Baker, Stephen

From: Carlotta Coates
Sent: Wednesday, February 18, 2009 10:36 AM
To: Stephen Baker; Nicole McClain
Subject: FW: Westinghouse Voluntary Disclosure - Withdrawal of Claim of Proprietary Information Exempt From Public Disclosure

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From: Gutman, Michele M. [mailto:GutmanMM@westinghouse.com]
Sent: Wednesday, February 18, 2009 10:21 AM
To: Carlotta Coates
Cc: Kirkham, Kent N.; McDonough, Edward F.; Fruehauf, Richard; Janice Owens; Stephen Dembek; Brian Horn; Scott Moore
Subject: Westinghouse Voluntary Disclosure - Withdrawal of Claim of Proprietary Information Exempt From Public Disclosure

Dear Ms. Coates, per my voice mail message, Westinghouse is withdrawing the claim made pursuant to 10 CFR 110.72 that the Voluntary Disclosure made by Edward F. McDonough, Westinghouse Manager of International Trade Compliance, on January 30, 2009, is proprietary information exempt from public disclosure.

If you have any questions, you may contact Mr. McDonough at 412 374-4754 , or Richard Fruehauf, at 412 374-6776.

Michele M. Gutman
Assistant General Counsel
Westinghouse Electric Company
4350 Northern Pike
Monroeville, PA 15146-2886
Telephone 412 374-5570
Fax 412 374-6122
gutmanmm@westinghouse.com

Baker, Stephen

From: McDonough, Edward F. [mcdonoef@westinghouse.com]
Sent: Friday, January 30, 2009 8:39 PM
To: Scott Moore
Cc: Janice Owens; Stephen Dembek; Brian Horn; Gutman, Michele M.; Fruehauf, Richard; Brode, Kevin W.
Subject: Westinghouse Notification

Scott W. Moore
Deputy Director
Office of International Programs
11555 Rockville Pike Mail Station 04E21
U.S. Nuclear Regulatory Commission
Rockville, MD 20852-2738

EFM-09-0222

Dear Mr. Moore,

With the full knowledge and authorization of senior management of Westinghouse Electric Company LLC, I am writing to inform you that our preliminary analysis indicates that our Columbia, South Carolina Fuel Fabrication Facility ("CFFF") has exceeded the SNM limits of our NRC Export License XSNM03006 Amendment No. 03-R which authorizes the export of 6,500 Kgs U235 contained in 134,700 Kgs Uranium in nuclear fuel assemblies to the KRSKO NPP in Slovenia. This written notification is a formal follow up to my telephone conversation notice with Janice Owens of the NRC of Westinghouse's identification of this situation on January 29, 2009. Westinghouse first obtained this license in November, 1997. This license currently has a December 31, 2009 expiration date. We have discovered that in August, 2007 CFFF in conducting the normal scheduled fuel shipment to KRSKO exceeded the limits of SNM authorized by XSNM03006 by an estimated 141 Kgs of U235 contained in 14,176 Kgs of uranium. This situation was not discovered until January, 2009 in preparation of the next scheduled fuel shipment to KRSKO which is due to occur in February, 2009. We immediately took corrective action steps by notifying and submitting an amendment application for XSNM03006 to the NRC to include the material shipped in August 2007 and authorize additional future shipments. Westinghouse senior management has been fully notified of this situation, authorized this initial report of voluntary self-disclosure to the NRC and instituted an investigation into the cause of this situation. This situation apparently was not discovered by our tracking system before or after the August 2007 shipment. Westinghouse is currently reviewing the circumstances of this situation and will take additional, appropriate corrective actions upon completion of an audit of the tracking system, a review of shipping procedures at CFFF and root cause analysis of why we did not discover this situation before the August, 2007 shipment. Westinghouse will submit to the NRC additional information upon completion of this review.

We respectfully request that this initial notice of voluntary self-disclosure be withheld from public disclosure pursuant to 10 CFR 110.72 as proprietary information exempt from disclosure under 10 CFR Part 9, the public release of which could cause competitive harm to Westinghouse.

Edward F. McDonough
Manager International Trade Compliance
Legal
Westinghouse Electric Company LLC
Phone (412) 374-4754
Fax (412) 374-2271

CC: Stephen Dembek US NRC
Janice Owens US NRC
Brian Horn, US NRC

Enclosure 1