



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
245 PEACHTREE CENTER AVENUE N.E., SUITE 1200  
ATLANTA, GEORGIA 30303-1200

April 4, 2022

EA-21-171

Mr. Jim Bittner  
Vice President and General Manager  
BWXT  
P.O. Box 785  
Lynchburg, VA 24505-0785

SUBJECT: BWXT NUCLEAR OPERATIONS GROUP LYNCHBURG – NRC INSPECTION  
REPORT NO. 0700027/2022406 AND NOTICE OF VIOLATION

Dear Mr. Bittner:

This letter refers to a U.S. Nuclear Regulatory Commission (NRC) inspection completed on November 30, 2021, regarding apparent violations (AVs) of NRC security regulatory requirements at the BWXT Nuclear Operations Group (BWXT) facility located in Lynchburg, Virginia. The details of the inspection are documented in NRC Inspection Report 07000027/2021407 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21356B054).

NRC Inspection Report 07000027/2021407, dated December 22, 2021, provided BWXT with the opportunity to address the apparent violations by attending a predecisional enforcement conference, or by providing a written response before making our final enforcement decision.

In a letter dated February 4, 2022, BWXT provided a written response to the apparent violations. The response acknowledged the apparent violations occurred as stated in NRC Inspection Report 07000027/2021407, provided the evaluations and causes associated with the violations, and described corrective actions taken to preclude recurrence.

Based on the information developed during the inspections, and the information that you provided in your response dated February 4, 2022, the NRC has determined that violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice) in Enclosure 1, and the circumstances surrounding them are fully described in detail in NRC Inspection Report 07000027/2021407.

Based on the NRC's understanding of your corrective actions in your February 4, 2022, written response, and after consultation with the Director, Office of Enforcement, I have been authorized not to propose a civil penalty in this case. Additional details regarding the NRC's assessment of your corrective actions are discussed in Enclosure 2.

The NRC has concluded that information regarding (1) the reason for the violations, (2) the corrective actions that have been taken and the results achieved, and (3) the date when full compliance will be achieved is already addressed on the docket in your letter dated

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J. Bittner

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February 4, 2022. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice (Enclosure 1).

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Public inspections, exemptions, requests for withholdings," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS); accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Security-Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

If you have any questions concerning this matter, please contact Mrs. Jannette Worosilo of my staff at (404) 997-4485.

Sincerely,

Laura A. Dudes  
Regional Administrator

Docket No.: 07000027  
License No.: SNM-42

~~Enclosures:~~

- ~~1. Notice of Violation~~
- ~~2. NRC Assessment~~

cc: Distribution via ListServ

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