



**NUCLEAR FUEL SERVICES, INC.**

*a subsidiary of The Babcock & Wilcox Company*

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21G-10-0033  
GOV-01-55-19  
ACF-10-0052  
February 10, 2010

Mr. D. Charles Payne  
U.S. Nuclear Regulatory Commission  
Region II, Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, GA 30303

References: 1) Docket No. 70-143; SNM License 124  
2) NRC Confirmatory Order Modifying License, dated February 21, 2007

Subject: **STATUS OF CONFIRMATORY ORDER, SECTION V, PARAGRAPH 3.e.  
ASSESSMENT**

Dear Sir:

Per your request, Nuclear Fuel Services, Inc. (NFS) is providing the status of the additional Independent Safety Culture Assessment of the NFS-Erwin operations. This Assessment is required by the referenced NRC Confirmatory Order for Program Improvements dated February 21, 2007, Section V, Paragraph 3.e., NFS has obtained the services of the previously approved Independent Assessment Team identified as the Safety Culture Board of Advisors (SCuBA) to conduct the follow-up third-party safety culture assessment.

The SCuBA Team initiated this additional review in the Fall of 2009. The SCuBA Team planned to complete their Assessment in May, 2010. However, due to the shutdown of the NFS processing facilities in January of 2010, the SCuBA Team is now scheduled to finalize their assessment and deliver a report to NFS by June 25, 2010. This will allow for SCuBA Team personnel interviews and observations of restart of the production facilities. NFS will provide a copy of the report to the NRC upon receipt, but no later than June 30, 2010.

If you or your staff have any questions, require additional information, or wish to discuss this, please contact me, or Ms. Marie Moore, at (423) 743-1737. Please reference our unique document identification number (21G-10-0033) in any correspondence concerning this letter.

Sincerely,

**NUCLEAR FUEL SERVICES, INC.**

David C. Ward  
Interim Director of Safety and Regulatory

BMM/pdj

COPY:

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