REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 31, 2009

Docket No.	03033317	License No.	45-21343-02
	03037911		45-21343-03
Control No.	143163		
	143164		

Christopher J. Frey, Sr.
Vice President
W-L Construction & Paving, Inc.
Winchester Division
P.O. Box 339
2786 Martinsburg Pike
Stephenson, VA 22656

SUBJECT: W-L CONSTRUCTION & PAVING, INC., LICENSE AMENDMENT, CONTROL NO. 143163 AND NEW LICENSE, CONTROL NO. 143164

Dear Mr. Frey:

By letter dated November 25, 2008, we informed you of the impending Agreement between the U.S. Nuclear Regulatory Commission (NRC) and the Commonwealth of Virginia, whereby, the NRC will relinquish regulatory authority for certain licenses of byproduct, source, and special nuclear material. We also explained that your NRC license, which authorized licensed activities in Virginia and at temporary job sites anywhere in the United States where the NRC maintains jurisdiction (non-Agreement States), required an amendment prior to the transfer. This action is necessary since authorization to conduct licensed activities at temporary job sites in NRC-regulated states will no longer be valid once the Agreement is signed and Virginia assumes regulatory authority.

By the letter dated December 23, 2008, you informed the NRC that you wished to continue the use of licensed material in States that are under NRC jurisdiction. Therefore, your current NRC license has been amended to remove all Virginia locations of use and/or storage, leaving all other locations (including temporary job sites, if applicable) which authorize work activities in non-Agreement States. In addition, we have issued you a new license authorizing work activities only in the Commonwealth of Virginia. Enclosed with this letter are both licenses.

Please review the enclosed documents carefully and be sure that you understand and fully implement all the conditions incorporated into the licenses. If there are any errors or questions on the NRC license, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers. Errors or questions on the license authorizing licensed activities in the Commonwealth should be directed to Michael Welling at the Virginia Department of Health, Division of Radiological Health at (804) 864-8151.

An environmental assessment for this action is not required, since this action is categorically

excluded under 10 CFR 51.22(c)(14).

Thank you for your cooperation.

Sincerely,

Original signed by Tara L. Weidner

Tara L. Weidner
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosures:
1. Amendment No. 7 of License No. 45-21343-02
2. License No. 45-21343-03

cc:
Tara L. Brill, Radiation Safety Officer

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SUNSI Review Complete: TWeidner

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