



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 30, 2020

Mr. Chris Terry, Manager
Licensing and Safety Analysis
BWXT Nuclear Operations Group, Inc.
P.O. Box 785
Lynchburg, VA 24505-0785

SUBJECT: BWXT NUCLEAR OPERATIONS GROUP, INC., AMENDMENT 38 – APPROVAL OF REGULATORY RELIEF FROM SPECIFIC RADIATION PROTECTION COMMITMENTS IN CHAPTER 4 OF THE SNM-42 LICENSE APPLICATION (ENTERPRISE PROJECT IDENTIFIER L-2020-LLA-0117)

Dear Mr. Terry:

By letter 20-042 dated May 22, 2020 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML20147A564), BWXT Nuclear Operations Group, Inc. – Lynchburg (BWXT NOG-L) requested regulatory relief from certain U.S. Nuclear Regulatory Commission (NRC) requirements to avoid potential impacts from the Coronavirus Disease 2019 (COVID-19) public health emergency (PHE). The letter requested relief from three radiation protection commitments should a shutdown of normal operations in certain facility areas become necessary due to the potential impacts on staffing levels from the COVID-19 PHE. The three radiation protection commitments in the BWXT NOG-L license application are specified in Chapter 4, Radiation Safety, of the BWXT NOG-L license application. The requested relief applies to the Filler, Uranium Recovery, and Research and Test Reactor material access areas of the facility.

Section 4.2.7, "Evaluation of Training," of the BWXT NOG-L license application specifies the commitment to daily radiation safety inspection in material access areas. Section 4.3.1.1, "Protection from Internal Exposure to Radioactive Materials," of the BWXT NOG-L license application specifies the commitment to a monthly airflow velocity reading for ventilation systems. Section 4.3.2, "Instrumentation," of the BWXT NOG-L license application specifies the commitment to semiannual and annual instrumentation calibrations on survey instruments and dosimetry.

As a result of the COVID-19 PHE, BWXT NOG-L recognized the potential for impacts on radiation protection staffing levels which could result in the shutdown of the noted areas of the facility. In its submittal, BWXT NOG-L committed to notifying the assigned NRC Resident Inspector and Project Manager within 48 hours of the determination to invoke the approved relief for an area of the facility, and resuming all actions associated with the referenced site-specific commitments by December 31, 2020.

An enclosure transmitted by this letter contains **Security-Related Information**. When separated from Enclosure 2 this letter is decontrolled.

C. Terry

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The NRC staff has completed its review of the request. The staff has determined that issuance of this license amendment will maintain adequate protection of public health and safety and the environment, and not be inimical to the common defense and security. Pursuant to Title 10 of the *Code of Federal Regulations* Part 70, Materials License SNM-42 is hereby amended to add new Condition S-1(a) as follows:

As requested by the licensee in letter 20-042 dated May 22, 2020, which included a proprietary enclosure, the regulatory relief documented below is granted in anticipation of the potential impacts to radiation protection staffing levels from the Coronavirus Disease 2019 public health emergency. The licensee shall notify the assigned NRC Resident Inspector and Project Manager within 48 hours of the determination to invoke the approved relief for an area of the facility. All actions associated with the site-specific commitments for which relief has been granted shall resume after December 31, 2020, and the NRC will notify the licensee in writing that SNM-42 is amended to delete this condition (a) of Safety Condition S-1.

If radiation protection staffing levels cause the shutdown of operations and cessation of special nuclear material movements in the Filler, Uranium Recovery, or Research and Test Reactor areas of the facility, then the licensee is not required to comply with the daily radiation safety inspection, monthly airflow velocity reading for ventilation systems, and semiannual and annual instrumentation calibrations on survey instruments and dosimetry, as described in Chapter 4 of its application for that area. Prior to entering shutdown of a specified area, the licensee shall ensure there is adequately calibrated equipment on hand to support emergent conditions that could arise during a shutdown. Prior to exiting shutdown of a specified area, the licensee shall resume the radiation safety inspections, airflow velocity reading for ventilation systems, and semiannual and annual instrumentation calibrations on survey instruments and dosimetry, as described in Chapter 4 of its application. Prior to resuming normal operations, instruments whose calibrations have lapsed during a shutdown shall be recalibrated and the prescribed requirements for airflow velocity, differential pressure requirements, or other calibrations in support of internal dose limitations must be met.

All other license conditions shall remain the same. Enclosures 1 and 2 to this letter provide the amended Materials License SNM-42. The NRC staff's review is documented in a Safety Evaluation Report, which is Enclosure 3 to this letter. This letter concludes action on this submittal and Enterprise Project Identifier L-2020-LLA-0117 is considered **CLOSED**.

A copy of this letter, Enclosure 1, and Enclosure 3 will be available electronically for public inspection in the NRC Public Document Room, or from the Publicly Available Records System component of ADAMS. The ADAMS database is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

C. Terry

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If you have any questions regarding this matter, please contact James Downs of my staff at 301-415-7744, or via e-mail to: James.Downs@nrc.gov.

Sincerely,

Kevin M.
Ramsey

Digitally signed by
Kevin M. Ramsey
Date: 2020.06.30
13:05:43 -04'00'

Kevin M. Ramsey, Acting Chief
Fuel Facility Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 70-27
License No. SNM-42

Enclosures:

1. Amendment 38 to Materials License
SNM-42
2. Amendment 38 to Materials License
SNM-42 (Non-Public)
3. Safety Evaluation Report

cc: bwxt@listmgr.nrc.gov

C. Terry

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DATED: June 30, 2020

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