX Technologies Nuclear Products Division, Physical Protection Plan," dated November 7, 2006, submitted as Revision 8, and security procedures that are used to comply with the plan as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).

All other conditions of this license shall remain the same. Enclosed are copies of the revised Materials License SNM-42 (Enclosure 1) and the Safeguards Evaluation Report (Enclosure 2), which includes in the Environmental Review a 10 CFR 51.22 categorical exclusion determination that this action did not require an environmental assessment nor an environmental impact statement.

If you have any questions concerning this letter, please contact Billy Gleaves of my staff by phone at (301) 415-5848, or via email to [bcg@nrc.gov](mailto:bcg@nrc.gov).

[REDACTED]

L. Morrell

2

This letter contains sensitive, unclassified security information, and is therefore deemed Official Use Only and will not be placed in the Public Document Room nor the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System.

Sincerely,

/RA/

Gary S. Janosko, Deputy Director  
Fuel Facilities Licensing Directorate  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-27  
License No.: SNM-42  
Amendment 119

Enclosures:

1. Materials License SNM-42
2. Safeguards Evaluation Report

[REDACTED]

[REDACTED]

L. Morrell

2

This letter contains sensitive, unclassified security information, and is therefore deemed Official Use Only and will not be placed in the Public Document Room nor the Publicly Available Records component of the NRC's Agencywide Documents Access and Management System.

Sincerely,

/RA/

Gary S. Janosko, Deputy Director  
Fuel Facilities Licensing Directorate  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-27  
License No.: SNM-42  
Amendment 119

Enclosures:

1. Materials License SNM-42
2. Safeguards Evaluation Report

**Closes TAC L31976**

DISTRIBUTION:

FCFB r/f      DDayres, Region II      GWertz, Region II      JWiebe      Nilda Rivera

**ML070110539**

OFC	FFLD		FFLD		FFLD		FFLD	
NAME	WGleaves		VCheney		PHabighorst		GJanosko	
DATE	1/12/07		1/11/07		1/12/07		1/12/07	

**OFFICIAL RECORD COPY**

[REDACTED]

[REDACTED]

DOCKET: 70-27

LICENSEE: BWX Technologies, Inc.  
Nuclear Products Division  
Lynchburg, VA

SUBJECT: SAFEGUARDS EVALUATION REPORT - REVIEW OF THE PHYSICAL PROTECTION PLAN, REVISION 8, DATED NOVEMBER 7, 2006.

BACKGROUND

By letter dated November 07, 2006 (06-171), BWX Technologies, Inc. (BWXT) submitted revisions to their Physical Protection Plan (PPP) for CAT I material. There were two changes noted in the Record of Revision page submitted with this request. The information contained in the submittal is Confidential.

10 CFR 73.46, "Fixed site physical protection systems, subsystems, components and procedures" govern this facility. 10 CFR 70.32(e) governs changes to security plans that do not decrease the effectiveness of the Security Plan and is cited by the licensee in the request. 10 CFR 70.32(e) requires, "The licensee shall make no change which would decrease the effectiveness of a security plan prepared pursuant to 70.22(h), without the prior approval of the Commission." This section further requires that notification of the changes be made to the U.S. Nuclear Regulatory Commission (NRC) within two months after the change is made.

DISCUSSION

Revision 8 to the BWXT PPP encompasses two changes. One was an administrative change in corporate management structure. NSIR staff noted management title changes for management personnel. The second change [REDACTED] These changes were evaluated to ensure that either individually or in aggregate, they would not result in a decrease in the effectiveness of the Security Plan.

The initial review resulted in a conference call from the Nuclear Regulatory Commission (NRC) headquarters to the licensee, at which time the licensee provided additional information to the reviewer. The information provided by the licensee in the original letter, and in the subsequent phone call, sufficiently addressed the reviewers questions. NSIR staff determined that the submittal, as a 10 CFR 70.32(e) change, was appropriate.

Enclosure 2

[REDACTED]

  

## ENVIRONMENTAL REVIEW

The NRC considers this change to relate solely to safeguards matters, and an approval of a revision to a Security Plan involving: (1) organizational and procedural matters, and (2) modifications to systems used for security.

Therefore, pursuant to the exclusion provided under 10 CFR 51.22(c)(12), neither an environmental assessment nor an environmental impact statement is warranted for this action.

## CONCLUSION

The staff concludes that the BWXT, PPP, Revision 8, dated November 07, 2006, is in the proper format and contains the necessary information for NSIR staff to evaluate their request. The staff agrees that the changes constitute no decrease in security effectiveness as required in 10 CFR 70.32 (e). The staff also finds that BWXT met the timeliness requirement for their submittal. The staff recommends that the PPP be approved.

Safeguards Condition SG-6.1 is recommended to read as follows:

SG-6.1           The licensee shall follow the measures described in the plan titled, "BWXT Technologies Nuclear Products Division, Physical Protection Plan," dated November 7, 2006, submitted as Revision 8, and security procedures that are used to comply with the plan as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).

## PRINCIPAL CONTRIBUTOR

Robert F. Dexter, Jr.

