

### MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, *Code of Federal Regulations*, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the U.S. Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	
1. Westinghouse Electric Company, LLC	3. License Number: SNM-1107 Amendment 3
2. P.O. Box 355 Pittsburgh, Pennsylvania 15230-0355	4. Expiration Date: September 12, 2062 5. Docket No. 70-1151

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|--|--|---|
| <p>6. Byproduct Source, and/or Special Nuclear Material</p> <p>A. U-233</p> <p>B. U-235 in uranium of any enrichment</p> <p>C. Uranium enriched to <math>\leq 5</math> percent, including any uranium daughter isotopes</p> <p>D. Pu-238/239</p> | <p>7. Chemical and/or Physical Form</p> <p>A. Any chemical or physical form, limited to laboratory use as individual 1-gram maximum quantities in ventilated hoods, glove boxes, or other enclosures</p> <p>B. Any chemical or physical form</p> <p>C. Any chemical or physical form except metal</p> <p>D. Sealed sources</p> | <p>8. Maximum amount that the Licensee may possess at any one time under this License</p> <p>A. <b>[Security-Related Information – Withheld Under 10 CFR 2.390]</b></p> <p>B. <b>[Security-Related Information – Withheld Under 10 CFR 2.390]</b></p> <p>C. <b>[Security-Related Information – Withheld Under 10 CFR 2.390]</b></p> <p>D. <b>[Security-Related Information – Withheld Under 10 CFR 2.390]</b></p> |
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E. Transuranic elements and fission products

E. Any

E. **[Security-Related Information – Withheld Under 10 CFR 2.390]**

F. Natural (or depleted) Uranium

F. Any chemical or physical form except metal

F. **[Security-Related Information – Withheld Under 10 CFR 2.390]**

G. Deleted per amendment 1 to renewed license dated May 5, 2023.

H. Byproduct material

H. Surface contamination on returned fuel assemblies, fuel rods, equipment, and associated miscellaneous components

H. **[Security-Related Information – Withheld Under 10 CFR 2.390]**

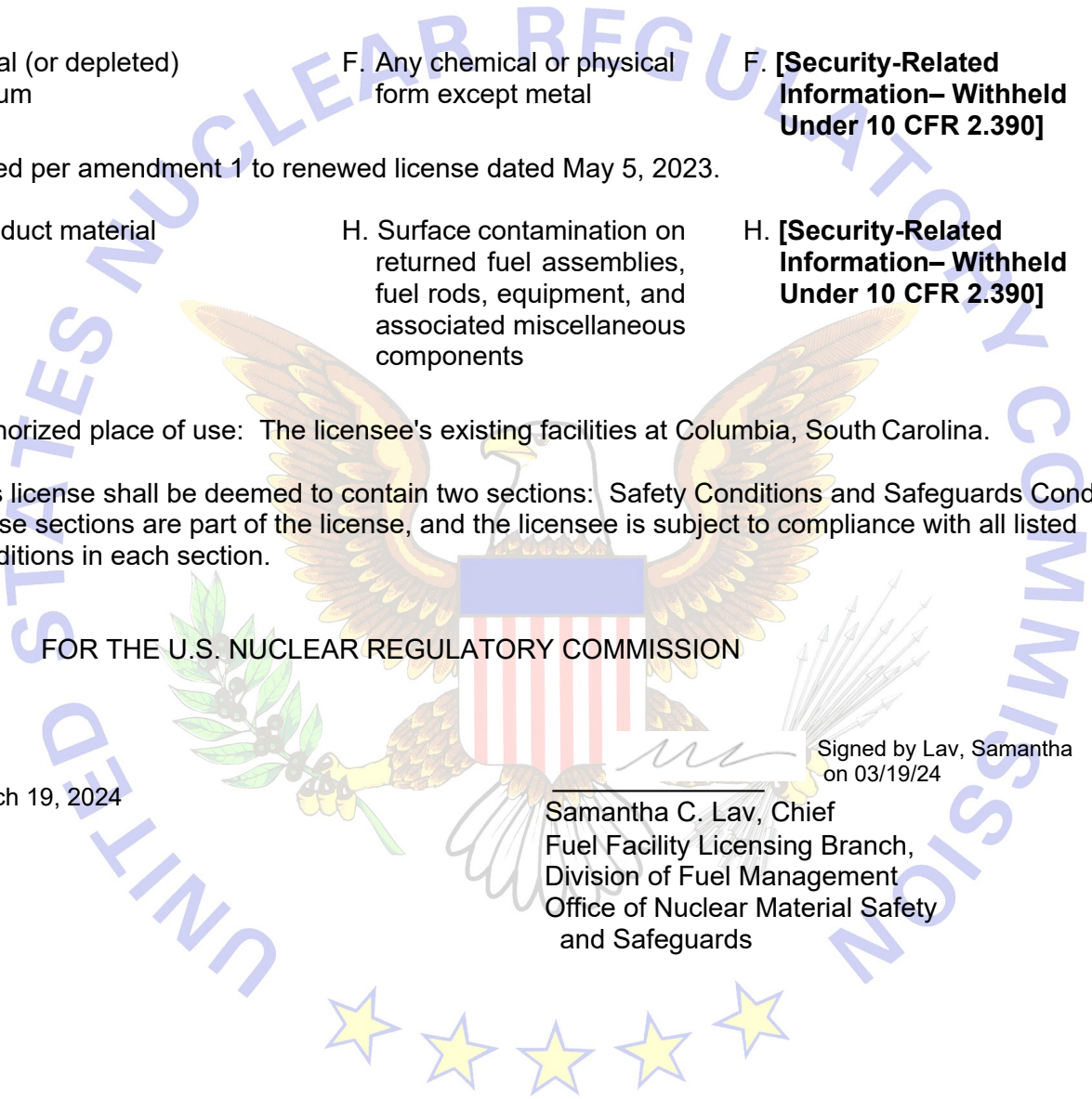
- 9. Authorized place of use: The licensee's existing facilities at Columbia, South Carolina.
- 10. This license shall be deemed to contain two sections: Safety Conditions and Safeguards Conditions. These sections are part of the license, and the licensee is subject to compliance with all listed conditions in each section.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: March 19, 2024

Signed by Lav, Samantha on 03/19/24

Samantha C. Lav, Chief  
Fuel Facility Licensing Branch,  
Division of Fuel Management  
Office of Nuclear Material Safety  
and Safeguards



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**SAFETY CONDITIONS**

- S-1 Authorized Use: For use in accordance with statements, representations, and conditions in the license application, dated September 20, 2021; or as revised, pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) 70.32 or 10 CFR 70.72.
- S-2 The licensee shall maintain and execute the Site Emergency Plan for the Columbia Fuel Fabrication Facility, Revision 19, dated December 18, 2018, or as further revised by the licensee consistent with 10 CFR 70.32(i).
- S-3 Removed
- S-4 Westinghouse may make changes to the license application without prior U.S. Nuclear Regulatory Commission (NRC) approval provided the change meets the following provisions:
- The change does not decrease the effectiveness of the safety program commitments in the license application;
  - The change does not result in a departure from the safety program evaluation methods described in the license application;
  - The change satisfies the performance requirements of 10 CFR 70.61 (i.e., the change does not result in a degradation of safety);
  - The change does not affect compliance with applicable regulatory requirements; and
  - The change does not conflict with an existing license condition.

Records of such changes shall be maintained, including justification and management approval.

Within 6 months after each change is made, WEC shall submit the revisions to the license renewal application (LRA) to the Director, Nuclear Material Safety and Safeguards, using an appropriate method listed in 10 CFR 70.5, with a copy to the appropriate NRC regional office.

- S-5 Removed
- S-6 Removed
- S-7 Removed
- S-8 Removed
- S-9 Notwithstanding the requirements of 10 CFR Part 20.1703(c)(5), Westinghouse may use a licensed health care professional to determine the medical fitness of personnel at the Columbia Fuel Fabrication Facility to use respiratory protection equipment. The respiratory protection program must be designed by, and under the supervision of, a physician. Though the physician need not administer each determination personally, the physician is ultimately responsible for the fitness determination. The physician is to be involved in the supervision of the fitness program, the review of overall results, individual cases that fall outside certain predetermined parameters, and supervision of personnel performing the tests.

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- S-10 The increase in the possession limit, authorized by Amendment 18, is for the storage of UF<sub>6</sub> cylinders.
- S-11 The licensee is granted an exemption from the requirements of 10 CFR 30.3 and 10 CFR 70.3, pursuant to 10 CFR 30.11 and 10 CFR 70.11, to allow it to transfer, for disposal, specific waste material from a) the East Lagoon, b) the East Lagoon liner, c) soils excavated from below the liner, d) solid CaF<sub>2</sub> sludge previously dredged from the Calcium Fluoride Lagoons on the site and placed in a storage pile (all of this material is known to contain <0.5 weight percent U-235) and e) UF<sub>6</sub> cylinders previously used for shipping that have gone through an internal wash/rinse process following their last use and are internally contaminated with SNM to the U.S. Ecology Idaho, Inc. (USEI) Resource Conservation and Recovery Act (RCRA) Subtitle C disposal facility near Grand View, Idaho as described in its submittals of May 8, 2020, September 22, 2020, October 12, 2020 and February 8, 2021.
- S-12 The licensee is granted an exemption from 10 CFR 20, Appendix G, Section III.E. Under the exemption, WEC would not be required to report a low-activity radioactive material shipment (containing byproduct and special nuclear material) shipment which exceeded 20 days in accordance with 10 CFR 20, Appendix G, Section III.E unless a copy of the signed NRC Form 540 (or NRC Form 540A, if required) acknowledging receipt has not been received within 45 days of the shipment leaving the CFFF facility as described in its submittal dated June 1, 2021.
- S-13 The licensee is granted an exemption from the requirements of 10 CFR 70.3 and 10 CFR 30.3, pursuant to 10 CFR 30.11 and 10 CFR 70.11, to allow it to transfer, for disposal, 133,000 ft<sup>3</sup> of solid Calcium Fluoride waste material (all of this material is known to contain <0.5 weight percent U-235), to the U.S. Ecology Idaho, Inc. (USEI) RCRA Subtitle C disposal facility near Grand View, Idaho as described in its submittal dated September 14, 2021.
- S-14 The licensee is granted an exemption from the requirements of 10 CFR 70.3 and 10 CFR 30.3, pursuant to 10 CFR 30.11 and 10 CFR 70.11 to allow it to transfer volumetrically contaminated waste to include sludge contaminated with calcium fluoride dredged from site lagoons, sludge and liner from the site sanitary lagoon, contaminated soil and associated materials from under and adjacent to the sanitary lagoons, and contaminated soil and associated materials associated with planned calcium fluoride pad repairs, and surface-contaminated waste to include obsolete uranium fluoride cylinders and debris associated with the calcium fluoride pad and sanitary lagoon demolition activities to the US Ecology Idaho, Inc. (USEI) RCRA Subtitle C disposal facility near Grand View, Idaho for disposal as described in its submittal dated December 1, 2021.
- S-15 The licensee commits to comply with the provisions of Section C of Regulatory Guide 3.75, "Corrective Action Programs for Fuel Cycle Facilities," Revision 0.

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- S-16 WEC shall enter into its Corrective Action Program exceedances of Federal and State standards for the maximum contaminant levels under the U.S. Environmental Protection Agency's National Primary Drinking Water Regulations.
- S-17 Westinghouse shall submit its environmental monitoring and sampling program (Section 10.1.4 of the LRA) to the NRC for review and approval upon South Carolina Department of Health and Environmental Control approval of the Remedial Investigation Report, or within five years of the license renewal (whichever comes first);
- S-18 Within 90 days of submittal of the CA final written report to SCDHEC, Westinghouse shall submit its environmental sampling and monitoring program (described in Section 10.1.4 of the LRA) to the NRC for review and approval.
- S-19 The licensee shall use the methods described in the June 9, 2023 application to sample, analyze and disposition the 55-gallon drums containing Hematite ash in excess of 5.0 wt.% 235U.
- S-20 The licensee shall maintain at least 12 inches edge-to-edge spacing between 55-gallon drums containing Hematite ash in excess of 5.0 wt.% 235U and all other fissionable material during the sampling, analysis and disposition of this material.
- S-21 Notwithstanding the requirements of 10 CFR 70.50(b)(1), as requested in the license amendment request dated December 28, 2023 (ML23321A237), the licensee is exempted from the requirement to notify the NRC within 24 hours of unplanned contamination events when the following conditions are met:
1. The event occurs in a restricted area in a building which is maintained inaccessible to the public by multiple access controls,
  2. The area was controlled for contamination before the event occurred, the release of radioactive material is contained within the Contamination-Controlled Area, and no contamination has spread outside the Contamination-Controlled Area,
  3. Radiation safety personnel trained in contamination control are readily available,
  4. Equipment and facilities that may be needed for contamination control are readily available, and
  5. The otherwise reportable unplanned contamination event is documented in the licensee's Corrective Action Program.

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## SAFEGUARDS CONDITIONS

SECTION 1.0 - MATERIAL CONTROL AND ACCOUNTING

- SG-1.1 The licensee shall follow its "Fundamental Nuclear Material Control Plan for the Columbia Fuel Fabrication Facility," which has been revised as indicated by Revision 44, dated July 9, 2019. Any further revision to this plan shall be made only in accordance with, and pursuant to, either the provisions of 10 CFR 70.32(c) or 70.34.
- SG-1.2 Operations involving special nuclear material which are not referenced in the Plan identified in Condition SG-1.1 shall not be initiated until an appropriate safeguards plan has been approved by the NRC.
- SG-1.3 Removed
- SG-1.4 Removed
- SG-1.5 Removed
- SG-1.6 Removed
- SG-1.7 Removed

SECTION 2.0 - PHYSICAL PROTECTION OF SNM OF LOW STRATEGIC SIGNIFICANCE

- SG-2.1 The licensee shall follow the physical protection plan entitled, "Physical Security Plan," Revision 47, dated August 15, 2019, and as it may be further revised in accordance with the provisions of 10 CFR 70.32(e).

SECTION 3.0 - INTERNATIONAL SAFEGUARDS

- SG-3.1 The licensee shall follow all sub-codes within Codes 1 through 8 of the Transitional Facility Attachment No. 5A, dated 2021, to the U.S./IAEA SG Agreement, as implemented per 10 CFR Part 75. Any further revision to the Transitional Facility Attachment shall be made only in accordance with and pursuant to the provisions of 10 CFR 75.15.

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- SG-3.2 With respect to Transitional Facility Attachment Code 2.2: Substantive changes to the information provided in the Design Information Questionnaire (DIQ) means those changes requiring amendment of the Transitional Facility Attachment. Such changes shall be provided by letter to the NRC's Office of Nuclear Material Safety and Safeguards in accordance with 10 CFR 75.10(c). Nonsubstantive changes to the information in the DIQ means those changes not requiring amendment of the Transitional Facility Attachment. Such changes shall be provided by Concise Note (on U.S. Department of Energy DOE/NRC Form 740M) at the time that modification is completed.
- SG-3.3 Notwithstanding the requirements of 10 CFR 75.35(a) to submit Material Balance Reports on DOE/NRC Form 742, Physical Inventory Listings on DOE/NRC Form 742C and Concise Notes on DOE/NRC Form 740M, the licensee may submit the information specified in 10 CFR 75.35(a) electronically. The electronic submissions must be submitted in the format specified in NUREG/BR-0006 and BR-0007 unless otherwise excepted by license condition.

