

**Western Refining**

2201 Goodwin Neck Road  
Grafton, VA, 23692

**To: Sattar Lodhi**  
**Senior Health Physicist**  
**NRC Region I**

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Phone: **610-337-5364**

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Fax: **610-337-5269**

**FAX**

*Q-2*

Date: 1/29/08

Number of pages including cover sheet: 2

**From: David G. Mazary, RSO**

**Western Refining Inc.,**  
**Yorktown Refinery**

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**Safety / VPP Coordinator**

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**David.mazary@wnr.com**

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Phone: **757 - 898 - 9660**

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Fax phone: **757 - 898 - 9690**

**RE: License Number 45-01378-01**

*03006528*

REMARKS:  Urgent  For your review  Reply ASAP  Please comment

**This information is provided in response to our telephone conversation yesterday and today.**

**Thank you!**

*David Mazary*

**David Mazary**

## 5 Change of Control, License # 45-01378-01

### 5.1 Description of Transaction

#### Actual response from Western Refining, Yorktown Refinery Inc.:

The acquiring company, Western Refining Inc., purchased all of the outstanding shares of Giant Industries Inc., the parent company of this facility.

<u>Previous Facility Name:</u>	<u>New Facility Name:</u>
Giant Yorktown Refinery	Western Refining, Yorktown Refinery Inc.
2201 Goodwin Neck Road	2201 Goodwin Neck Road
Grafton, VA 23692	Grafton, VA 23692
RSO/Licensee Contact: David Mazary, 757-898-9660	RSO/Licensee Contact: David Mazary, 757-898-9660

### 5.2 Changes of Personnel

#### Actual response from Western Refining, Yorktown Refinery Inc.:

N/A: No personnel changes were made. The RSO listed on the license, David Mazary, has not changed.

### 5.3 Changes of Location, Equipment, and Procedures

#### Actual response from Western Refining, Yorktown Refinery Inc.:

N/A: No changes in location, equipment, or procedures.

### 5.4 Surveillance Records

#### Actual response from Western Refining, Yorktown Refinery Inc.:

All required surveillance (e.g., leak tests, and physical inventories) has been performed, documented, and reviewed including the results. In addition, an unannounced inspection 03006528/2007001 was recently conducted on site by the NRC 11/5/07 with the satisfactory finding as follows: "Based on the inspection findings, no violations were identified."

### 5.5 Decommissioning and Related Records Transfers

#### Actual response from Western Refining, Yorktown Refinery Inc.:

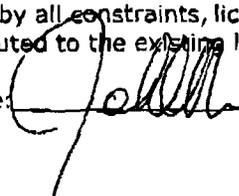
N/A: All leak tests and physical inventories concluded that there was no contamination.

### 5.6 Transferee's Commitment to Abide by the Transferor's Commitments

#### Actual response from Western Refining, Yorktown Refinery Inc.:

Western Refining Inc., Yorktown Refinery agrees to abide by all constraints, license conditions, requirements, representations, and commitments identified in and attributed to the existing license.

Name: John Rossi, Refinery Vice-President

Signature: 

Date: 1/29/08

**Western Refining**

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*NW 83*

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Date: 1/18/08  
 Number of pages including cover sheet: 1

**From: David G. Mazary, RSO**

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**Yorktown Refinery**

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**Safety / VPP Coordinator**

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**RE: License Number 45-01378-01**

*03006528*

REMARKS:  Urgent  For your review  Reply ASAP  Please comment

This information is provided in response to a telephone message I left at your phone today. I am requesting an amendment to our license.

There are two reasons for the amendment:

- (1) Previous owner = Giant Yorktown Refinery; New owner = Western Refining Inc., Yorktown Refinery; and
- (2) Although our existing license already includes Cesium-137, we had the source manufacturer (Thermo Fisher Scientific) remove and take possession of the following sources:

<u>Manufacturer</u>	<u>Model</u>	<u>Radionuclide</u>	<u>Quantity</u>	<u>New Date</u>	<u>Strength</u> <u>New</u>
TN Technologies	5200	Cs-137	1	12/1/98	100 mCi
TN Technologies	5201	Cs-137	1	2/24/92	100 mCi
TN Technologies	5201	Cs-137	1	4/24/92	50 mCi
TN Technologies	5201	Cs-137	1	2/24/92	100 mCi
TN Technologies	5201	Cs-137	1	2/24/92	50 mCi
TN Technologies	5201	Cs-137	1	2/24/92	50 mCi

Note: TN Technologies = now called Thermo Fisher Scientific

*David G. Mazary 1-18-08*

This is to acknowledge the receipt of your letter/application dated

1/29/2008, and to inform you that the initial processing which includes an administrative review has been performed.

Amend, 45-01378-01  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 141719.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.