



nog-erwin holdings, inc

▶ 2016 mt athos road ▶ lynchburg, va 24505-5447 usa  
▶ phone 434.522.6000 ▶ fax 434.522.6805 ▶ www.babcock.com

Docket No : 70-143  
December 24, 2008

Director  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555

- References:
- 1) Docket No. 70-143; SNM License 124
  - 2) Docket No. 71-0249; Quality Assurance Program Approval 0249
  - 3) NFS Letter, B. M. Moore to NRC, "Application for NRC Consent to the Indirect Transfer of Control of NFS' License and Quality Assurance Program Approval, and Request for NRC Approval of a License Amendment to Effectuate Such Transfer", 21G-08-0113, dated August 8, 2008
  - 4) NRC Letter, Michael D. Tschiltz to NFS, "NUCLEAR FUEL SERVICES, INC, US NUCLEAR REGULATORY COMMISSION CONSENT TO INDIRECT TRANSFER OF CONTROL OF NUCLEAR FUEL SERVICES, INC. LICENSE (TAC L32692)," dated December 23, 2008

**Subject: Notification of the Closing Date of the Transaction to Transfer Indirect Control of Nuclear Fuel Services, Inc. (NFS)**

Dear Sir:

In Reference 3 above, Nuclear Fuel Services, Inc. (NFS) requested that the Nuclear Regulatory Commission (NRC) consent to the indirect transfer of control of the licensing documents (References 1 and 2 above) from NFS Services, LLC ("NFS Services") to NOG – Erwin Holdings, Inc. ("NOG"), a newly formed subsidiary of Babcock & Wilcox Nuclear Operations Group, Inc. As set forth in the Order issued by NRC (Reference 4), NOG acknowledges and commits to the following:

1. With respect to the NFS license (SNM-124), NOG-Erwin Holdings, Inc., as stated in Reference 3, will abide by all commitments and representations previously made by NFS Services, LLC. These include, but are not limited to, maintaining decommissioning records and financial assurance, implementing decontamination activities, and eventually decommissioning the site.
2. The commitments and representations made in Reference 3 regarding reporting relationships and authority over safety and security issues and compliance with NRC requirements shall be adhered to and will not be modified without the prior written consent from the Director, Office of Nuclear Material Safety and Safeguards, or his designee.

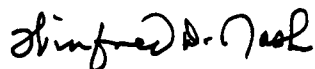
This letter also serves to provide notification to the NRC that the closing date of the subject transaction has been established as December 31, 2008.

If you or your staff have any questions, require additional information, or wish to discuss this, please contact M. P. (Mark) Elliott (434-665-5214) or B. M. (Marie) Moore (423-791-0854).

Notification of the Closing Date of the Transaction to Transfer  
Indirect Control of Nuclear Fuel Services, Inc. (NFS)

Page 2

Sincerely,



Winfred D. Nash  
President

copy:

Regional Administrator  
U.S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, GA 30303

Mr. Manuel Crespo  
Project Inspector  
U.S. Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center  
61 Forsyth Street, SW, Suite 23T85  
Atlanta, GA 30303

Mr. Kevin Ramsey, Project Manager  
Fuel Cycle Facilities Branch  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Ms. B. Marie Moore, Vice President  
Safety and Regulatory  
Nuclear Fuel Services, Inc.  
PO Box 337, MS 123  
Erwin, TN 37650