

April 20, 2010

Mr. Barry L. Cole, Licensing Officer  
B&W NOG, Inc.  
2016 Mount Athos Road  
Lynchburg, VA 24504

SUBJECT: ACCEPTANCE OF REQUEST TO AMEND CHAPTER 1 OF LICENSE SNM-42  
(TAC L32979)

Dear Mr. Cole:

This is in response to your letter 10-026, dated April 1, 2010, by which you submitted a request to amend Chapter 1 of materials license SNM-42 as a result of the planned spinoff of the Babcock & Wilcox Company from McDermott International. It is understood that Enclosure 1 is Chapter 1 of the license for Official Use Only and Enclosure 2 is the redacted version.

The U.S. Nuclear Regulatory Commission (NRC) review has been assigned Technical Assignment Control number L32979. Please reference this number in any future correspondence associated with this submittal.

Complete review of the submittal may identify issues that require additional information. Based on our preliminary review and projection of current review schedules, we anticipate completing our review by the end of June 2010 in support of the spinoff date. This estimate could change depending on the findings of our technical review, urgent assignments, or other factors. We will promptly communicate any significant changes to this schedule.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390(d) of the NRC's, "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). Enclosure 1 to letter 10-026 will be withheld from the public in accordance with 10 CFR 2.390(b).

B.L. Cole

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If you have any questions regarding this matter, please contact Merritt N. Baker of my staff at (301) 492-3128 or by e-mail at [Merritt.Baker@NRC.gov](mailto:Merritt.Baker@NRC.gov).

Sincerely,

**/RA/**

Peter J. Habighorst, Chief  
Fuel Manufacturing Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 70-27  
License No.: SNM-42

B.L. Cole

- 2 -

If you have any questions regarding this matter, please contact Merritt N. Baker of my staff at (301) 492-3128 or by e-mail at [Merritt.Baker@NRC.gov](mailto:Merritt.Baker@NRC.gov).

Sincerely,

**/RA/**

Peter J. Habighorst, Chief  
Fuel Manufacturing Branch  
Division of Fuel Cycle Safety  
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Office of Nuclear Material Safety  
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Docket No.: 70-27  
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<b>OFFICE</b>	FMB		FMB		FMB	
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<b>DATE</b>	4/12/10		4/15/10		4/20/10	

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