

MEETING SUMMARY  
STATUS OF REQUESTS REGARDING PROCESS CONTROL LIMITS  
April 24, 2018

On April 24, 2018, Managers and staff from BWX Technologies (BWXT) met with managers and staff from the U.S. Nuclear Regulatory Commission's (NRC's) Office of Nuclear Security and Incident Response (NSIR) and Office of Nuclear Material Safety and Safeguards Division of Fuel Cycle Safety, Safeguards, and Environmental Review at the Two White Flint North Secure Conference Room T-4-D-6.

Following introductory remarks, the participants began the discussion of two requests from BWXT:

- 1) Letter number 16-027, dated September 23, 2016, which requested that the February 15, 2000, Order be rescinded due to completion of all the required tasks, and;
- 2) Letter number 16-115, dated January 3, 2017, which requested that the NRC review and provide a concurrence that process control limits in the Order applied to Type 3 and 5 fuel, but not type 7N fuel, which is different in composition.

BWXT asked if the NRC needed additional information to complete the review and render a decision. BWXT explained that occasionally, there was some confusion by inspectors regarding the application of process control limits on Type 7N fuel. The NRC stated that no new information was required from BWXT, but the NRC would have to reach out to the National Nuclear Security Administration (NNSA) for a recommendation.

The NRC (NSIR) explained that the Order was based on codes from the 1990's, and recommended that NNSA perform a site visit and review by the end of August, 2018. It was estimated that a recommendation from NNSA would follow shortly after the site visit.

NSIR pointed out, and BWXT agreed, that NNSA would most likely also require a site visit to Nuclear Fuel Services.

NSIR recommended that the Order not be rescinded, but suspended.

BWXT pointed out that requirements of the Order which have been incorporated into the site Fundamental Nuclear Material Control Plan or Physical Protection Plan cannot be taken out of the plan(s) without NRC review and approval via amendment. NSIR observed that since the time the Order was issued, BWXT has completed some voluntary site enhancements.

Regarding Type 7N fuel compared to Type 3 and 5 fuel, BWXT explained that some attributes were similar and some were different.

The following action items were identified:

Action 1: NRC will provide a timeline for the NNSA site visit and recommendation. Date: approximately 1 week.

Action 2: NRC will engage with NNSA and coordinate a site visit, followed closely by a recommendation. Date: targeting completion by the end of August, 2018.

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The participants also discussed an additional matter: Letter number 17-008, dated February 17, 2017, which requested that the NRC confirm that the expansion of the pickling facility should be considered an extension of existing operations, the pickling acid should not be considered licensed material or derived from licensed material, and that a license amendment is not required for the new facility.

BWXT stated that a prompt decision was desired in order to support the functional testing schedule required to support the naval fuel work.

NRC explained the status of the review to date: a determination regarding the pickling acid is complete, but the request which stated only that "...it is intended that the new facility will be substantially similar in scope and methods to the current facility..." was insufficient to render a decision regarding the need for an amendment.

NRC also stated that it would not be able to concur or approve of BWXT's conclusion that the change does not require prior regulatory approval, based on the preliminary information provided. Further, NRC stated that the facility is being built at risk and will continue to be inspected until a review of the final design confirms that prior approval was not required.

BWXT described the project schedule, which may make design details available in the next few weeks.

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