UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 21, 2009

EA-09-263
NRC Event No. 45207

Mr. R. P. Cochrane
General Manager
Babcock and Wilcox
Nuclear Operations Group, Inc.
P. O. Box 785
Lynchburg, VA 24505-0785

SUBJECT: MEETING ANNOUNCEMENT - CATEGORY 1 PUBLIC MEETING
PREDECISIONAL ENFORCEMENT CONFERENCE
BABCOCK AND WILCOX NUCLEAR OPERATIONS GROUP, INC.
DOCKET NO. 70-27

Dear Mr. Cochrane:

This letter confirms the telephone conversation between Mr. Barry Cole of your staff and myself on Friday, October 16, 2009, concerning a pre-decisional enforcement conference. This meeting is being conducted at our request, and is scheduled for November 6, 2009, at 1:00 p.m. (EDT). The purpose of the meeting is to discuss the apparent violations associated with the loss of controlled parameters for criticality safety on a mechanical saw on July 15, 2009. The apparent violations were discussed in NRC Special Inspection Report 70-27/2009-006 (ML092870702). The location of the conference will be at the NRC Region II Office, Sam Nunn Atlanta Federal Center, 61 Forsyth Street, S.W., Suite 23T85, Atlanta, Georgia 30303. This will be a Category 1 meeting which the public is invited to observe. Members of the public will have the opportunity to communicate with the NRC staff after the business portion, but before the meeting is adjourned, as per NRC policy statement "Enhancing Public Participation in NRC Meetings," published in the Federal Register: May 28, 2002 (Volume 67, Number 102, Page 36920-36924).

Interested members of the public should contact Mr. Al Gooden at (404) 562-4716, indicating their intention to attend by November 4, 2009. This will ensure that sufficient copies of meeting materials are available. Because meetings are sometimes canceled as a result of unforeseen circumstances, members of the public should contact Mr. Gooden at the number given shown above to confirm that the meeting will occur as scheduled.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," this letter and its enclosures may be accessed through the NRC's public electronic reading room, Agency-Wide Document Access and Management System (ADAMS) on the Internet at http://www.nrc.gov/reading-rm/adams.html.

Should you have any questions concerning the meeting, please contact me at (404) 562-4711 or Ms. Carolyn Evans, Regional Counsel/Enforcement Officer, at (404) 562-4414.

Sincerely,

/RA/

D. Charles Payne, Chief
Fuel Facility Inspection Branch 1
Division of Fuel Facility Inspection

Docket No. 70-27
License No. SNM-42

Enclosures: 1. Meeting Agenda
2. Meeting Notice

cc w/encls:
Barry L. Cole, Manager
Licensing and Safety Analysis
Babcock and Wilcox Nuclear Operations Group, Inc.
P.O. Box 785
Lynchburg, VA 24505-0785

Leslie P. Foldesi, Director
Bureau of Radiological Health
Division of Health Hazards Control
Department of Health
Main Street Station
1500 East Main, Room 240
Richmond, VA 23219

Distribution w/encls: (See page 3)

Distribution w/encls:
Meeting Announcement Coordinator, OADM/DFIPS (PMNS)
OEMAIL
OEWEB
Region II Regional Coordinator
Roger Hannah, Sr. Public Affairs Officer, RII
Joey Ledford, Public Affairs Officer, RII
Region II Administrator's Secretary
Region II Division Directors and Deputies
Region II Receptionist
Headquarters Operations Officer
NMSS Enforcement Coordinator
L. Reyes, RII
V. McCree, RII
C. Evans, RII
S. Sparks, RII
J. Shea, RII
E. Cobey, RII
C. Payne, RII
A. Gooden, RII
K. Ramsey, NMSS
M. Tschlitz, NMSS
P. Habighorst, NMSS
M. Baker, NMSS
Public

X PUBLICLY AVAILABLE ☐ NON-PUBLICLY AVAILABLE ☐ SENSITIVE X NON-SENSITIVE
ADAMS: ☐XYes ☐ No ACCESSION NUMBER:_____ X SUNSI REVIEW COMPLETE

OFFICE	RII/DFFI	RII/EICS				
SIGNATURE	***PD for 10/19***	CFE 10/21/09				
NAME	AGooden	CEvans				
DATE	10/ /2009	10/ /2009	10/ /2009	10/ /2009	10/ /2009	10/ /2009
E-MAIL COPY?	YES	YES NO	YES NO	YES NO	YES NO	YES NO

G:\ENFORCE\B&W NOG\EA-09-263 - Unanalyzed Band Saw Cutting Fluid Reservoir\ MTG Notice (PEC – B&W Band Saw)

BABCOCK and WILCOX NUCLEAR OPERATIONS GROUP, INC.

PREDECISIONAL ENFORCEMENT CONFERENCE
November 6, 2009
1:00 p.m. (EDT)
AGENDA

I. Opening Remarks, Introductions, and Summary of the Issues

II. NRC Enforcement Policy

III. Statement of Concerns/Apparent Violations

IV. Licensee Presentation

V. Break/NRC Caucus

VI. NRC Follow-up Questions

VII. Closing Remarks and Public Q&As

Enclosure 1

SUBJECT:	PREDECISIONAL ENFORCEMENT CONFERENCE
FACILITY:	Babcock and Wilcox Nuclear Operations Group, INC.
DOCKET:	70-27
DATE & TIME:	Friday, November 6, 2009 1:00 p.m. (EDT)
LOCATION:	NRC Region II Office Sam Nunn Atlanta Federal Center 61 Forsyth Street, S.W., Suite 23T85 Atlanta, Georgia 30303
PURPOSE:	To discuss apparent violations associated with the loss of controlled parameters for criticality safety on a mechanical saw used for cutting fuel components on July 15, 2009, captured in special inspection report number 70-27/2009-006.
CATEGORY:	This will be a **Category 1** meeting. The public is invited to observe this meeting and will have one or more opportunities to communicate with the NRC after the business portion, but before the meeting is adjourned.
NRC OFFICES PARTICIPATING:	Region II, Division of Fuel Facility Inspection Headquarters, Division of Nuclear Material Safety and Safeguards
PARTICIPATING ORGANIZATION(S):	B&W Nuclear Operations Group, Inc.
CONTACT:	Alphonsa Gooden, NRC, RII; 404-562-4716; Alphonsa.Gooden@nrc.gov

Enclosure 2