



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

September 7, 2021

David A. Withrow, Quality Control Manager
West Virginia Paving Co.
P.O. Box 544
Dunbar, WV 25064

SUBJECT: WEST VIRGINIA PAVING CO., REQUEST FOR ADDITIONAL INFORMATION,
MAIL CONTROL NO. 628296

Dear David A. Withrow:

This is in reference to your application dated July 29, 2021, requesting to renew NRC License No. 47-17070-01. Please note that Item No. 2 below references NUREG-1556, Volume 1, Revision 2, which can be found online at: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/index.html>. In order to continue our review, we need the following additional information:

1. Regarding your application, Section 5 and 6 "Materials To Be Possessed and Proposed Uses," your license references your NRC license, License No. 47-17070-01, Amendment No. 15. The NRC therefore will maintain your material and purpose authorizations from those presently authorized on your license (Note: your material authorizations did not change between Amendment No. 15 and the present active license, Amendment No. 16). The exception to the above was the error pointed out in the application, which was present in both Amendments No. 15 and 16, concerning the authorization of Troxler Model 3421-C, which should have read "Troxler Model 3241-C." If all this is correct, no response is necessary to this item.
2. Your application, Section 9 "Facilities and Equipment," included five over-head views consistent with the requested addresses where licensed materials will be used or possessed.
 - a. Regarding the location authorized on the NRC license and listed in your application as "Plant #57 Blake Rd-Ingleside, Princeton, WV." Please confirm the following street address and GPS, identified using your website:
6941 Ingleside Road; Princeton, WV 24740
GPS: 37.314762, -81.055231
 - b. Regarding the location authorized on the NRC license and listed in your application as "Plant #35 Whitman Creek Rd, Whitman, WV 25652." Please confirm the following street address and GPS, identified using your website:
1 Asphalt Drive, Whitman, WV 25652
GPS: 37.820146, -82.027009

- c. Regarding the location authorized on the NRC license and listed in your application as "Route 219 South, Elkins Rd, Parsons, WV 26287." Please confirm the following GPS identified using your website:
GPS: 39.071399, -79.702187
- d. Regarding the facility diagrams provided in your application: For each of the locations requested in your application, additional information is required. In accordance with NUREG-1556, Volume 1, Revision 2, Section 8.9 "Facilities and Equipment," please provide facility diagram for each permanent portable gauge storage location. Include on the diagram the use of adjacent areas (including above and below, if applicable), and information relevant to public dose and security as discussed in Sections 8.10.5, "Public Dose," and 8.10.6, "Operating, Emergency, and Security Procedures."

Please note that for the location requested at 2950 Charles Ave, Dunbar, WV, your application stated: "There are a few other things stored in this building..." Please note that the security requirements in 10 CFR 20.1801 and 10 CFR 30.34(i) require that material is secured from unauthorized removal, including by employees or contractors of West Virginia Paving Co. who do not have responsibilities dealing with the portable nuclear gauges.

Please further note that for the location requested at Plant #57 Blake Rd-Ingleside, Princeton, WV, your application indicated there was more than one location within the facility that the portable nuclear gauges may be stored. Please ensure for the respective facility diagram that both locations are included and described.

We will continue our review upon receipt of this information. Please reply to my attention at:

Jason vonEhr
Mail Control No. 628296
USNRC, Region I
Division of Radiological Safety and Security
2100 Renaissance Boulevard
King of Prussia, PA 19406

Or

R1DRSSMail.Resource@nrc.gov

*Reference – Jason vonEhr
Mail Control No. 628296*

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

If you have any questions regarding this request for additional information, please contact Mr. Jason vonEhr at (610) 337-5256 or via electronic mail at Jason.vonEhr@nrc.gov.

Thank you for your cooperation.

Sincerely,

Michael Reichard, Senior Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Radiological Safety and Security
Region I

License No. 47-17070-01
Docket No. 030-11317
Mail Control No. 628296

WEST VIRGINIA PAVING CO., REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 628296 DATED SEPTEMBER 7, 2021

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SUNSI Review Complete: JEV1

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NAME	Jason vonEhr		Michael Reichard					
DATE	09/07/2021 (JEV)		09/07/2021 (MCR)					

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