August 21, 2014

NOTE

FROM: Christopher Ryder, Licensing Project Manager

SUBJECT: Summary of Conference Call: Exemption from Title 10 of the *Code of Federal Regulations* (10 CFR), Part 20.1703(c)(5) (TECHNICAL ASSIGNMENT CONTROL NUMBER L33340)

Date and Time

August 12, 2014, at 2:00 PM (eastern)

Background

Westinghouse Columbia Fuel Fabrication Facility (hereafter referred to as Westinghouse or licensee) in Hopkins, SC, had submitted a request (Ref. 1) to be exempt from 10 CFR, Part 20.1703(c)(5), which requires that a physician certify that Westinghouse employees are able to use respiratory protection equipment; instead, the licensee seeks to have a nurse practitioner perform the certification.

The staff at the U.S. Nuclear Regulatory Commission (NRC) intends to send Westinghouse a request for additional information (RAI). The NRC staff had a conference call with staff at Westinghouse to ensure that the RAIs are understood and to identify specific documentation that the NRC staff could formally request. Prior to the conference call, the NRC staff had sent draft RAIs to the licensee.

Participants

NRC	*Licensee*
Christopher Ryder[(a)]	Nancy Parr[(c)]
Gregory Chapman[(b)]	Edward Byrd[(d)]

Notes
a. Licensing Project Manager
b. Technical Reviewer
c. Licensing Project Manager
d. Licensing Engineer

C. Ryder began the conversation by stating that the NRC staff will not be giving recommendations, suggestions, or consultations, to respond to the RAIs.

Discussion

G. Chapman stated, and the licensee acknowledged, that the exemption request is modelled after a similar request that had been made by Babcox and Wilcox Nuclear Operations Group (B&W NOG) and had been approved by the NRC staff.

The licensee staff confirmed that the RAIs, though in draft form, are understandable.

The NRC staff sought an effective process to obtain relevant procedures necessary to complete the technical review of the exemption request. Rather than visiting the site to view documented procedures, the NRC staff asked the licensee to place relevant documents on the Westinghouse SharePoint site. The NRC staff would select relevant pages from specific documents, and state the references in a RAI. The licensee could then formally submit the requested pages. During the conference call, the licensee thought that procedure SYP-218 would have the desired information. Other relevant documents, if any, would also be posted on the SharePoint site. The licensee would send an e-mail to the C. Ryder informing the NRC staff as such.

The licensee stated that likely they would modify their written protocol between the physician and nurse practitioner to specifically delegate the medical evaluations and spirometer testing they require for respiratory protection crtification. The licensee stated that concurrence for the modification may take more time than the 30 days that is typically allowed by NRC policy to respond to RAIs. C. Ryder stated that he would inquire as to allowing the response period to be 60 days, thus, precluding the need for Westinghouse to request an extension, and NRC to respond as such. Regardless, Westinghouse stated that they would respond expeditiously.

References

1. Letter from N. Parr, Westinghouse Electric Company, LLC, “Westinghouse License SNM-1107 Exemption Request (Docket 70-1151), July 18, 2014. ADAMS accession number ML14199A593.