



**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

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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

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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

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