

October 24, 2014

Mr. Shannon Cave
Missouri Department of Conservation
Policy Coordination Section
P. O. Box 180
Jefferson City, MO 65102-0180

SUBJECT: REQUEST FOR INFORMATION REGARDING ENDANGERED SPECIES AND
CRITICAL HABITAT FOR THE PROPOSED DISPOSAL OF LOW ACTIVITY
RADIOACTIVE WASTES FROM THE WESTINGHOUSE ELECTRIC COMPANY
HEMATITE DECOMMISSIONING PROJECT

Dear Mr. Cave:

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Special Nuclear Materials License No. SNM-00033, which was issued to Westinghouse Electric Company, LLC (WEC) for the Hematite fuel cycle facility in Hematite, Missouri. The purpose of the amendment is to authorize disposal of approximately 87,100 m³ of waste containing low concentrations of source, byproduct, and special nuclear material (SNM) at the US Ecology Idaho, Inc (USEI) Resource Conservation and Recovery Act Subtitle C disposal facility near Grand View, Idaho. WEC has requested authority for this action pursuant to Section 20.2002 of Title 10 of the Code of Federal Regulations (10 CFR 20.2002), "Method for Obtaining Approval of Proposed Disposal Procedures." This action, if approved, would also exempt USEI from further Atomic Energy Act and the NRC licensing requirements to possess and dispose of byproduct and SNM.

This letter is in reference to the action area in the vicinity of the Hematite facility. A figure that shows the location of the Hematite facility is enclosed. It is located in Jefferson County, Missouri, approximately three quarters of a mile northeast of the unincorporated town of Hematite, Missouri, four miles southwest of the town of Festus, Missouri, and 35 miles south of the city of St. Louis, Missouri. The address is:

3300 State Road P
Festus, MI 63028

On October 2, 2009, we requested information (NRC ADAMS Accession Number ML092680715) from the U. S. Fish and Wildlife Service (FWS). They responded on December 22, 2009, that "No Federally-listed threatened or endangered species (including those species proposed for listing) or critical habitat (designated or proposed) occurs near the project area outlined on the map provided with [this] letter." Their letter also suggested that the NRC contact your agency concerning Missouri Species of Conservation Concern. By this letter we are requesting that you provide us any species of concern. Similar inquiries were made to the Missouri Department of Conservation (MDC) on March 19, 2010, and June 27, 2013, regarding previous requests by WEC to dispose of soil and debris at USEI (ML100760452, ML13175A106). A Heritage Review Report dated March 25, 2010, (ML101040849), was

received from MDC in response to NRC's March 19, 2010, request. This report indicated that, for Level 3 (Federal-listed) and Level 2 (State-listed) issues, "heritage records identify no wildlife preserves, no designated wilderness areas or critical habitats, no State or Federal endangered-list species records within two miles of the plant, or downstream until the confluence with the Mississippi River." Additional Level 1 recommendations for unlisted species/habitats tracked due to their rarity were provided along with general recommendations related to this project or site based on information about the historic range of species. In response to the June 27, 2013, inquiry, MDC provided a Heritage Review Report dated July 11, 2013, (ML13217A138), which provided information and recommendations similar to the previous response, and also concluded that no State or Federal listed endangered species are near the Hematite facility. The previously received Heritage Review Reports may be applicable to this current inquiry, as the geographical boundaries of WEC's decommissioning project have not changed. However, we want to extend an opportunity to MDC to address any updates to the previous responses or to provide additional information. We will presume that you have no comments or additional information if none are received within 30 days.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at (301) 415-1335, or at kimberly.conway@nrc.gov.

Sincerely,

/RA/

Kim Conway, Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium
Recovery, and Waste Programs
Office of Nuclear Materials Safety
and Safeguards

Docket No. 070-00036
License No: SNM-00033

Enclosure: Figure 4-2, Site Map

cc: Westinghouse - Hematite Service List

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Kim Conway, Project Manager
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 Division of Decommissioning, Uranium
 Recovery, and Waste Programs
 Office of Nuclear Materials Safety
 and Safeguards

Docket No. 070-00036
 License No: SNM-00033

Enclosure: Figure 4-2, Site Map

cc: Westinghouse - Hematite Service List

ML14294A383

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OFFICIAL RECORD COPY

Westinghouse - Hematite Service List
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