



NUCLEAR FUEL SERVICES, INC.

a subsidiary of The Babcock & Wilcox Company

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■ www.nuclearfuelservices.com

21G-10-0082
GOV-01-55-06
ACF-10-0114

May 24, 2010

Director, Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

Reference: 1) Docket No. 70-143; SNM License 124
2) Letter (21G-06-0049) from B. Marie Moore to NRC, submittal of North Site Decommissioning Plan, Revision 03, dated May 2, 2006
3) Letter from NRC to B. Marie Moore, Nuclear Fuel Services, Inc. Acknowledgement and Acceptance of Revision 3 to North Site Decommissioning Plan (TAC L31949), dated May 18, 2006

Subject: Final Status Survey Final Report for Survey Units 2, 8, 9, 19, and 20

Dear Sir:

Nuclear Fuel Services, Inc. (NFS) hereby submits the Final Status Survey (FSS) Final Report for five survey units located at the North Site (Enclosure 1). Specifically, this FSS Report is for Survey Units 2, 8, 9, 19, and 20. Please note that Survey Unit 2 is similar to Survey Unit 1 in the fact that it is unexcavated and no backfill is planned. Therefore, the surface scanning of Survey Unit 1 will complete the review of Survey Unit 2. This FSS was conducted in accordance with methods specified in References 2 and 3. The radiological survey data demonstrates that the site meets the Derived Concentration Guideline Levels (DCGLs) established. While NFS does not intend to request a partial site release of this area at this time, we request confirmation that these survey units will be suitable for unrestricted release in accordance with Title 10, Code of Federal Regulations (CFR), Part 20, Subpart E.

The enclosed report contains contractor proprietary information, as set forth in the enclosed affidavits (Enclosures 2 and 3), in accordance with 10 CFR 2.390(a) (4), and is not suitable for public release. A redacted version that is suitable for public release has been included in Enclosure 4.

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nuclear fuel services, inc., *a subsidiary of The Babcock & Wilcox Company*

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If you or your staff have any questions, require additional information, or wish to discuss this, please contact me or Mr. Scott Morie, Decommissioning Environmental Manager, at (423) 735-5616. Please reference our unique document identification number (21G-10-0082) in any correspondence concerning this letter.

Sincerely,

NUCLEAR FUEL SERVICES, INC.

A handwritten signature in black ink, appearing to read "Mark P. Elliott", with a stylized flourish at the end.

Mark P. Elliott, Director
Quality, Safety, and Safeguards

CSM/pj

Enclosure 1: Final Status Survey Report (Non-Redacted) for Survey Units, 2, 8, 9, 19, and 20 (Not Suitable for Public Release)

Enclosure 2: NFS Affidavit Trade Secrets or Commercial Information

Enclosure 3: MACTEC Affidavit Trade Secrets or Proprietary Commercial Information

Enclosure 4: Final Status Survey Report (Redacted) for Survey Units, 2, 8, 9, 19, and 20 (Suitable for Public Release)

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COPY:

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Mr. Kevin Ramsey
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Washington, DC 20555

Mr. Galen Smith
Senior Resident Inspector
U.S. Nuclear Regulatory Commission

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Enclosure 1

**FINAL STATUS SURVEY REPORT
(Non-Redacted)
FOR
SURVEY UNITS 2, 8, 9, 19, AND 20**

NOT SUITABLE FOR PUBLIC RELEASE

**This document contains
PROPRIETARY INFORMATION
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Enclosure 2

NFS

**AFFIDAVIT
TRADE SECRETS OR COMMERCIAL INFORMATION**

(2 pages to follow)

AFFIDAVIT

TRADE SECRETS OR COMMERCIAL INFORMATION



I, Mark P. Elliott, Director of Quality, Safety, & Safeguards at Nuclear Fuel Services, Inc. (NFS), that to the best of my knowledge and beliefs, make the following representation contained herein:

- A. The following document(s) which Nuclear Fuel Services, Inc. (NFS) wishes to have withheld from public disclosure is:

Enclosure 1 to letter (21G-10-0082) dated May 24, 2010.

- B. The information contained in the document(s) cited in A above has been held in confidence by Nuclear Fuel Services, Inc. (NFS), in that it contains trade secrets or commercial information as specified in Title 10, Code of Federal Regulations, Part 2.390(a). The basis for requesting that this document(s) be withheld from public disclosure is explicitly marked on the cover page to each of the aforementioned documents and/or the top of each affected page, as appropriate, in accordance with 10 CFR 2.390(b)(i)(B).
- C. The information contained in the document(s) cited in A above is the intellectual property of Nuclear Fuel Services, Inc. (NFS), and as such is customarily held in confidence by Nuclear Fuel Services, Inc. (NFS). As such, Nuclear Fuel Services, Inc. (NFS) has customarily submitted privileged and confidential information of this type to the Nuclear Regulatory Commission (NRC) and to its predecessor, the Atomic Energy Commission (AEC), in confidence.
- D. The information contained in the document(s) cited in A above has not been made available to public sources by Nuclear Fuel Services, Inc. (NFS), nor has Nuclear Fuel Services, Inc. (NFS) authorized that it be made available. In accordance with Nuclear Fuel Services, Inc. (NFS) policies governing the protection and control of information, proprietary information contained herein has been made available, on a limited basis, to others outside NFS only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- E. The public disclosure of the information contained in the document(s) cited in A above is likely to cause substantial economic harm to the competitive advantage held by Nuclear Fuel Services, Inc. (NFS). The basis for withholding said information is that it contains distinguishing aspects of a process, methodology, or component(s), the exclusive use of which provides a competitive advantage for NFS in product optimization or marketability.

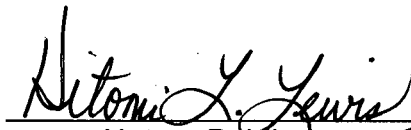
- F. The proprietary information that Nuclear Fuel Services, Inc. (NFS) requests to be withheld from public disclosure is contained in the entire document(s) as so marked.

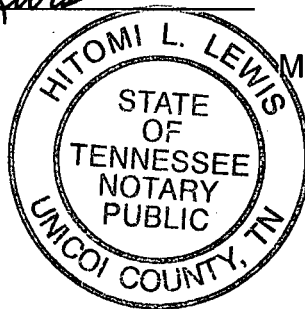
 

Mark P. Elliott
Director, Quality, Safety & Safeguards

Date

I certify the above named person appeared before me and executed this document on this the 24th day of May, 2010.


Notary Public



My commission expires: Aug. 28, 2012

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Enclosure 3

MACTEC

**AFFIDAVIT
TRADE SECRETS OR PROPRIETARY COMMERCIAL INFORMATION**

(1 page to follow)

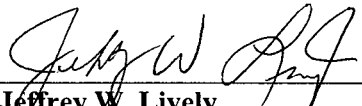
AFFIDAVIT
TRADE SECRETS OR PROPRIETARY COMMERCIAL INFORMATION

I, Jeffrey W. Lively, Senior Principal Health Physicist at MACTEC Development Corporation, to the best of my knowledge and beliefs, make the following representation contained herein:

- A. The following document, portions of which MACTEC Development Corporation wishes to have withheld from public disclosure is:

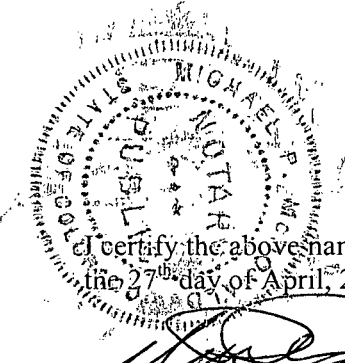
Final Status Survey Report, Survey Unit 2, 8, 9, 19, and 20 dated
November 2009.

- B. Parts of the information contained in the document cited in A above has been held in confidence by MACTEC Development Corporation, in that it contains trade secrets or proprietary commercial information as specified in Title 10, Code of Federal Regulations, Part 2.390(a). The basis for requesting that portions of this document be withheld from public disclosure is explicitly marked on the cover page to the aforementioned document and/or the top of each affected page in accordance with 10 CFR 2.390(b)(i)(B).
- C. The information contained in the document cited in A above is the intellectual property of MACTEC Development Corporation, and as such is customarily held in confidence by MACTEC Development Corporation. As such, MACTEC Development Corporation has customarily submitted privileged and confidential information of this type to the Nuclear Regulatory Commission (NRC) in confidence.
- D. The information contained in the marked pages of the document cited in A above has not been made available to public sources by MACTEC Development Corporation, nor has MACTEC Development Corporation authorized that it be made available. In accordance with MACTEC Development Corporation policies governing the protection and control of information, proprietary information contained herein has been made available, on a limited basis, to others outside MACTEC Development Corporation only as required and under suitable agreement providing for nondisclosure and limited use of the information.
- E. The public disclosure of the information contained in the marked pages of the document cited in A above is likely to cause substantial economic harm to the competitive advantage held by MACTEC Development Corporation. The basis for withholding said information is that it contains distinguishing aspects of a process, methodology, or component(s), the exclusive use of which provides a competitive advantage for MACTEC Development Corporation in product optimization or marketability.
- F. The proprietary information that MACTEC Development Corporation requests to be withheld from public disclosure is contained on clearly marked pages within the document as so marked.



Jeffrey W. Lively
Senior Principal Health Physicist
Radiological Services Division
MACTEC Development Corporation

27 APRIL 2010
Date


I certify the above named person appeared before me and executed this document on this
the 27th day of April, 2010.



Notary Public

My commission expires: Jan 9, 2012

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Enclosure 4

**FINAL STATUS SURVEY REPORT
(Redacted)
FOR
SURVEY UNITS 2, 8, 9, 19, AND 20**

SUITABLE FOR PUBLIC RELEASE