

May 22, 2009

MEMORANDUM TO: Margie Kotzalas, Chief
MOD Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: Cinthya Roman, Project Manager **/RA/**
MOD Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF THE MANAGEMENT MEETING WITH SHAW AREVA
MOX SERVICES FOR THE MIXED OXIDE FUEL FABRICATION
FACILITY TO BE BUILT NEAR AIKEN, SOUTH CAROLINA

On Wednesday, April 29, 2009, Nuclear Regulatory Commission (NRC) staff met with representatives from Shaw AREVA MOX Services (MOX Services) for a management meeting to discuss the status of the technical review of the license application (LA) to possess and use radioactive material and the construction inspection program for the Mixed Oxide Fuel Fabrication Facility.

Please see the enclosed meeting summary for more details (Enclosure 1). The meeting attendance list is also enclosed (Enclosure 2). The meeting handouts can be found in Enclosures 3 and 4. The enclosures do not contain any sensitive information.

Enclosure:

- 1: Meeting Summary
- 2: Meeting Attendance List
- 3: U.S. NRC Meeting Handout
- 4: MOX Services Meeting Handout

cc w/enclosures:

S. Glenn, NNSA/SRS	A.J. Eggenberger, DNFSB
J. Olencz, NNSA	L. Zeller, BREDL
S. Jenkins, SC Dept. of HEC	G. Carroll, Nuclear Watch South
D. Silverman, Esq., MOX Services	D. Curran, Esq., Nuclear Watch South
D. Gwyn, MOX Services	

CONTACT: David Tiktinsky, NMSS/FCSS
(301) 492-3229

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DATE	5/19 /09	5/ /09	5/ /09	5/ /09

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SUMMARY OF THE MANAGEMENT MEETING WITH MOX SERVICES ON THE
MIXED OXIDE FUEL FABRICATION FACILITY

On Wednesday, April 29, 2009, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives from Shaw AREVA MOX Services (MOX Services or the applicant) for a management meeting to discuss the status of the technical review of the license application (LA) to possess and use radioactive material and the construction inspection program for the Mixed Oxide Fuel Fabrication Facility (MFFF). Enclosure 2 lists the meeting attendees.

The discussions at the meeting included the status of NRC licensing review and an inspection program overview for the MFFF.

In opening remarks, Marissa Bailey, Deputy Director of the Special Projects and Technical Support Directorate, discussed the changes in the Division of Fuel Cycle Safety and Safeguards management that have occurred since the last management meeting. Ms. Bailey also discussed the importance of the applicant submitting quality and timely responses to the staff's requests of additional information (RAIs). In addition, she emphasized the importance of constructing principal structures, systems and components (PSSCs) in accordance with the LA as required by Title 10 of the Code of Federal Regulations (CFR) Part 70 Section 23 (a)(8).

NRC Licensing Review

The NRC staff discussed the current status of the licensing review, including the development of RAIs. The license review activities are being done on a discipline-specific basis. RAIs for all technical disciplines were completed in March 2009 and sent to the applicant. The staff has had numerous interactions with the applicant including technical meetings and in-office reviews. Additional meetings will be held to discuss the proposed responses to ensure that RAIs are satisfactorily addressed. The applicant has been very cooperative in arranging and participating in meetings and in-office reviews.

The staff also discussed the status of the verification plan for 10 CFR 70.23(a)(8). This verification plan is being developed to ensure that staff verifies that the construction of the PSSCs have been completed in accordance with the application. The verification plan will be used to track and document inspections and technical review activities of the 53 PSSCs described in the MFFF Construction Authorization Request. The license to possess and use radioactive material will not be issued until the verification of PSSCs are complete.

Inspection program overview

A summary of the quarterly NRC inspection reports for the periods of April 1, 2008, through December 31, 2008, and January 1, 2009, through March 31, 2009, were provided during the meeting.

The inspection reports from April 1, 2008, through December 31, 2008, covered eight inspections, including one vendor inspection, in addition to the Resident Inspector Program. The reports covered fifteen inspection procedures in the following areas: concrete, structural,

geotechnical, quality assurance, and vendor. The inspection effort for this period was about 1,400 hours of direct inspection.

The inspection reports from January 1, 2009, through March 31, 2009, covered five inspections, including one reactive inspection, one problem identification and resolution inspection, two vendor inspections, and the Resident Inspector Program.

In 2008, NRC issued four violations. All violations were categorized as Severity Level IV, and the risk significance for these violations was determined to be of very low safety significance. In addition, five non-conformances were issued against a vendor. The inspections reports for 2009 have not yet been issued.

It is expected that inspection activities will increase as the construction activities increase.

Construction of the MFFF

David Stinson, Shaw AREVA MOX Services President, presented the status of the construction of the MFFF and support buildings. He indicated that upper walls, floors and roof should be completed by August 2009. Currently, 35 percent of the gloveboxes procurements have been completed. Also, 28 tanks have been delivered to the Savannah River Site and six have been installed. In May 2009 they are expecting to receive the first radwaste pipe.

Mr. Stinson indicated that MOX Services is in the process of highlighting key PSSCs activities in the project schedule to provide NRC information to support scheduling of inspection activities.

Public Participation

After the business portion of the meeting, the public was provided an opportunity to ask questions of the NRC staff.

A member of the public asked when the MFFF will start operation. NRC stated that the facility cannot start operation until a license is granted. Also, before a license is granted NRC will verify that the PSSCs have been constructed in accordance with the LA. NRC expects to prepare a Safety Evaluation Report by December 2010. If the license is granted, hot startup is projected to occur by 2016.

There were questions related to the chemical RAIs submitted to the applicant. Some of these RAIs asked the applicant to provide the safety basis or their methodology to prevent some of the postulated events. NRC staff explained that the applicant has evaluated all credible accident sequences and they have the safety basis and methodology in their Integrated Safety Analysis (ISA). However, the RAIs were submitted to ensure that the information is in the right place (e.g., LA, ISA Summary).

Remarks

No regulatory decisions were made at the meeting.

LIST OF ATTENDEES

MANAGEMENT MEETING WITH MOX SERVICES ON THE MIXED OXIDE FUEL

FABRICATION FACILITY

WEDNESDAY, APRIL 29, 2009

<u>NAME</u>	<u>ORGANIZATION</u>
Michael Weber	U.S. Nuclear Regulatory Commission (NRC)/Headquarters (HQ)
Marissa Bailey	NRC/HQ
Tony Gody	NRC/RII
David Tiktinsky	NRC/HQ
Margie Kotzalas	NRC/HQ
Deborah Seymour	NRC/RII
William Gloersen	NRC/RII
Mel Shannon	NRC/RII
Katie Wagner	NRC/HQ
Michael Norato	NRC/HQ
Jonathan De Jesús	NRC/HQ
Cintha Román	NRC/HQ
David Rahn	NRC/HQ
David Stinson	MOX Services
Dealis Gwyn	MOX Services
Om Merrdiratta	MOX Services
Kelly Tracy	MOX Services
Dirk Leach	MOX Services
Walt Elliot	MOX Services
Clay Ramsey	National Nuclear Security Administration
Jeannette Hyatt	Savannah River Nuclear Solutions
Glenn Carroll	Nuclear Watch South
Noah Feit	Aiken Standard
Marla Pearson	TFE
Amy Johnson	Nuclear Fuel Services
Fitz Trumble	Westinghouse Safety Management Solutions
Brenda Schmidt	MAINTEC
Susan Corbett	SC Sierra Club
Medwall Hill	none
Don Haberkost	none