

~~OFFICIAL USE ONLY – SECURITY-RELATED INFORMATION~~

October 5, 2012

Mr. Tony England, Manager  
Licensing and Safety Analysis  
Babcock & Wilcox Nuclear  
Operations Group, Inc.  
2016 Mount Athos Road  
Lynchburg, VA 24504

SUBJECT: BABCOCK & WILCOX NUCLEAR OPERATIONS GROUP, INC., AMENDMENT 14  
TO LICENSE SNM-42 - REQUEST FOR EXEMPTION FROM TITLE 10 OF THE  
*CODE OF FEDERAL REGULATIONS* 20.1703(C)(5) (TAC L33032)

Dear Mr. England:

This is in response to letter number 10-108 from Barry Cole, dated September 17, 2010, which submitted a request for an exemption from certain requirements of Title 10 of The *Code Of Federal Regulations* (10 CFR) 20.1703(c)(5), as well as supporting documents. Also included was the response to a Request for Additional Information in letter number 12-075 from Mr. Cole dated June 5, 2012, governing the role of nurse practitioners for physicals prior to the use of respiratory protection equipment.

The U.S. Nuclear Regulatory Commission's (NRC's) staff determined that the request was properly submitted and reasonable assurance of safety has been demonstrated.

Pursuant to Part 70 to 10 CFR, Materials License SNM-42 is hereby amended to include a new Safety Condition S-14 as follows:

S-14 Notwithstanding the requirements of 10 CFR 20.1703(c)(5), the licensee may use nurse practitioners to conduct the required medical examinations.

Safety Condition S-1 has been revised to include the dates of September 17, 2010 and June 5, 2012.

By approval of this amendment, Technical Assignment Control Number L33032 is closed.

All other conditions of this license shall remain the same.

In accordance with 10 CFR 2.390(d) of the NRC's "Rules of Practice," this letter and Enclosures 1 and 2 will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of NRC's document system, 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 3 will be withheld from the public in accordance with 10 CFR 2.390(d).

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T. England

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

Sincerely,

**/RA/**

Marissa G. Bailey, Deputy Director  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

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

Document transmitted contains  
Security-Related information.  
When separated from Enclosure 3,  
this letter is decontrolled.

Enclosures:

1. Amendment 14 to Materials License SNM-42 (Public version)
2. Safety Evaluation Report (Public)
3. Amendment 14 to Materials License SNM-42 (Non-Public version)

T. England

- 2 -

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

Sincerely,

**/RA/**

Marissa G. Bailey, Deputy Director  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-27  
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