



BWXT Services, Inc.

Post Docket  
70-3085

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• Web site: www.bwxt.com

October 24, 2007

Mr. Amir Kouhestani, Project Manager  
Mail Stop T8-F5  
Decommissioning Directorate  
U.S. Nuclear Regulatory Commission  
Two White Flint North  
11545 Rockville Pike  
Rockville, MD 20852

Subject: Abeyance of NRC License SNM-2001,  
Docket 70-3085

Dear Mr. Kouhestani:

Babcock & Wilcox Technologies, Inc. (BWXT) requests a license suspension (abeyance) of NRC license SNM-2001 at our Shallow Land Disposal Area (SLDA) site.

In Public Law 107-117, Section 8143 (Jan. 10, 2002), Congress authorized The United States Army Corps of Engineers (USACE) to cleanup radioactive waste at the Shallow Land Disposal Area (SLDA) site, consistent with the Memorandum of Understanding (MOU) between USACE and the NRC dated July 5, 2001 and subject to Public Law 106-60, Section 611. USACE issued the Record of Decision (ROD) on September 7, 2007. The remedy selected for the SLDA site will involve excavation of contaminated waste and soil, off-site transportation, and disposal at an appropriate permitted/licensed disposal facility. These activities are beyond the conditions of the current license.

The Section 14 B of the SLDA's SNM-2001 license states: "The licensee shall submit a request for license suspension (abeyance) within sixty days of the USACE Record of Decision (ROD) issued to remediate the SLDA under CERCLA, if the PA determines that the SLDA is recommended for further action determination under CERCLA and FUSRAP."

In conformance with Section 14 B of SNM-2001 BWXT request the SNM-2001 license, and all provisions of the license, be placed in abeyance. The license abeyance shall remain in effect until the remedy selected in the ROD for the SLDA site is completed and compliance to 10CFR20.1402 is ensured. The licensee, BWXT, shall not have responsibility for any activities, security, surveillance, inspections or maintenance of the site nor the development, maintenance or submission of data or reports during this period of abeyance.

BWXT intends to transfer physical possession of the site to USACE for the period of license abeyance. This transfer is subject to a Site Access Agreement between BWXT and USACE for purposes of the remediation noted in the ROD. BWXT shall reacquire and possess the SLDA site upon completion of the project by USACE in accordance with the ROD, the USACE-NRC MOU and 10CFR20.1402. It is intended that the NRC license will be terminated by BWXT upon satisfactory completion, subject to NRC inspection, of the remedy selected in the ROD.

This request has been coordinated with the USACE. If you have any questions concerning this request for license suspension please contact me at 434-522-6794.

Respectfully Submitted,

James R. Barrett, P.E.  
Regulatory Compliance Manager

RECEIVED  
10-30-07  
ATK

cc:

NRC Document Control Desk -- NRC

T Chalker -- BWXT

W. Lenart -- USACE

W. Hufford -- ARCO