



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

January 19, 2016

EA-16-004

Ms. Gay Fussell, Deputy Director
Hematite Decommissioning Project
Westinghouse Electric Company
3300 State Road P
Festus, MO 63028

**SUBJECT: WESTINGHOUSE ELECTRIC COMPANY (HEMATITE) ACKNOWLEDGEMENT
OF DISPUTED VIOLATION OF NRC INSPECTION REPORT
07000036/2015003(DNMS)**

Dear Ms. Fussell:

This letter acknowledges your letter sent to the U.S. Nuclear Regulatory Commissioning (NRC), dated December 23, 2015 (ML15357A074) that provided a response to our inspection report (IR) issued on November 27, 2015 (ML15334A404), concerning activities conducted at the Hematite facility. The letter we received contested three of the four violations documented in the Notice of Violation issued with NRC Inspection Report 07000036/2015003(DNMS).

The three contested violations are Violation No. 1 for the failure to control storm water in LSA (Land Survey Area) 02-01, Violation No. 2 for inadequate survey procedures, and Violation No. 3 for failure to perform a 100 percent survey of LSA 10-01 and 10-02. We are currently reviewing your basis for contesting these violations. The NRC seeks to be thorough and timely in the review of licensee responses. Accordingly, we will inform you as soon as we complete our evaluation.

Regarding Violation No. 4 for failure to survey as close to the ground as possible, the NRC has reviewed the licensee's corrective actions, which appear to be adequate, and has no further questions at this time. The corrective actions may be reviewed by the NRC during a future inspection.

In the cover letter to the inspection report, the NRC had also requested the licensee to provide an extent-of-condition assessment relating to any and all potential or actual isolation control breaches, which would include storm water control, in any areas where Final Status Surveys had been performed and radioactive material could have been impacted and to provide the licensee's response to each breach, considering any and all radiological conditions. The NRC has reviewed your response and has no further questions at this time.

G. Fussell

-2-

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System (PARS) component of the 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> (the Public Electronic Reading Room).

Sincerely,

/RA/

Michael A. Kunowski, Chief
Materials Control, ISFSI and
Decommissioning Branch
Division of Nuclear Materials Safety

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

cc: Hematite Service List

G. Fussell

-2-

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System (PARS) component of the 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> (the Public Electronic Reading Room).

Sincerely,

/RA/

Michael A. Kunowski, Chief
Materials Control, ISFSI and
Decommissioning Branch
Division of Nuclear Materials Safety

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

cc: Hematite Service List

DISTRIBUTION:

Darrell Roberts
John Giessner
Julio Lara
Richard Skokowski
Carole Ariano
Paul Pelke
Jim Clay
Carmen Olteanu
MCID Branch

ADAMS Accession Number: ML16020A093

Publicly Available Non-Publicly Available Sensitive Non-Sensitive
To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

OFFICE	RIII DNMS	RIII DNMS	RIII	RIII
NAME	MKunowksi:cl	MLaFranzo		
DATE	1/19/16	1/19/16		

OFFICIAL RECORD COPY