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Our ref: HEM-11-37  
Date: March 21, 2011

Subject: Response to Remaining NRC Request for Additional Information on the Hematite Decommissioning Plan Chapter 9 (License No. SNM-00033, Docket No. 070-00036)

Reference: 1) Westinghouse (E. K. Hackmann) letter to Document Control Desk (NRC), HEM-10-137, dated January 24, 2011, "Responses to Requests for Additional Information on Decommissioning Plan Chapters 8 and 9"  
2) Nuclear Regulatory Commission (NRC - J. J. Hayes) letter to Westinghouse (E. K. Hackmann), dated December 3, 2010, "Westinghouse Hematite Decommission Plan Review Requests for Additional Information for Decommissioning Plan Chapters 8 and 9"

Reference 1 provided all but one of the Hematite responses to NRC's Request for Additional Information (RAI) concerning the Hematite Decommissioning Plan (DP) Chapters 8 and 9 (Reference 2). This letter submits Westinghouse's response to that remaining RAI (i.e., HDP-9-Q1).

Attachment 1 provides the response to the remaining Reference 2 RAI and includes an explanation of anticipated changes to the DP. The actual changes to the DP will be provided under separate cover.

Please contact Kevin Davis, Interim Manager of Licensing, Criticality, and Material Control and Accounting, at 314-810-3348, or Mark Michelsen, Acting Licensing Manager, at 314-810-3376 should you have questions or need any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Kurt Hackmann'.

E. Kurt Hackmann  
Director, Hematite Decommissioning Project

Attachment: 1) Response to Remaining Request for Additional Information on Decommissioning Plan Chapter 9

cc: J. J. Hayes, NRC/FSME/DWMEP/DURLD  
J. W. Smetanka, Westinghouse, w/o attachment  
J. E. Tapp, NRC Region III/DNMS/MCID, w/o attachment

## **ATTACHMENT 1**

### **Response to Remaining Request for Additional Information on Decommissioning Plan Chapter 9**

**Westinghouse Electric Company LLC,  
Hematite Decommissioning Project**

**Docket No. 070-00036**

## **Response to Remaining Request for Additional Information on Decommissioning Plan Chapter 9**

NRC issued a request for additional information (RAI) concerning the Hematite Decommissioning Plan (DP) in a letter dated December 3, 2010. Westinghouse Electric Company LLC (Westinghouse) submitted responses to all but one of those RAIs in letter HEM-10-137, dated January 24, 2011. This attachment contains the response to the remaining RAI (i.e., HDP-9-Q1).

This RAI response is annotated in the same manner as the RAI of NRC letter dated December 3, 2010. The NRC's Comment, Basis and Path Forward are reiterated, followed by the Westinghouse Response.

### **Hematite Decommissioning Plan Chapter 9 Project Management and Organization**

1. (HDP-9-Q1) Comment: DP Section 9.2.1 Procedures, does not provide a description of the responsibility and authority of each unit to ensure that decommissioning activities are conducted in a safe manner and in accordance with approved written procedures.

Basis: Checklist item number 4 of NUREG 1757, Vol. 1, Appendix D, Section IX.a indicates that the licensee should provide, "A description of the responsibility and authority of each unit to ensure that decommissioning activities are conducted in a safe manner and in accordance with approved written procedures."

Path Forward: Provide in Section 9.2.1 a description of the responsibility and authority of each unit to ensure that decommissioning activities are conducted in a safe manner and in accordance with approved written procedures.

### **Westinghouse Response**

**Summary**: Westinghouse agrees to add to DP Chapter 9 a description of the responsibility and authority of each unit to ensure that decommissioning activities are conducted in a safe manner and in accordance with approved written procedures. While reviewing this RAI, Westinghouse also identified two proposed personnel requirements (DP Sections 9.3 and 10.9.1.1.2) that require modification to better reflect intent, industry practice, and decommissioning mission. As part of this response, Westinghouse is also submitting changes to revise such requirements. Changes to specific sections of DP Chapters 9 and 10 are discussed below.

**Discussion**: In lieu of changes to DP Section 9.2.1, DP Section 9.1.1 is revised to refer to new DP Table 9-1, which contains the responsibility and authority of each functional area. In addition, the label "key-to-safety" is removed since this label inappropriately implies that functional areas not so labeled are not important to safety. All functional areas and site personnel have a safety role, as discussed in Section 9.1.2.

The first paragraph of DP Section 9.1.1 is revised as follows:

The Westinghouse Electric Company LLC (Westinghouse) Hematite Decommissioning Project (HDP) organization is led by the Project Director and a

staff of functional area managers. A description of each functional area responsibilities and authorities are provided in Table 9-1 of this Chapter.

New Table 9-1 is added as follows:

<b>Functional Areas</b>	<b>Responsibilities and Authorities</b>
Radiation Protection	<p>Establishes and manages all radiation protection programs.</p> <p>Ensures that activities involving radiation or radioactive material are conducted safely and in accordance with applicable regulatory requirements.</p> <p>Monitors and evaluates potential and/or actual radiation exposures.</p> <p>Establishes appropriate control measures, including source controls.</p> <p>Approves written procedures involving radioactive material.</p> <p>Assures compliance with pertinent procedures and regulations.</p> <p>Performs radiation measurements, sample collection, and analysis, including environmental monitoring for radiological parameters.</p> <p>Responds to and investigates incidents and accidents involving radiation or radioactive material.</p> <p>Maintains radiological records in accordance with quality assurance and regulatory requirements.</p> <p>Reviews and approves subcontractor health physics procedures.</p>
Waste Management	<p>Identifies, controls, and prepares waste for disposal.</p> <p>Provides proper documentation for packages and for shipments by certified, licensed, and/or permitted carriers.</p> <p>Ensures recipients of shipments have proper authorization to receive the shipment.</p>
Project Engineering/Management	<p>Develops technical requirements for the safe and efficient conduct of physical work and planning how physical work will be performed.</p> <p>Coordinates and manages remediation, maintenance, or repair work performed by subcontractors.</p> <p>Creates and maintains drawings and graphical information systems.</p>
Operations	<p>Conducts remediation, maintenance, or repair work performed by HDP staff.</p> <p>Assists with overseeing remediation, maintenance, or repair work assigned to subcontractors.</p>

<b>Functional Areas</b>	<b>Responsibilities and Authorities</b>
Environmental Health and Safety (EH&S)	<p>Maintains the environmental, health and safety compliance program in accordance with applicable regulations.</p> <p>Implements the Health and Safety Plan, the emergency action program, the storm water control program, and the environmental monitoring program for non-radiological attributes.</p> <p>Develops and ensures compliance with environmental permits and actions related to chemical cleanup.</p> <p>Coordinates with non-NRC regulators.</p> <p>Manages the study of subsurface water conditions.</p>
Training	Coordinates and documents training and qualifications of site personnel.
Community Relations	Coordinates with the press, public, and community leaders.
Licensing	<p>Ensures compliance with the License SNM-33 and NRC regulations.</p> <p>Coordinates with the NRC, including submittals, license amendments, and Decommissioning Plan.</p> <p>Reviews planned work activities to ensure compliance with SNM-33.</p>
Material Control & Accounting (MC&A)	Ensures the control and management of special nuclear material, including the tracking of its location and quantity and providing overall direction to the project for compliance with the HDP Fundamental Nuclear Material Control Plan.
Nuclear Criticality Safety	<p>Performs a nuclear criticality safety assessment before a new or modified operation is started when the operation may involve sufficient contamination to require defense-in-depth controls.</p> <p>Reviews field operations to ensure they follow nuclear criticality safety defense-in-depth controls.</p>
Quality Assurance	<p>Performs audits, surveillances, receipt inspections, and trends their results.</p> <p>Coordinates the corrective action and continual improvement programs.</p> <p>Maintains controls for measuring and test equipment.</p> <p>Evaluates subcontractor quality programs and procedures.</p> <p>Establishes document control and records management requirements.</p>
Security	<p>Provides physical security for HDP.</p> <p>Controls access to protected areas and protected information.</p>

<b>Functional Areas</b>	<b>Responsibilities and Authorities</b>
Project Controls	Provides financial, accounting and managerial controls. Coordinates office facilities, informational systems, and administrative support functions. Develops and maintains the HDP schedule. Procures products, materials and services.

Westinghouse’s review of DP Section 9.3 identified that only two manager positions are key positions that should require specific notification of the NRC. These two positions are the Project Director and the Radiation Safety Officer (RSO). While other management positions are necessary to the project, the Project Director and RSO establish the constraints under which they operate to protect project personnel, the public, and the environment from radiation and radioactive material.

The opening paragraph of DP Section 9.3 will be revised as follows:

This section provides a description of the minimum qualifications and responsibilities of the key functional positions of Hematite Decommissioning Project Director and Radiation Safety Officer. Within 30 days after a change of any individual in one of these positions the licensee shall submit to the NRC written notification of the change. This notification shall include a summary of the new individual’s experience and qualifications, and an evaluation that verifies that the individual’s experience and qualifications meet the minimum requirements for the position.

Westinghouse’s review of DP Section 10.9.1.1.2 identified that the qualification requirements for the nuclear criticality safety specialist was overly restrictive and did not properly credit education related to nuclear criticality. The last sentence of DP Section 10.9.1.1.2 will be revised as follows: “The minimum qualifications for an NCS specialist are either (a) a Bachelor’s degree in science or engineering, or equivalent, with at least one year of nuclear industry experience in criticality safety; or (b) a Bachelor’s degree in nuclear engineering, or equivalent.”