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

March 31, 2009

Docket Nos. 03030308
03037982
Control Nos. 143485
143486

License Nos. 45-24958-01
45-24958-02

Mitch White
Radiation Safety Officer
Lee Hy Paving Corporation
P.O. Box 5036
Glen Allen, VA 23058-5036

SUBJECT: LEE HY PAVING CORPORATION, LICENSE AMENDMENT, CONTROL NO. 143485 AND NEW LICENSE, CONTROL NO.143486

Dear Mr. White:

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.

On January 28, 2009, 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 Jenny Johansen

Jenny Johansen
Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosures:
License No. 45-24958-01, Amendment No. 7
License No. 45-24958-02

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SUNSI Review Complete: JJohansen

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DATE	3/26/2009							

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