



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

November 29, 2021

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

SUBJECT: AMENDMENT 42 – APPROVAL OF REQUEST TO AMEND CHAPTER 5, NUCLEAR CRITICALITY SAFETY, OF THE LICENSE APPLICATION FOR MATERIALS LICENSE SNM-42 – ENTERPRISE PROJECT IDENTIFIER L-2021-LLA-0118

Dear Mr. Terry:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed your submittal dated June 11, 2021 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML21175A119), as supplemented by letter dated October 8, 2021 (ADAMS Accession No. ML21286A152), and additional correspondence dated October 20, 2021 (ADAMS Accession No. ML21298A081), requesting review of proposed changes to Chapter 5, “Nuclear Criticality Safety,” of the License Application for Materials License SNM-42.

The NRC staff has completed its review of the request. The staff has determined that the changes to the License Application for Materials License SNM-42 are authorized by law and will not endanger life or property or the common defense and security. Therefore, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 70.23, Condition S-1 of Materials License SNM-42 is hereby amended to include the dates of the previously referenced correspondence. Additionally, Conditions S-3, S-4, and S-11 of Materials License SNM-42 are hereby deleted because they are no longer necessary to provide reasonable assurance of adequate protection against the risk of criticality.

Enclosures 1 and 2 to this letter provide the amended Materials License SNM-42. The NRC staff’s review is documented in a redacted, publicly available safety evaluation report, which is Enclosure 3 to this letter. Enclosure 4 to this letter provides a sensitive, non-publicly available version of the safety evaluation report. This letter concludes action on the referenced submittals, and Enterprise Project Identifier L-2021-LLA-0118 is considered **CLOSED**.

In accordance with 10 CFR 2.390, “Public inspections, exemptions, requests for withholding,” of the NRC’s “Agency Rules of Practice and Procedure,” a copy of this letter, Enclosure 1, and Enclosure 3 will be available electronically for public inspection in the NRC Public Document

Documents transmitted by this letter contain **Security-Related Information**. When separated from Enclosures 2 & 4, this letter and Enclosures 1 & 3 are decontrolled.

C. Terry

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Room (PDR) or from the Publicly Available Records System component of ADAMS. The PDR is currently closed. You may submit your request to the PDR via email at PDR.Resource@nrc.gov or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. (EST), Monday through Friday, except Federal holidays. The ADAMS database is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

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

Sincerely,

Jacob I. Zimmerman, 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 42 to Materials License
SNM-42
2. Amendment 42 to Materials License
SNM-42 (Non-Public)
3. Safety Evaluation Report
4. Safety Evaluation Report (Non-Public)

cc: bwxt@listmgr.nrc.gov

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ADAMS Accession Nos.:

**ML21320A235 (Package); ML21320A236 (Letter); ML21320A237 (Enclosure 1);
 ML21320A238 (Enclosure 2 – non-public); ML21320A239 (Enclosure 3);
 ML21320A240 (Enclosure 4 – non-public)**

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