

September 17, 2009

EA-09-084

Mr. E. Kurt Hackmann, Director
Hematite Decommissioning Project
Westinghouse Electric Company
Nuclear Fuels
3300 State Road P
Festus, MO 63028

SUBJECT: NRC PREDECISIONAL ENFORCEMENT CONFERENCE SUMMARY -
WESTINGHOUSE ELECTRIC COMPANY (HEMATITE)

Dear Mr. Hackmann:

This letter transmits to you a summary of the September 2, 2009, Predecisional Enforcement Conference held at the Region III office. The purpose of the conference was to discuss the apparent violations identified in NRC Inspection Report No. 070-00036/08-02(DNMS).

In accordance with the NRC Enforcement Manual, the statements and information provided during the Predecisional Enforcement Conference will assist the NRC in making an enforcement decision. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA by G. McCann, for/

Christine Lipa, Chief
Materials Control, ISFSI
and Decommissioning Branch

Docket No. 070-00036
License No. SNM-00033

Enclosure:
Predecisional Enforcement Conference Summary

cc w/Encl: M. Templeton, Director, Missouri Department of Natural Resources
D. Buntin, Director, Intergovernmental Cooperation
Missouri Department of Natural Resources

Mr. E. Kurt Hackmann, Director
 Hematite Decommissioning Project
 Westinghouse Electric Company
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Enclosure:
 Predecisional Enforcement Conference Summary

cc w/Encl: D. Childers, Director, Missouri Department of Natural Resources
 R. A. Kucera, Director, Intergovernmental Cooperation,
 Missouri Department of Natural Resources
 E. Gilstrap, Missouri Department of Natural Resources

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*see previous concurrence

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Letter to E. Kurt Hackman from Christine A. Lipa dated September 17, 2009.

SUBJECT: NRC PREDECISIONAL ENFORCEMENT CONFERENCE SUMMARY -
WESTINGHOUSE ELECTRIC COMPANY (HEMATITE)

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PREDECISIONAL ENFORCEMENT CONFERENCE SUMMARY

Licensee: Westinghouse Electric Company
Facility: Hematite Decommissioning Project
License No.: SNM-00033
Docket No.: 070-00036
EA-09-084

On September 2, 2009, representatives of Westinghouse Electric Company met with NRC personnel in the Region III office located in Lisle, Illinois, to discuss the apparent violations identified in NRC Inspection Report Number 070-00036/08-02(DNMS). The conference was held at the request of Region III.

The licensee presented a summary of the apparent violations; their perspective on the violations, including the significance level and their corrective actions. The licensee also provided its position on the significance of a Severity Level IV violation cited in the inspection report. The licensee's slide presentation is available on the NRC's document system (ADAMS), under ML092510275.

The attendance list is attached to this summary.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Enclosure