



Westinghouse Electric Company
Hematite Former Fuel Cycle Facility
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USA

U.S. Nuclear Regulatory Commission
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U.S. Nuclear Regulatory Commission
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2443 Warrenville Road, Suite 210
Lisle, IL 60532-4352

Our ref: HEM-07-133
Date: November 9, 2007

Subject: Extension of Due Date for Westinghouse Electric Company LLC (Westinghouse)
Reply to Notice of Violation

Reference: U.S. Nuclear Regulatory Commission (NRC) letter "NRC Inspection
Report 070-00036/07-01 (DNMS) – Westinghouse Electric Company (Hematite)
and Notice of Violation," dated October 12, 2007

Dear Sirs:

This letter follows up on a telephone conversation between representatives of Westinghouse and NRC Staff in late-October 2007 regarding a due date extension for Westinghouse's response to violations cited in the above-referenced NRC inspection report. Specifically, the NRC inspection report transmitted a Notice of Violation citing three violations of NRC requirements. The instructions accompanying the Notice of Violation require Westinghouse to provide a written response to the violations within "30 days of the date of the letter transmitting... [the] Notice of Violation..." The current due date for the Westinghouse response is November 12, 2007.¹

As preliminarily discussed in the aforementioned telephone conversation between the Hematite Licensing Manager and Mr. Bill Snell, NRC Region III, Westinghouse respectfully requests that the NRC grant a 30-day extension to the original response time. Upon NRC approval of this request, the new violation response due date would be December 11, 2007.

This request for a due date extension is consistent with the instructions accompanying the subject Notice of Violation, which state that "(w)here good cause is shown, consideration will be given to extending the response time." The additional response time is requested with consideration for: (1) recent changes in key Hematite Decommissioning Project management and staff personnel; and (2) personnel workload constraints due to ongoing resource-intensive upgrades of site programs and procedures. The requested due date extension is expected to allow available

¹ Thirty days from the date of the NRC letter transmitting the Notice of Violation is Sunday, November 11, 2007. 10 CFR 70 does not provide guidance for instances in which the due date for a report or written communication falls on a weekend or holiday. However, applicable NRC guidance can be found in 10 CFR 50.4, which states that "(i)f a submission due date falls on a Saturday, Sunday, or Federal holiday, the next Federal working day becomes the official due date." Consistent with this guidance, the current due date is considered to be November 12, 2007.

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resources to thoroughly address the reason(s) for the violations and identify appropriate corrective actions to prevent recurrence.

If you have any questions concerning this letter, please contact me at 314-810-3368.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Kurt Hackmann", with a long, sweeping flourish extending to the right.

E. Kurt Hackmann
Director, Hematite Decommissioning Project

cc: J. J. Hayes, NRC/FSME/DWMEP/DURLD
G. M. McCann, NRC Region III
W. G. Snell, NRC Region III
B. A. Watson, NRC/FSME/DWMEP/DURLD