



Nuclear Operations Division

P.O. Box 785 • Lynchburg, VA 24505-0785 • Phone: 434.522.6000 • Web site: www.bwxt.com

September 21, 2007
07-164

Director
Office of Nuclear Material Safety
And Safeguards
ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Reference: License SNM-42, Docket 70-27

Subject: State Air Permit Modification and VPDES Permit Modification

Gentlemen:

License Condition 1.5.9 of the referenced License Application requires BWXT Nuclear Operations Division (NOD) to inform NRC when the state permitting agency issues violations or modifies the requirements of the State-issued National Pollution Discharge Elimination System (NPDES) permit or air quality permit. A modified air permit and VPDES permit were recently issued to BWXT. Copies of the permit transmittal letters are enclosed.

Should you require additional information, please feel free to contact me at (434) 522-6570.

Sincerely,

Leah R. Morrell
Manager, Licensing & Safety Analysis
(Licensing Officer)

Enclosure

c: U.S. NRC, Region II
A. Snyder, NRC
NRC Resident Inspector

- NMSS01

ENCLOSURE



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTH CENTRAL REGIONAL OFFICE

7705 Timberlake Road, Lynchburg, Virginia 24502

(434) 582-5120 Fax (434) 582-5125

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Thomas L. Henderson
Regional Director

September 4, 2007

Mr. Roger P. Cochrane
General Manager
BWX Technologies, Inc. - Mt Athos Site
P. O. Box 785
Lynchburg, VA 24505

Location: Campbell County
Registration No: 30260
AFS Id. No: 51-031-0006

Dear Mr. Cochrane:

Attached is a permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the permits dated September 12, 1997, June 18, 2002, and December 23, 2004.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on June 25, 2007 and solicited written public comments by placing a newspaper advertisement in The News & Advance on July 2, 2007. The thirty day comment period (provided for in 9 VAC 5-80-270) expired on August 27, 2007 with no comments having been received in this office.

This approval to operate does not relieve BWX Technologies, Inc. - Mt Athos Site of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

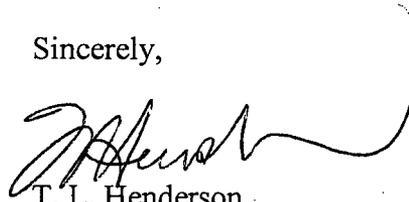
Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please call Keith Sandifer at 434-582-6232.

Sincerely,



T. L. Henderson
Regional Director, South Central Regional Office

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP12), U.S. EPA, Region III



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

SOUTH CENTRAL REGIONAL OFFICE

7705 Timberlake Road, Lynchburg, Virginia 24502

(434) 582-5120 Fax (434) 582-5125

www.deq.virginia.gov

L. Preston Bryant, Jr.
Secretary of Natural Resources

David K. Paylor
Director

Thomas L. Henderson
Regional Director

September 19, 2007

Mr. Roger L. Coats
Manager, Environmental Protection and Industrial Safety
BWX Technologies, Inc., Nuclear Operations Division - Lynchburg
Post Office 785
Lynchburg, VA 24505

HAND DELIVERED

RE: **Reissuance** of VPDES Permit No. **VA0003697**; BWX Technologies, Inc., Nuclear Operations Division – Lynchburg; Campbell County, Virginia

Dear Mr. Coats:

Your VPDES permit is enclosed along with the final public participation item (No. 29) of the fact sheet. This permit supersedes the previous VPDES Permit No. VA0003697 issued to this facility. The Discharge Monitoring Report (DMR) forms are included with the permit. Please make additional copies of the DMRs for future use. The first DMR for monthly monitored parameters is due on November 10, 2007. The first DMR for quarterly [October – December 2007] monitored parameters is due on January 10, 2008. The first DMR for semi-annual [January – June 2008] monitored parameters is due on July 10, 2008. The first DMR for annual [January – December 2008] parameters is due on January 10, 2009. If you still have DMR data to report as required by the previous permit, please submit it as an attachment to the first DMR required by this permit. Please send DMRs to:

Department of Environmental Quality
South Central Regional Office
7705 Timberlake Road
Lynchburg, VA 24502

Please note that DEQ has implemented an e-DMR program that allows you to submit the effluent data electronically. If you are interested in participating in this program please visit the following website for details: <http://www.deq.virginia.gov/water/edmrfaq.html>.

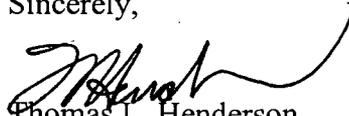
Mr. Roger L. Coats
BWXT, Inc., NOD-L
VPDES Permit No. VA0003697 – Reissuance
September 19, 2007
Page 2 of 2

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to the period.

Alternatively, any owner under §§ 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in § 1.23(b) of the Board's Procedural Rule No.1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

If you have any questions about the permit, please contact Kevin A. Crider at (434) 582-6212 or by e-mail at kacrider@deq.virginia.gov.

Sincerely,



Thomas L. Henderson
Regional Director

Enclosure: Fact Sheet Public Participation Item (No. 29), DMR and VPDES Permit

cc: OWPP
EPA, Region III-3WP12
SCRO Compliance Auditor
SCRO Permit File (VA0003697)