

VOID SHEET

TO: License Fee Management Branch
FROM: RIII - COLLEEN CASEY
SUBJECT: VOIDED APPLICATION

Control Number: 302505
Applicant: BABCOCK + WILCOX COMPANY
License Number: 34-03043-03
Docket Number: 030-05693
Date Voided: 7/11/97

Reason for Void: Licenses did not provide sufficient information to amend license for name change + LSO change; also, action is dependent on approval of DEAL, per Ed. Flack. Re-activation at a later date is anticipated. Voided after review.

Signature

Colleen C Casey

Date

7/11/97

Attachment:
Official Record Copy of
Voided Action

FOR LFMB USE ONLY

- ☐ Refund Authorized and processed
☒ No Refund Due
☐ Fee Exempt or Fee Not Required

Comments:

Log completed ☒

Processed by: SC 7/21/97

230049

9707230259 970711
PDR ADOCK 03005693
C PDR



ML
304D

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

Program Code: 03610
Status Code: 0
Fee Category: 3L
Exp. Date: 20060331
Fee Comments:
Decom Fin Assur Req'd: 7

56

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
Applicant/Licensee: BABCOCK & WILCOX COMPANY
Received Date: 970403
Docket No: 3005693
Control No.: 302505
License No.: 34-03043-03
Action Type: Amendment

2. FEE ATTACHED

Amount:
Check No.:

3. COMMENTS

Signed D. Hersey
Date 4-10-97

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / ☒)

1. Fee Category and Amount: 3L \$660

2. Correct Fee Paid. Application may be processed for:
Amendment ☒
Renewal ☐
License ☐

3. OTHER

Signed SC
Date 4/22/97

MAY 01 1997

Log	APR 5 III
Remitter	
Check No.	47400
Amount	\$660 (\$1800)
Fee Category	3L
Type of Fee	AMTD
Date Check Rec'd	4/21/97
Date Completed	4/22/97
By	SC

one check - 3 action

1997 APR 14 PM 9:29



Babcock & Wilcox

a McDermott company
Government Group

Law Department

P.O. Box 11165
Lynchburg, VA 24506-1165
(804) 522-5021
FAX: (804) 522-6950

March 26, 1997

Director
Office of Nuclear Material Safety
and Safeguards
U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Two White Flint North
11545 Rockville Pike
Rockville, MD 20852-2738

Re: The Babcock & Wilcox Company, Research and Development Division
Alliance Research Center
Materials Licenses No. 34-03043-03 and No. SUB-1259

Dear Dr. Paperiello:

This letter is to (a) advise the Nuclear Regulatory Commission (NRC) of the impending restructuring of The Babcock & Wilcox Company pursuant to which the assets and personnel associated with The Babcock & Wilcox Company's Contract Research Division and Research and Development Division, including the activities involving by-product, source, and/or special nuclear materials licensed by the Research and Development Division's Alliance Research Center under Materials Licenses No. 34-03043-03 and No. SUB-1259 will be transferred to a newly formed, wholly-owned corporate subsidiary of The Babcock & Wilcox Company, McDermott Technology, Inc. ("MTI") and (b) to request NRC's consent to the transfer of these licenses to MTI, in accordance with Section 184 of the Atomic Energy Act of 1954, as amended, (AEA) and applicable NRC regulations.

The Babcock & Wilcox Company is restructuring itself by forming several wholly owned subsidiaries and transferring certain of its assets to them as capital contributions in exchange for all of the shares of their stock. As a part of this restructuring, all of the assets of the Contract Research Division and the Research and Development Division of The Babcock & Wilcox Company, which include the facilities of B&W's Alliance Research Center, will be thus transferred to MTI.

JRL66001/MTI.doc
03/26/97

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APR 03 1997

REGION III

Additional information related to the proposed restructuring, including all of the information requested under NRC Information Notice 89-25, Rev. 1 (Dec. 7, 1994) with respect to a change of control of an NRC materials licensee is contained in Attachment A. As this information demonstrates, MTI possesses the necessary qualifications to become the new licensee for these licenses. The proposed changes that need to be made to the licenses to reflect the transfer are shown in Attachment B.

The proposed restructuring will not have any material impact on the management or operation of the licensed activities. MTI, the proposed license transferee, is a wholly-owned subsidiary of The Babcock & Wilcox Company, and all of the directors and officers of both companies are U.S. citizens. All of the property, equipment, inventory, contracts, accounts and other assets related to the Contract Research Division and the Research and Development Division of The Babcock & Wilcox Company will be transferred to MTI, along with the key management and technical personnel, including all of the radiation health and safety personnel currently employed by the Research and Development Division of The Babcock & Wilcox Company. MTI will take over the performance of all licensed activities in accordance with the terms and conditions set forth in the licenses and in compliance with all applicable regulatory requirements.

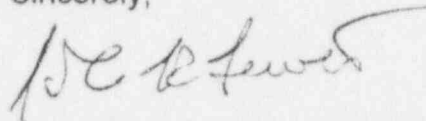
All obligations of The Babcock & Wilcox Company under the license pertaining to decommissioning of the facilities where Babcock & Wilcox possesses the materials which are the subject of these licenses and the arrangements for provision of decommissioning financial assurance will be unequivocally assumed and continued by MTI.

The proposed restructuring and transfer is consistent with the requirements set forth in the AEA and NRC regulations and will not be inimical to the common defense and security or constitute an unreasonable risk to the public health and safety.

Accordingly, The Babcock & Wilcox Company respectfully requests that NRC consent to the transfer of Materials Licenses No. 34-03043-03 and No. SUB-1259 to MTI on or before June 30, 1997, the date of the impending restructuring.

If you have any questions or need any additional information about this matter, please contact John R. Lewis, Assistant General Counsel at Babcock & Wilcox Government Group, Law Department, P. O. Box 11165, Lynchburg, VA 24506-1165.

Sincerely,

A handwritten signature in cursive script, appearing to read "J R Lewis".

John R. Lewis
Assistant General Counsel

JRL:aps

Attachments

Pay



Babcock & Wilcox

a McDermott company
Government Group

Law Department

P.O. Box 11165
Lynchburg, VA 24506-1165
(804) 522-5021
FAX: (804) 522-6950

March 26, 1997

VIA FEDERAL EXPRESS

Director
Office of Nuclear Material Safety
and Safeguards
U. S. Nuclear Regulatory Commission
Two White Flint North
11545 Rockville Pike
Rockville, MD 20852-2738

Re: Restructuring of The Babcock & Wilcox Company

Dear Dr. Paperiello:

The Babcock & Wilcox Company (B&W) is preparing to undertake an internal corporate restructuring involving the establishment of several new subsidiaries which will perform the nuclear activities currently being performed by B&W under its existing NRC licenses and approvals. Accordingly, B&W is submitting the enclosed letters providing NRC with additional details concerning the proposed restructuring and requesting NRC consent to the proposed transfer of its NRC licenses and approvals to these new subsidiaries.

In order to facilitate NRC's review of the proposed restructuring and license transfer, B&W is submitting separate transfer requests for the following licenses:

1. SNM License No. 42
2. SNM License No. 145
3. SNM License No. 414
4. SNM License No. 2001
5. Materials License No. 34-02160-03
6. Materials Licenses Nos. 34-03043-03 and SUB-1259

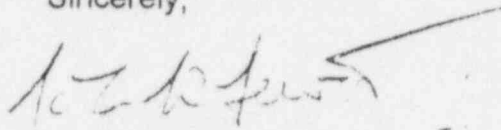
RECEIVED
APR 03 1997
REGION III

These license transfer requests are included as Appendices Nos. 1-6 to this letter.

The Babcock & Wilcox Company respectfully requests that the NRC consent to the proposed transfers on or before June 30, 1997, the date of the impending restructuring.

If you have any questions or need any additional information about the impending restructuring, please contact John R. Lewis, Assistant General Counsel at Babcock & Wilcox Government Group, Law Department, P. O. Box 11165, Lynchburg, VA 24506-1165.

Sincerely,

A handwritten signature in dark ink, appearing to read "John R. Lewis", with a long horizontal stroke extending to the right.

John R. Lewis
Assistant General Counsel

Enclosures

ATTACHMENT A

ADDITIONAL INFORMATION RELATED
TO THE PROPOSED TRANSFER OF
THE BABCOCK & WILCOX COMPANY'S
NRC MATERIALS LICENSES No. 34-03043-03 and No. SUB-1259
TO MCDERMOTT TECHNOLOGY, INC.

1. GENERAL INFORMATION CONCERNING TRANSFEREE

- A. NAME: MCDERMOTT TECHNOLOGY, INC. (Herein "MTI")
- B. CORPORATE HEADQUARTERS ADDRESS:
1450 POYDRAS STREET
NEW ORLEANS, LA 70112-6058
[P. O. BOX 61961
NEW ORLEANS, LA 70161-1961]
- C. DESCRIPTION OF BUSINESS:
Research and Development services to be sold to or performed for
governmental and commercial customers.
- D. NRC LICENSES TO BE HELD BY TRANSFEREE
No. 34-03043-03 and No. SUB-1259

This request is for transfer of both of the above listed materials
licenses.

E. ORGANIZATION AND MANAGEMENT OF TRANSFEREE:

MTI is being formed as a wholly owned subsidiary of The Babcock & Wilcox Company, organized under the laws of the state of Delaware. The names and addresses of the directors and officers of MTI, all of whom are citizens of the United States are as follows:

DIRECTORS:

ADDRESS

E. Allen Womack

1450 Poydras Street

New Orleans, LA 70112

S. Wayne Murphy

1450 Poydras Street

New Orleans, LA 70112

KEY OFFICERS:

ADDRESS

E. Allen Womack, President

1450 Poydras Street

New Orleans, LA 70112

Robert A. Jolliff,
Treasurer

1450 Poydras Street

New Orleans, LA 70112

John S. Tsai
Secretary

1450 Poydras Street

New Orleans, LA 70112

M. F. Murray
Assistant Secretary

1562 Beeson Street

Alliance, Ohio 44601

F. CORPORATE AFFILIATIONS

MTI is a wholly owned subsidiary of The Babcock & Wilcox Company, a Delaware corporation, which is a wholly owned subsidiary of Babcock & Wilcox Investment Company, Inc., a Delaware corporation, which is a wholly owned subsidiary of McDermott, Inc., a Delaware corporation, which is a subsidiary of McDermott International, Inc., a Panamanian corporation.

McDermott International Inc. stock is publicly traded on the NYSE. McDermott International Inc. has numerous subsidiaries and affiliates. The most closely-related affiliates of MTI will be BWX Technologies, Inc., B&W Nuclear Environmental Services, Inc., and B&W Federal Services, Inc. The latter has several subsidiaries and affiliates operating at DOE sites: B&W Protec, Inc.; B&W Savannah River Company; B&W Hanford Company; Safe Sites of Colorado, L.L.C. and Babcock & Wilcox Idaho, Inc. No changes are being made in any of these entities or their reporting relationships as a result of the restructuring.

G. LICENSEE CONTACT - (unchanged)

W. Russell Hose, II
Alliance Research Center
1562 Beeson Street
Alliance, OH 44601

2. ADDITIONAL BACKGROUND INFORMATION CONCERNING THE PROPOSED RESTRUCTURING

The Babcock & Wilcox Company is preparing to undertake a corporate restructuring involving the reorganization of the Company along functional

business lines to enhance the overall competitiveness of the company. This reorganization involves the establishment of several new wholly owned subsidiaries dedicated to specific businesses to provide greater management oversight and control of these businesses.

What were formerly the Contract Research Division and the Research and Development Division of The Babcock & Wilcox Company will now become McDermott Technology, Inc., a wholly owned subsidiary of The Babcock & Wilcox Company. Existing contracts, permits, licenses and other legal agreements of The Babcock & Wilcox Company which pertain to the operations and business of the Contract Research Division and the Research and Development Division will be assigned to MTI. All contracts, permits, licenses, and other legal agreements executed on behalf of the former Babcock & Wilcox Company Contract Research Division and Research and Development Division subsequent to the effective date of the restructuring will be executed in the name McDermott Technology, Inc.

Management reporting is not affected by this legal change. E. Allen Womack, President of MTI, will continue to report directly to Mr. Roger Tetrault, CEO, McDermott International.

3. REQUIRED REGULATORY APPROVALS

No other regulatory approvals are believed to be required to effect the restructuring.

4. FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE

Following the proposed restructuring, MTI will be a wholly owned subsidiary of the existing licensee The Babcock & Wilcox Company, which, in turn, is a wholly owned subsidiary of Babcock & Wilcox Investment Company, which in turn is a wholly owned subsidiary of McDermott, Incorporated, which in turn is owned by McDermott International, Inc. The directors and officers of The Babcock & Wilcox Company will not change as a result of the restructuring. The directors and officers of MTI and of The Babcock & Wilcox Company will all be U. S. citizens.

Both the Department of Energy and the Department of Defense have conducted previous FOCI investigations of the McDermott Companies. Neither has found an unacceptable level of foreign ownership, control or influence. FOCI determinations for The Babcock & Wilcox Company, Babcock & Wilcox Investment Company and McDermott International Inc. were performed by DOE Oak Ridge. The FOCI determination for MTI is in process, but discussions with DOE, HQ did not reveal any concerns. Those parent companies of MTI, which do not in their own right require access to classified information or special nuclear material have executed the appropriate exclusionary resolutions limiting their ability to affect MTI's actions regarding classified information and special nuclear material.

5. QUALIFICATIONS OF MANAGEMENT AND TECHNICAL PERSONNEL

There will be no change in the management or technical personnel responsible for licensed activities, including the radiation safety

officer and other personnel identified in the existing license or previous license applications as responsible for radiation safety or the use of licensed material. The Babcock & Wilcox Company's Research and Development Division's existing nuclear safety and licensing organizations will be transferred intact to MTI and will remain fully qualified to manage the licensed activities.

6. FACILITIES, EQUIPMENT, OPERATIONS, AND PROCEDURES

There will be no change in facilities, equipment, operations, or procedures used to conduct the licensed activities. MTI will continue to conduct the activities previously conducted by the Research and Development Division of The Babcock & Wilcox Company in accordance with the terms and conditions of the existing license. No personnel changes at these facilities are anticipated in connection with the transfer.

7. NUCLEAR MATERIALS

MTI will acquire title to the licensed materials, and will own and possess these materials in accordance with the terms of the existing license. There will be no change in the use, location, handling, packaging, transportation, or storage of the licensed materials.

8. NUCLEAR MATERIAL CONTROL PLAN

There will be no change in the fundamental nuclear material control plan established by The Babcock & Wilcox Company to

control and account for nuclear materials. All calibrations, leak tests, surveys, inventories and accountability requirements will be current at the time of the proposed transfer. The plan will be adopted in whole and unchanged by MTI.

9. NUCLEAR RECORDS

All records related to the maintenance and operation of all of the facilities where licensed activities are performed, including records pertaining to worker exposures, public doses, waste disposal, releases to sewers, incineration, radioactive material spills, and safe and effective decommissioning will be transferred to MTI and maintained in situ in accordance with existing procedures.

10. FACILITY STATUS

The facilities at which licensed activities will be performed will be transferred as-is, in regard to nuclear contamination.

Decontamination will not be performed on account of transfer.

Decontamination activities and decommissioning plans currently in effect will be adopted as-is and pursued by MTI as transferee. The transferee will assume full responsibility under the license for the decontamination of all of the facilities at which the possession of all licensed materials is licensed.

11. DECONTAMINATION AND DECOMMISSIONING

MTI will accept full responsibility under the license for the decontamination and decommissioning of the site where the licensed activities are performed. Decommissioning financial

assurance has been provided by The Babcock & Wilcox Company by letter of credit. MTI will continue to provide the same financial assurance demonstrating adequate financial resources to fund the projected costs of decommissioning as The Babcock & Wilcox Company provided in the past.

12. PRIOR COMMITMENTS AND OPEN INSPECTION ITEMS

MTI will agree to abide by all commitments and representations previously made to NRC by the existing licensee. These include, but will not be limited to, maintaining required records, implementing decontamination activities and decommissioning of the site, and completing corrective actions for any open inspection items and enforcement actions. MTI will accept full responsibility for any open inspection items, including any resulting enforcement actions, at the time of transfer.

13. COMPLIANCE WITH LICENSE REQUIREMENTS

MTI will agree to abide by all conditions, restrictions, requirements, representations, and commitments identified in the existing license, including but not limited to, those related to (a) the physical protection of special nuclear material in transit to and from, and located at, the facilities at which the licensed materials are possessed; (b) site access, safeguards and security, and emergency planning; (c) the protection of restricted data and classified information; (d) radiation protection and nuclear health and safety; and (e) environmental protection.

ATTACHMENT B

Proposed Changes that need to be made in Materials License No. 34-003043-03 and No. SUB-1259.

Only the Name of the Licensee is to be changed for each license. The address, personnel, materials, material forms, quantities, authorized uses, and all other conditions and aspects of each license remain unchanged.

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

BABCOCK AND WILCOX
ATTN: JOHN R. LEWIS
ASSISTANT GENERAL COUNSEL
P. O. BOX 11165
LYNCHBURG, VA 24506-1165

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

3-26-97

LICENSE NUMBER

SUB-1259, 34-02160-03 & 34-03043-03

CONTROL NUMBER

302503, 302504 & 302505

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
2C	\$	\$	\$ 420.00
30	\$	\$	\$ 720.00
3L	\$	\$	\$ 660.00
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	
	\$	\$	

FEE(s) DUE	\$	1,800.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	1,800.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE -- LICENSE FEE ANALYST

SHIRLEY CRUTCHFIELD

LFDCB

4/15/97

LFDCB

II. FEE NOT REQUIRED

☐ Enclosed is Check No. _____ which accompanied your request. The fee is not required because:

☐ We received your Check No. _____ in payment of the fee.

☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.

☐ Your request was combined, prior to review, with your _____ request, Control No. _____.

III. CHECK RETURNED

☐ Enclosed is Check No. _____ which was returned to us by the bank for:

- ☐ INSUFFICIENT FUNDS
☐ ACCOUNT CLOSED
☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

☐ License No. _____, Amendment No. _____, issued on _____ was issued without the required fee being collected. The fee required is noted in Section I of this form.

☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section I of this form. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section I of this form.

Distribution:

Pending Fee File: OC/DFF/ISF(LF-3.2.7)
LFARB R/F (2) Region 3

DATE

April 16, 1997



Babcock & Wilcox

a McDermott company
Government Group

Law Department

P.O. Box 11165
Lynchburg, VA 24506-1165
(804) 522-5021
FAX: (804) 522-6950

April 21, 1997

VIA FEDERAL EXPRESS

Ms. Shirley Crutchfield, License Fee Analyst
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller
U.S. Nuclear Regulatory Commission
Two White Flint North, Mail Stop T9E10
11545 Rockville Pike
Rockville, MD 20852-2738

Re: Control Number: 302503, 302504 and 302505
License Numbers: Sub-1259, 34-02160-03 and 34-03043-03

Dear Ms. Crutchfield:

Enclosed please find NRC Form 577 "License Fee Requirements" and check made payable to the Nuclear Regulatory Commission in the amount of \$1800.00 representing fee for license transfer.

Thank you.

Very truly yours,

John R. Lewis
Assistant General Counsel

JRL:as

Encs.

CONVERSATION RECORD

TIME

1:20pm

DATE

7/11/97

TYPE

☐ VISIT☐ CONFERENCE☒ TELEPHONE☐ INCOMING☒ OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO:

SUBJECT

SUMMARY

I advised Mel that ltr dtd 3/26/97 & 5/20/97 were insufficient to complete reviews. First, his mgmt. should have received NRC's ltr dtd 6/30/97 consenting to restructuring/ownership transfer (Mel did not get this but his mgmt should have). NRC's ltr states that we can't change names on affected licenses, etc. until DFAI is approved. (Ed Flack confirmed this intelec. w/C. Casey - 7/7/97). Also, their 3/26/97 ltr did not tell us the new names for each licensee. And, Mel's qualifications appear to be inadequate to name him as RSO & RSC Chair for these licenses (A Type A Broad scope R & D program and source material NDT program). His rad. safety training doesn't appear to have ever been "test-able" (no exams); he has no degree & no physics, chemistry, biology, advanced math, radiation sciences. Since he has CHP's on staff @ existing RSO, Russ Hore, they should examine this issue to either retain Hore or name a CHP to these positions. Mel can still perform tasks but responsibility will rest with RSO. Mel agreed to our voiding these applications for now; they will re-activate later, after DFAI approved in NRC's HQ.

Void actions for future re-activation

SIGNATURE

TITLE

DATE

CONVERSATION RECORD



Babcock & Wilcox

a McDermott company

Research and Development Division

1562 Beeson Street
Alliance, OH 44601
(330) 821-9110

May 20, 1997

Ms. Colleen Casey
Material Licensing Section
Nuclear Regulatory Commission - Region III
801 Warrenville Road
Lisle, IL 60532-4351

Dear Ms. Casey:

According to your Receptionist, you have been assigned as the "reviewer" of our two amendments (Mail Control Numbers 302503 and 302505 - attached). These amendments deal with the pending corporate restructuring for The Babcock & Wilcox Company's, Alliance Research Center. This location possesses two NRC material licenses - BPM No. 34-03043-03 and SUB-1259. On March 26, 1997, Mr. John R. Lewis - Assistant General Counsel sent a letter to the Director - Office of Nuclear Material Safety and Safeguards, advising of a pending restructuring and proposed license transfer. In this letter, Mr. Lewis makes a statement to the effect that no personnel changes will be made, with respect to the radiation health and safety personnel, due to the restructuring. This is correct, however, we have been planning to submit an amendment to our licenses requesting that the Radiation Safety Officer be changed.

This change is due to my promotion to the position of Manager - Corporate Safety & Health. Although I will continue to maintain my primary office at the Alliance Research Center, my duties require me to spend considerable amounts of time on travel servicing the safety and health needs of our company's facilities. As a result, we request that our two licenses be amended to read as follows:

BPM License No. 34-03043-03

Condition 11: Licensed material shall be used by, or under the supervision of, individual's designated by the licensee's Radioisotope Committee, Melvin L. Sweger, Chairman and Radiation Safety Officer, in accordance with the criteria listed in 10 CFR Part 30, Section 33.15(b)(1) and (2).

RECEIVED

MAY 28 1997

REGION III

MAY 28 1997

Pm: 5-15-97

SUB-1259

Condition 11: The Radiation Safety Officer for this license is Melvin L. Sweger.

Condition 12: Licensed material shall be used by, or under the supervision of, individual's designated by the licensee's Radioisotope Committee, Melvin L. Sweger, Chairman.

It is our intention to include this change with the previous mentioned request for license transfer submitted by Mr. Lewis. I will remain on the Radioisotope Committee to give advisement and counsel. I have attached a copy of Mr. Sweger's experience, education, and training. Although Mr. Sweger does not have a bachelor's degree, we are fully confident that he is competent to handle the duties bestowed upon him as the Radiation Safety Officer and Chairman of the Radioisotope Committee. Mr. Sweger will continue to have access to our company's Certified Health Physicists and other radiological professionals when the need arises.

Please advise us if it is acceptable to include these two amendments with the earlier stated requests. We would like these to be processed simultaneously only if you are confident that the previously requested license transfer will not be delayed on their account. Additionally, we require notification of the fees involved in these matters. You may contact me at (330) 829-7744 if you have any questions.

Sincerely,

THE BABCOCK & WILCOX COMPANY
Alliance Research Center

W. Russell Hose / pm

W. Russell Hose II
Manager, Corporate Safety & Health

Attachments



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 10, 1997

W. Russell Hose
Radiation Safety Officer
Babcock & Wilcox Company
Alliance Research Center
1562 Beeson Street
Alliance, OH 44601

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated 03/26/97)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

It appears that your request is routine (see 1-3 below, as applicable).

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however, under timely filing (before expiration), you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount, if required.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 302503
License No. SUB-1259



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 10, 1997

W. Russell Hose
Radiation Safety Officer
Babcock & Wilcox Company
Alliance Research Center
1562 Beeson Street
Alliance, OH 44601

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated 03/26/97)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

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If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 302505
License No. 34-03043-03

Melvin L. Sweger
17757 Leffingwell Road
Berlin Center, Ohio 44401

(330) 829-7325 (employer)
[REDACTED]

Transferable Skills

Application of information technology, project management, interaction with people at all levels, computer software applications, teamwork coordination, adaptability.

The Babcock & Wilcox Company, Alliance Research Center, Alliance, Ohio (1981 - Present).

Experience

Senior Safety, Environmental & Hygiene Technician/Assistant Radiological Safety Officer.

- Perform complex and highly technical functions related to safety, environmental, radiological and industrial hygiene. Provide supervision, instruction and training for safety, environmental, radiological and hygiene technicians. Manage Safety, Environmental and Hygiene Department including budget compliance and overall SEH Program, Radioisotope Committee Chairperson. 2/97.

Safety Technician

- Manage Safety and Health Department during absence of the Safety, Environmental and Hygiene Manager. Assist with budget, prepare quarterly injury/illness reports with submittals to corporate and state. Maintain injuries and illness records and follow-up. Prepare and conduct training for plant personnel. Comply with Federal, State, and Local Regulations. Enforce compliance with Safety and Health Procedures for the Alliance Research Center operations. Promote safety to all employees. Received and shipped radiological materials. Conduct radiological room and equipment surveys. Maintain records and inventories of all radioactive sources and materials. Conduct employee radiological training, Radioisotope Committee Co-Chairperson and Secretary. 2/94.

Mechanic Technician

- Responsibilities: Leadman for various projects through welding, fabrication and final assembly. Training of assistants in safety, operating of equipment, layout and general duties.

Service work at various power plants to assist in analysis of flue gases, gas probes fabrication and maintenance, set up and tear down of test facilities. 3/90.

Consultant for specialty welding to West Point, Mississippi. Training of welding procedures and techniques for Boiler Panel Welding. Testing of applicants for certification. Maintain records of performance and audit welding for condition and correction.

Mechanic "A"

- Certified in welding for Carbon, Stainless and Dissimilar metals. Welding of power piping, pressure vessels, nuclear components, and specialty welding. 3/84.

Mechanic "B"

- Duties included Blue Print Reading, Layout, Fabrication, Electric Arc Welding, MIG and TIG Welding of Structural Steel for Test Facilities. 11/81.

Consolidated Rail Corporation (1976-1981).

- Plant Maintenance for Industrial Gas Systems, New Installations, Maintenance of Air, Water, Steam, Pneumatic, and Hydraulic Systems. Arc, Mig, Tig, and Acetylene Welding and Burning. Locomotive and Rail Car remanufacturing. Extra duties include Acting Foreman, Maintenance Department.

A.C. Cook, Bill Book Chevrolet and Williamsons GMC (1969-1976).

- Advanced through every phase of heavy truck and auto diagnosis and repairs, including Air Conditioning, Electrical Wiring and Circuit Repairs, Engine and Transmission Rebuilding and Repairs. **Certified Master Technician**

Babcock & Wilcox, Tubular Products Division (1965-1969).

- Progressed from Labor to Quality Control Inspector for inspection of steel tubing for shipment to customers. In charge of checking specification and keeping reports for outgoing products and rejects.

Kings Auto Stores (1962-1965).

- Progressed from Stock Boy to Assistant Manager of auto parts and sporting goods store. Worked through all phases of store work including bookkeeping, customer relations, ordering of merchandise, and warranties (two employees).

Education

- Certified (OHST) Occupational Health and Safety Technologist by The American Board of Industrial Hygiene and The Board of Certified Safety Professionals. 2/97.

- Kent State University (Salem Branch): English, Math, Algebra, Trigonometry, Basic Electricity, Electronics, Electrical Circuitry, Computer Programming Q-Basic. 1989-92.

Occupational Competence and Certifications

Radiological
 OSHA 501
 CPR and First Aid
 Crane Maintenance and Inspection
 Incipient Fire Brigade
 Asbestos
 Fall Protection
 Hazardous Materials
 Instrument Calibration and Maintenance
 Confined Space and Rescue

Radiological Experience

- 1995-Present. Manage and direct radiological program (Shipping, Receiving, Surveys, Isotope Committee Chairperson, Waste Disposal, etc).
- Nuclear Regulatory Region III (2) Day Workshop, 1997
- (40) Hour Occupational and Environmental Radiation Protection. Harvard School of Public Health, Certificate, 1996.
- Radiation Safety and Management Seminar, Stan Huber Consultants, Inc. Sixteen hours of continuous Education Credits (two certificates), 1994
- Radioisotope Committee Chairperson, Co-Chairperson and Secretary.

Personalized Radiological Training by David O. Budd, RSA

- November 7, 1994. Two hour Film Badge Distribution and Record Keeping Overview.
- October 21, 1994. Two hour training on Room and Equipment Radioactive Material usage Surveys.
- September 23, 1994. Two hour Training on Radioactive Material Shipments; Swipe Samples and Proper Packaging.

- August 9, 1994. Three hour Training on How to Handle Radioactive Material Receipts: Swipe Samples and Data Log.
- July 26, 1994. Two hour overview of the Principals of Radiation Covering Time, Distance and Shielding.
- July 19-20, 1994. Five hour Radiological detection Meter Calibration and Equipment Maintenance Training.
- July 12, 1994. Three hour Alliance Research Center Radiological Safety Manual review.
- June 8, 1994. Three hour Radiological Swipe Sample Training utilizing the Eberline PAC-46 and GM detection meters
- June 6, 1994. Three hour Decommissioning Funding Plan for the Alliance Research Center.
- June 1, 1994. Two hour Radioisotope Committee Functions Overview.
- May, 1994. Four hour Alliance Research Center NRC Licensing Requirements Overview.
- Job Training: Handling and moving depleted fuel bundles, preparing and installing in caskets for shipments. Subassembly welding of drive rods, support plates and test units.

4/97

j:\safety\mls\newres



HARVARD SCHOOL OF PUBLIC HEALTH

BOSTON, MASSACHUSETTS

This is to certify that

Melvin L. Sweger

attended the course

Occupational and Environmental Radiation Protection

March 25 - 29, 1996

conducted by

**The Department of Environmental Health
and the Center for Continuing Professional Education**

HARVARD SCHOOL OF PUBLIC HEALTH

*Dade W. Moeller, PhD
Course Director*

*David A. Shore, PhD, Assistant Dean
Center for Continuing Professional Education*

*Jacob Shapiro, PhD
Course Director*

CERTIFICATE

This is to certify that

Melvin Sweger

has participated in
and successfully completed the

**Radiation Safety &
Management Course**

and is awarded this

CERTIFICATE OF RECOGNITION

on this date of April 29, 1994

Stan Huber

Stan A. Huber, President
Stan A. Huber Consultants, Inc.

*The American Board of Industrial Hygiene
and
The Board of Certified Safety Professionals*

affirm that ...

Melvin L. Sweger

having made application for and met all requirements is hereby certified as a

Occupational Health and Safety Technologist

so long as this certificate of qualification is renewed annually and not revoked



Certificate No. 2070

Effective Date February 1, 1997



A. E. Sweger

Chair, ABIH/BCSP Joint Committee

American Society of Safety Engineers

Organized 1911 - Incorporated 1915

Melvin L Sweger

has been elected a

Member

of this Society organized to promote the advancement of the Safety Profession, and foster the professional well-being and development of its members.



Witness the signatures of
its authorized officers

February 1996

L. E. Oglendorf *John T. Neel*

Original Date of Membership

February 1996

PRESIDENT

SECRETARY

West Virginia University

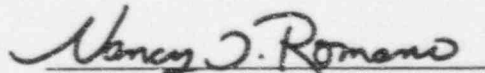
NATIONAL RESOURCE CENTER FOR OSHA TRAINING

This is to certify that

MELVIN L. SWEGER

*has met the attendance requirements
and successfully completed the course*

OSHA 501 A GUIDE TO VOLUNTARY COMPLIANCE IN SAFETY AND HEALTH [TRAIN-THE-TRAINER COURSE]


COURSE DIRECTOR

268-40-7502
SOCIAL SECURITY NUMBER

JUNE 3-7, 1996
DATE

Training Provider: National Resource Center for OSHA Training, Safety & Health Extension, West Virginia University, P. O. Box 6615, Morgantown, WV 26506-6615

Certificate of Training

HazTrain, Incorporated

*proudly presents this award for
educational achievement to*

MELVIN L. SWEEGER

for satisfactorily completing the course of

HM-126F Training for Safe Transportation

(DOT Update - 8 Hour Course)

DECEMBER 6, 1995



HazTrain, Inc.

P.O. BOX 2206 LA PLATA, MARYLAND 20645

Brandon Brann
Instructor
Jimmy L. Smith, PhD
resident

APPENDIX A

CHARACTERISTICS FOR QUALIFYING A RADIATION SAFETY OFFICER CANDIDATE

1. Ability to communicate clearly, both verbally and in writing.
2. Knowledge of mathematics, physics, chemistry, and biology sufficient to understand health protection standards, theories, and practices.
3. Knowledge of current standards, guides, and reports published by various organizations (e.g., the International Commission on Radiological Protection; the National Council on Radiation Protection and Measurements; the United Nations Scientific Committee on the Effects of Atomic Radiation; the National Academy of Sciences, National Research Council Advisory Committee on the Biological Effects of Ionizing Radiations; and the American National Standards Institute) and the ability to understand, interpret, and effectively apply them.
4. Knowledge of applicable NRC regulations, regulatory guides, and NUREG-series reports and ability to understand and effectively apply them.
5. Knowledge and ability sufficient to operate instruments used in the program for measuring radiation and radioactive materials and to interpret the resulting measurements.
6. Knowledge and ability sufficient to perform calibrations of instruments used in the program for measuring radiation and radioactive materials.
7. Knowledge and ability sufficient to select radiation and radioactive materials measuring instruments appropriate to their proposed use in the program.
8. Knowledge and ability sufficient to evaluate the need for shielding and to determine the types and amounts of shielding required.

9. Knowledge and ability sufficient to calculate radioactive decay, buildup, and secular and transient equilibrium.
10. Knowledge and ability sufficient to calculate internal and external radiation doses.
11. Knowledge of personnel monitoring devices and the ability to select the proper device for a specific application.
12. Knowledge and ability sufficient to manage or conduct a radiation protection training program for facility personnel.
13. Knowledge and ability sufficient to recognize and anticipate existing and potential radiation safety problems.
14. Knowledge and ability sufficient to recognize potential criticality problems and to take appropriate and timely action with respect to such problems.
15. Knowledge of current radioactive effluent treatment methods, equipment, and procedures and ability to effectively use them.
16. Knowledge and ability sufficient to recognize the potential for contamination associated with work with radioactive materials, to control contamination, and to decontaminate equipment, facilities, and personnel.
17. Knowledge and ability sufficient to prepare a facility emergency plan and to conduct or manage the conduct of operations in accordance with the plan.
18. Knowledge and ability sufficient to evaluate, select, and maintain and effectively use and supervise the use of respiratory protective equipment.
19. Knowledge and ability sufficient to evaluate, select, and maintain and effectively use and supervise the use of protective clothing.

20. Knowledge and ability sufficient to evaluate, design, test, maintain, and supervise the maintenance (from the radiation safety standpoint) of process control and confinement systems such as gloveboxes and hoods.
21. Knowledge and ability sufficient to evaluate, select, design, maintain, and test sealed sources of radiation and devices in which the sources are to be used.
22. Knowledge and ability sufficient to evaluate, select, and design and effectively use, maintain, and supervise the use and maintenance of radioactive waste collection, treatment, packaging, and disposal equipment and facilities and to prepare related radiation safety procedures.
23. Working knowledge of transport regulations and requirements as they apply to the transport of radioactive materials.
24. Knowledge and ability sufficient to conduct a bioassay program.
25. Knowledge and ability (including a maturity of judgment developed from appropriate radiation safety program experience in work situations similar to that of the program for which he or she is a candidate radiation safety officer) sufficient to manage effectively the applicant's radiation safety program.

§33.15 Requirements for the issuance of a Type C specific license of broad scope.

An application for a Type C specific license of broad scope will be approved if:

(a) The applicant satisfies the general requirements specified in §30.33 of this chapter; and

(b) The applicant submits a statement that byproduct material will be used only by, or under the direct supervision of, individuals who have received:

(1) A college degree at the bachelor level, or equivalent training and experience, in the physical or biological sciences or in engineering; and

(2) At least 40 hours of training and experience in the safe handling of radioactive materials, and in the characteristics of ionizing radiation, units of radiation dose and quantities, radiation detection instrumentation, and biological hazards of exposure to radiation appropriate to the type and forms of byproduct material to be used; and



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 10, 1997

W. Russell Hose
Radiation Safety Officer
Babcock & Wilcox Company
Alliance Research Center
1562 Beeson Street
Alliance, OH 44601

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated 03/26/97)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

It appears that your request is routine (see 1-3 below, as applicable).

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
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License No. 34-03043-03