

MFFFPEm Resource

From: Tiktinsky, David
Sent: Tuesday, December 22, 2009 8:35 AM
To: Ward, Steven; Pham, Tom; McGaffigan, Margaret
Cc: Morrissey, Kevin; Roman, Cinthya; Norato, Michael; MFFFHearingFile Resource
Subject: FW: DOCKET NUMBER 070-03098 (DCS NRC 000247)
Attachments: DCS-NRC-000247 17 DEC 2009 wo encl.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

I am forwarding MOX Services exemption request related to process monitoring. I will forward the attachment when I get it. Thanks.

From: Walton, Marie V. [mailto:MVWalton@moxproject.com]
Sent: Monday, December 21, 2009 7:59 AM
To: Giitter, Joseph; Gloersen, William; Kotzalas, Margie; Seymour, Deborah; Shannon, Mel; Tiktinsky, David; melton.glenn@nnsa.srs.gov; Carol.Elliott@nnsa.srs.gov; dsilverman@morganlewis.com; mosi.dayani@srs.gov; Ramsey, Clay (Contact); Marshall, Jane; Pham, Tom
Subject: DOCKET NUMBER 070-03098 (DCS NRC 000247)

I am not sure if you received this last week. We had some internet problems and this may not have been delivered. If you have already received, please disregard.

Please see attached correspondence sent 17 December 2009 – DCS-NRC-000247 Request for Exemption from Aspects of Process and Item Monitoring.

Marie Walton
Administrative Assistant
Nuclear Safety & Licensing
BAD - 706-5F Rm 3004
803-819-2556
mwalton@moxproject.com

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Hearing Identifier: MixedOxideFuelFabricationFacility_Public
Email Number: 83

Mail Envelope Properties (0A64B42AAA8FD4418CE1EB5240A6FED10818DA936E)

Subject: FW: DOCKET NUMBER 070-03098 (DCS NRC 000247)
Sent Date: 12/22/2009 8:35:02 AM
Received Date: 12/22/2009 8:35:04 AM
From: Tiktinsky, David

Created By: David.Tiktinsky@nrc.gov

Recipients:

"Morrissey, Kevin" <Kevin.Morrissey@nrc.gov>
Tracking Status: None
"Roman, Cinthya" <Cinthya.Roman@nrc.gov>
Tracking Status: None
"Norato, Michael" <Michael.Norato@nrc.gov>
Tracking Status: None
"MFFFHearingFile Resource" <MFFFHearingFile.Resource@nrc.gov>
Tracking Status: None
"Ward, Steven" <Steven.Ward@nrc.gov>
Tracking Status: None
"Pham, Tom" <Tom.Pham@nrc.gov>
Tracking Status: None
"McGaffigan, Margaret" <Margaret.McGaffigan@nrc.gov>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

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| MESSAGE | 1747 | 12/22/2009 8:35:04 AM |
| DCS-NRC-000247 17 DEC 2009 wo encl.pdf | | 336835 |

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Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555

DCS-NRC-000247
17 December 2009

Subject: Docket Number 070-03098
Shaw AREVA MOX Services, LLC
Mixed Oxide Fuel Fabrication Facility
Request for Exemption from Aspects of Process and Item Monitoring

Reference: Letter, David Tiktinsky (NRC) to Dealis Gwyn (MOX Services), Request for Additional Information Regarding the Review of the Fundamental Nuclear Material Control Plan for the Mixed Oxide Fuel Fabrication Facility License Application Request, NRC-DCS-000406, 26 February 2009

Shaw AREVA MOX Services, LLC (MOX Services) hereby submits our request for exemption from 10 CFR 74.53(b)(1), *Process monitoring*, and 10 CFR 74.53(b)(1), *Item monitoring*, as described in more detail in the enclosure to this letter. The requested exemption provides for time durations and control units, based on the unique MFFF design, necessary to accomplish the required monitoring while satisfying the intent of the monitoring and accounting general performance objectives.

The requested exemption is authorized by 10 CFR 74.7, "Specific Exemptions," which addresses granting exemptions that are authorized by law, will not endanger life, property, or the common defense and security, and are otherwise in the public interest. The attachment to this letter demonstrates that the requested exemptions meet each of these requirements and identifies the specific requirements of the regulation for which an exemption is requested and provides the associated justification.

Approval of the exemption is requested to allow for development of material control and accountability procedures supporting the programmatic aspects of the Fundamental Nuclear Materials Control Plan consistent with the schedule for the MFFF.

Note that the Enclosure contains security-related information that should be withheld in accordance with 10 CFR 2.390. The cover letter may be treated as uncontrolled.

If you have any questions, please feel free to contact me or Dealis Gwyn, Licensing and Regulatory Compliance Manager, at (803) 819-2780.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Stinson', written over a horizontal line.

David Stinson
President and COO

Enclosure:

Mixed Oxide Fuel Fabrication Facility Fundamental Nuclear Material Control Plan
Exemption Request

cc:

Eric Chassard, MOX Services
Mostafa (Mosi) Dayani, NNSA/SRS
Carol Elliott, NNSA/SRS
Walter L. Elliott, MOX Services
Joseph G. Giitter, USNRC/HQ
Sam Glenn, NNSA/SRS
William Gloersen, USNRC/RII
Dealis W. Gwyn, MOX Services
Margaret A. Kotzalas, USNRC/HQ
Jane Marshall, USNRC/HQ
Tom Pham, USNRC/HQ
Clay H. Ramsey, NNSA/SRS
Deborah Seymour, USNRC/RII
Melvin Shannon, USNRC/SRS
Donald J. Silverman, Esq., Morgan, Lewis & Bockius LLP
David H. Tiktinsky, USNRC/HQ
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