

Mr. Barry Cole
Licensing Officer
BWX Technologies, Inc.
Nuclear Products Division
P.O. Box 785
Lynchburg, Virginia 24505-0785

SUBJECT: BWX TECHNOLOGIES, INC. – ACKNOWLEDGMENT OF RECEIPT OF
AMENDMENT REQUEST DATED NOVEMBER 14, 2007 AND REQUEST FOR
ADDITIONAL INFORMATION (TAC L32657)

Dear Mr. Cole:

This letter is to acknowledge the receipt of your November 14, 2007, letter. You requested that the Nuclear Regulatory Commission (NRC) withdraw your June 20, 2007, requests related to BWX Technologies, Inc.'s (BWXT's) reorganization and name change. You further requested that the license (SNM-42) be amended to reflect a new anticipated name change. Your request has been assigned Technical Assignment Control (TAC) No. L32657. Please reference this TAC number in any future correspondence associated with this action. We have terminated TAC L32639, which was associated with your June 20, 2007, requests.

As part of the request to amend SNM-42, to reflect a new anticipated name change, you requested that Chapter 10 of Enclosure 2, to your November 14, 2007, submittal be withheld from public disclosure, in accordance with 10 CFR 2.390. The staff will review the basis for the 10 CFR 2.390 petition and will either deem the document exempt from public disclosure or deny the petition. Accordingly, a letter of acceptance or denial will be issued in response to your 10 CFR 2.390 petition.

Unless an exigency is established (and absent major deficiencies or policy issues), requests for a licensing action is normally acted on within 150 days.

Our initial review of your license amendment application has identified that additional information is needed before final action can be taken. The response to the enclosed request for additional information (RAI) should be provided within 30 days from the date of this letter.

Pending receipt of your response to this RAI, we anticipate completing our review by the end of January 2008. This date could change depending on the findings of our technical review, urgent assignments, or other factors. We will promptly communicate any significant changes to this schedule.

B. Cole

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In addition, a copy of your submittal has been forwarded to the License Fee and Accounts Receivable Branch, Office of the Chief Financial Officer, who will contact you separately for billing, as your request is subject to full cost fee recovery.

Please direct any questions you may have to me at (301) 492-3225, or via e-mail to ams3@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room and from the Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

Amy M. Snyder, Senior Project Manager
Fuel Manufacturing Branch
Fuel Facility Licensing Directorate
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-27
License No.: SNM-42

Enclosure:
Request for Additional Information

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Amy M. Snyder, Senior Project Manager
 Fuel Manufacturing Branch
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 and Safeguards
 Office of Nuclear Material Safety
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Docket No.: 70-27
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Enclosure:
 Request for Additional Information

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OFC	FMB	FMB	OGC	FMB	FFLD
NAME	ASnyder	VCheney	JHull - email	PHabighorst	MTschiltz
DATE	11/30/07	/ /07	12/03/07	/ /07	/ /07

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REQUEST FOR ADDITIONAL INFORMATION

BWX TECHNOLOGIES, INC. SNM-42 LICENSE AMENDMENT REQUEST, NOVEMBER 14, 2007

Please provide the following information:

1. Your November 14, 2007, request stated that the incorporation of the Nuclear Operations Division as the Babcock & Wilcox Nuclear Operations Group (B&W NOG) is only a part of the larger effort. Explain, in full, the ongoing corporate reorganization efforts, identifying all corporate entities involved.
2. Will there be a parent company of B&W NOG, responsible for providing financial assurance for the decommissioning of licensed facilities? If so, identify that parent company.
3. Your November 14, 2007, request claims that the reorganization does not "affect ownership or authorized activity" under your NRC license. Clarify what is meant by this statement, and provide bases to support your claim.
4. Provide a full copy of the Reorganization Plan (Plan), and identify all regulatory agencies, courts, etc., who have approved or must approve the Plan.
5. Identify any conditions associated with the proposed reorganization and name change that must be met before the changes become effective.
6. Identify any personnel changes regarding the B&W NOG's Chief Executive Officer and other senior executive positions as a result of the name change.
7. Address the issue of whether the name change will result in any foreign ownership, control, or domination with respect to licensed activities under SNM-42.
8. Will the NRC-licensed material, now at the BWXT and Lynchburg Technology Center, remain under the supervision of the current Site Radiation Safety Officer?

Enclosure

9. How will the financial assurance for the decommissioning of the BWXT and Lynchburg Technology Center sites be affected? Is the information BWXT submitted in Chapter 10 of Enclosure 2, of its November 14, 2007, submittal current and reflect the parent company guarantee, and financial test to demonstrate financial assurance for decommissioning activities? If not, provide this information.
10. Will the change have any adverse impact to decommissioning the BWXT facilities?
11. Discuss whether the change affects the financial, managerial or technical qualifications of those responsible for licensed activities.
12. Discuss whether the change will result in any changes to current programs, procedures, organization, location, facilities, equipment, and/or conduct of licensed operations under SNM-42 (including at the BWXT site or the Lynchburg Technology Center).
13. Discuss whether the proposed change raises any other significant safety or NRC regulatory issues.
14. Your September 20, 2006, letter indicated that at least two other corporate entities; McDermott and "The Babcock & Wilcox Companies," may be involved in NRC-licensed activities. Explain how these two companies fit into the overall corporate structure, and what, if any, role they will have in NRC-licensed activities.

Basis: Under Section 184 of the Atomic Energy Act (42 U.S.C. § 2234), as implemented in 10 CFR 70.36, and regulatory guidance, no NRC license or right there under may be transferred, directly or indirectly, unless the NRC first gives "its consent in writing."