Amy Snyder - BWXT Crit Exemption EA- modified

From: Amy Snyder
To: les.foldesi@vdh.virginia.gov
Date: 10/31/2007 9:38 AM
Subject: BWXT Crit Exemption EA- modified

Leslie P. Foldesi, M.S., CHP
Director, Division of Radiological Health

RE: Comments on the Draft Environmental Assessment related to a License Amendment Request For BWX Technologies, Inc. License No. SNM-42 Dated May 2, 2007

Dear Mr. Foldesi:

I received your letter dated October 24, 2007 regarding your comments on the draft environmental assessment (EA) regarding BWX Technologies Inc.'s request to amend license with an exemption to the requirements of Title 10 of the Code of Federal Regulations (10 CFR) Section 70.24, for criticality monitoring. You requested additional information that was not explained in detail in the draft EA. Specifically, you wanted to know the following:

1. Why the security requirements were not compatible with a fixed criticality monitoring system,
2. An estimate of the fiscal cost to comply with both requirements, i.e. security and criticality monitoring.
3. Why the licensee is not capable of meeting the requirements stated in Section 70.24 paragraph (a) (2), which allows greater distances between the monitor and the special nuclear material.
4. If there are any situations that could disturb the stored material and initiate a criticality event during the time that a portable critically alarm is not in place.

You also were concerned with the proposed action, even though you agree that there is a low probability of an off- site consequence; whether the licensee is capable of promptly characterizing an incident and reporting the event accurately to off-site officials if a criticality accident should occur without a fixed criticality monitoring system.

I appreciate your comments and it began clear to me after recently visiting the BWXT Site, reviewing your comments, and reviewing the licensee's exemption request, that the predecisional draft EA did not clearly state that BWXT's current permanent criticality monitoring system in the areas in question will not be removed. In addition, the draft did not clearly explain that the permanent criticality monitors will be supplemented with hand held radiation monitors when the licensee has to access the spent nuclear fuel and the licensee will be required to supplement its physical protection in the area by other means during this period of time. These conditions will be made part of the license if this proposed action is approved.

There is reasonable assurance that the licensee will be able to detect a criticality when accessing the spent nuclear fuel because in order to do so, BWXT must first remove the security barrier. Once the security barrier is temporarily removed, the permanent fixed criticality monitor will be able to detect if a criticality accident should occur.

I hope this explanation satisfies your questions and concern that your expressed in your October 24th letter.

Attached is the modified draft predecisional EA. Please review the changes and let me know if you still have questions. The information in the attachment is limited to use by the Virginia Department of Health and its staff. This information shall not be disclosed with prior NRC permission. It is a word Perfect file. When you open it, select

reviewer in order to see the changes (in color font) that were made from the original draft. Also, please review Section 5. 1 and provide me with any comments or concerns.

Please feel free to call me (301) 492-3225) or send an e-mail to ams3@nrc.gov if you have any questions.

Sincerely,

Amy M. Snyder, Senior Project Manager
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