



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931**

February 28, 2003

Pen Virginia Operating Company
ATTN: Mr. James Corsaro
Vice President
Suite 100
1 Carbon Center
Chesapeake, West Virginia 25315

SUBJECT: CLOSEOUT OF CONFIRMATORY ACTION LETTER 2-02-006

Dear Mr. Corsaro:

This is in reference to a Confirmatory Action Letter issued by the Nuclear Regulatory Commission (NRC) on December 31, 2002. Subsequent telephone conversations, correspondence, and facsimile transmissions have verified that you have (1) secured, posted and controlled access to licensed materials and verified that the gauge has not been removed from its installed position, (2) not placed your device into service, (3) provided documentation to this office which confirms that your sealed sources have been leak tested, (4) formally trained on of your employees to become an authorized user and Radiation Safety Officer, and (5) applied for an NRC license. This letter closes the CAL issued on December 31, 2002. No reply or acknowledgment of this letter is required.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation in this manner. If you have any questions, please contact Mr. Jay Henson, Chief, Materials Licensing/Inspection Branch 2 at (404) 562-4731.

Sincerely,

/RA/

Douglas M. Collins, Director
Division of Nuclear Materials Safety

cc: State of West Virginia

OFFICE	RII:DNMS	RII:DNMS	RII:DNMS	RII:EICS			
SIGNATURE	AMILLER	DJCOLLINS	JHENSON	CEVANS			
NAME	/RA/	/RA/	/RA/	/RA/			
DATE	2/28/03	2/28/03	2/28/03	3/4/03	March 24, 2003	March 24, 2003	March 24, 2003
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO
PUBLIC DOCUMENT	YES NO						