



REPLY TO
ATTENTION OF

**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET, NW
WASHINGTON, DC 20314-1000**

AUG 1 1 2011

Environmental Community of Practice

Mr. Keith McConnell
Deputy Director, Decommissioning and Uranium Recovery Licensing Directorate
Division of Waste Management and Environmental Protection
Office of Federal and State Materials and Environmental Management Programs
US Nuclear Regulatory Commission
Mail Stop T-7E18
Washington, DC 20555

Dear Mr. McConnell:

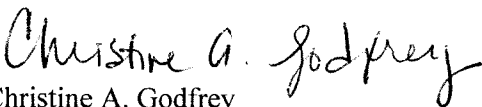
The US Army Corps of Engineers (USACE) is in receipt of a Confirmatory Order regarding the immediate modification of NRC License Number SNM-2001. The Shallow Land Disposal Area (SLDA) facility is currently owned and operated by Babcock & Wilcox Technical Services Group of Lynchburg, Virginia and regulated by the Nuclear Regulatory Commission (NRC) under NRC License Number SNM-2001.

Under §8143(a) (2) of Public Law 107-117, the US Army Corps of Engineers (USACE) is scheduled to begin a cleanup of radioactive waste at that site. Pursuant to that section, the USACE cleanup is to be accomplished "consistent with the Memorandum of Understanding [b]etween the Nuclear Regulatory Commission and the United States Army Corps of Engineers for Coordination on Cleanup & Decommissioning of the Formerly Utilized Sites Remedial Action Program (FUSRAP) Sites with NRC-Licensed Facilities, dated July 5, 2001" ("MOU").

In accordance with Article III.C.1. of the MOU, this letter constitutes written notification from USACE to the NRC that USACE will take physical possession of the licensed site as of August 22, 2011 for purposes of radiation control, and will be responsible for the protection of the public health and safety consistent with the requirements of 10 CFR Part 20 "Standards for Protection Against Radiation" and other requirements consistent with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, (CERCLA), Title 42 US Code § 9601, et seq.

I am providing a copy of this letter to Mr. Steven W. Schilthelm and Mr. Terry Chalker of BWXT at their Lynchburg, Virginia address, and to Ms. Lydia Chang and to Ms. Yolande Norman, both of your office. We appreciate the support and cooperation your staff has provided. If you have any questions, please contact Ms. Nicki Fatherly at 202-761-0629, or by e-mail nicki.fatherly@usace.army.mil.

Sincerely,


Christine A. Godfrey
Acting Chief, Environmental Community of Practice
Directorate of Military Programs