

December 22, 2008

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U.S. Nuclear Regulatory Commission  
Division of Nuclear Materials Safety  
Licensing Assistance Team  
475 Allendale Road  
King of Prussia, PA 19406

RE: **“Proposed Agreement With The Commonwealth Of Virginia”**

Dear Sirs,

03037593

Pending the proposed agreement with the NRC and the Commonwealth of Virginia, Schnabel Engineering, Inc, License #45-31292-01, has determined that due to limited work activities in NRC-regulated states we will not need an NRC license. The new Commonwealth of Virginia license should authorize work in Virginia. After the agreement is effective, authorization for use of radioactive materials at job sites under exclusive federal jurisdiction or in Agreement states shall be obtained from the appropriate regulatory agency pursuant to reciprocity under 10 CFR 150.20.

Please contact me should you have questions or concerns.

Regards,



Todd C. Ramkey  
RSO/Health & Safety

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NMSS/RCM MATERIALS-002

- b. If your NRC license authorizes activities in the Commonwealth of Virginia and at temporary job sites in non-Agreement States, you will be given the opportunity to declare to our office whether or not you need both Commonwealth of Virginia and NRC materials licenses. If you want to maintain an NRC license, our office will amend your NRC license for temporary jobsites only in non-Agreement States, and we will issue a new license authorizing licensed activities in the Commonwealth of Virginia only. There will be no fee assessed for these actions; however, you will continue to be assessed annual fees to maintain the NRC license. The Commonwealth of Virginia will also charge you license fees for the license authorizing activities in the Commonwealth. The expiration date of both licenses will remain the same; the license authorizing activities in Virginia will be converted to a Commonwealth of Virginia license at the time of the next renewal, amendment, or as determined by the Commonwealth.

If you determine that due to limited work activities in NRC-regulated states you do not need an NRC license, we will amend your existing NRC license to delete authorization for temporary job sites in non-Agreement States. The license will then only authorize work activities in the Commonwealth of Virginia. After the Agreement is effective, you can conduct work at temporary job sites in non-Agreement States pursuant to 10 CFR 150.20 (i.e., reciprocity). However, please be aware that reciprocity is only allowed for a maximum of 180 days in any calendar year. You are required to file NRC Form 241 for reciprocity with the NRC whenever your work brings you into NRC jurisdiction, or into areas of Exclusive Federal Jurisdiction within an Agreement State. The current application fee for reciprocity is \$1,400 per calendar year.

***If your NRC license is as described in Item 2.b of this letter, please respond in writing within 30 days of the date of this letter and provide your plans for possessing, upon the effective date of the Agreement, both an NRC license and a Commonwealth of Virginia license or only a Commonwealth of Virginia license. Please mail your response to:***

U.S. Nuclear Regulatory Commission  
Division of Nuclear Materials Safety  
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475 Allendale Road  
King of Prussia, PA 19406

3. Notwithstanding the above two categories, licenses issued by the NRC to Federal Government agencies, or licenses authorizing the possession of special nuclear material in quantities sufficient to form a critical mass, or licenses authorizing exempt distribution, will remain under NRC jurisdiction.
4. If you believe you have a license situation outside of the above categories, please contact the NRC individuals listed at the end of this letter.

This is to acknowledge the receipt of your letter / application dated 12/22/2008  
and to inform you that your letter / application will be transferred to the  
State / Commonwealth of Virginia  
~~for technical review of~~ in conjunction with the State / Commonwealth  
of Virginia becoming an Agreement State on  
3/31/2009.

Any questions, please call the State / Commonwealth of  
Virginia at 804-864-8168.

Your action has been assigned Mail Control Number 143141.

When calling to inquire about this action, please refer to this control number.

Sincerely,  
Licensing Assistance Team Leader