



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

December 21, 2022

John J. Thomas, Jr.
Jefferson Asphalt Products Company
175 John J. Thomas Way
Charles Town, WV 25414

**SUBJECT: JEFFERSON ASPHALT PRODUCTS COMPANY, ACCEPTANCE OF
NOTIFICATION OF ORGANIZATION CHANGES, MAIL CONTROL NO. 633598**

Dear Mr. Thomas:

By a vendor form letter dated September 26, 2022, CRH America's Materials informed the U.S. Nuclear Regulatory Commission (NRC) that Jefferson Asphalt Products Company was acquired by CRH America's Materials, and became a part of W-L Construction & Paving, Inc. Because Jeffersons Asphalt Products Company holds NRC License No. 47-25006-01 issued under 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," the NRC must find that the transfer is in accordance with the provisions of the Atomic Energy Act (AEA) and, if so, must give its consent in writing prior to the transfer, in accordance with Section 184 of the AEA and 10 CFR 30.34(b).

10 CFR 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in [parts 30] through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.
- (2) An application for transfer of license must include:
 - (i) The identity, technical and financial qualifications of the proposed transferee; and
 - (ii) Financial assurance for decommissioning information required by [10 CFR] 30.35.

Because this information was not provided in the September 26 mailing, the NRC staff requested additional information in a letter dated November 21, 2022. Response letters dated December 14, 2022, were provided by Jefferson Asphalt Products Company and W-L Construction & Paving, Inc. The NRC staff reviewed the additional information using the guidance in NUREG-1556, Volume 15, Revision 1, "Consolidated Guidance About Materials Licenses – Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," dated June 2016.

Based on the information provided, the NRC staff understands that no transfer of the license occurred, even though a sale of assets otherwise occurred. We further understand that the licensed materials were transferred on December 13, 2022, from Jefferson Asphalt Products Company, NRC License No. 47-25006-01 to W-L Construction & Paving, Inc. Commonwealth of Virginia License No. 840-488-01 and are now located in Virginia. We further understand that the licensed materials may be used in NRC jurisdiction under W-L Construction & Paving, Inc.'s NRC License No. 45-21343-02 which authorizes only activities at temporary job sites. The Jefferson Asphalt Products Company License No. 47-25006-01 will remain an active license until such time as you request license termination.

If you have any questions regarding this letter, please contact Betsy Ullrich at 240-704-4575 or by electronic mail to Elizabeth.Ullrich@nrc.gov.

Future changes in the licensee's name, licensed use, licensed materials, licensed location, or persons responsible for licensed material require submission of a request to amend the license. NRC approval must be received prior to implementation of the proposed change.

In accordance with 10 CFR 2.390 of the NRC's "Agency 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>.

Thank you for your cooperation in this matter.

Sincerely,

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

License No. 47-25006-01
Docket No. 030-30652
Mail Control No. 633598

cc: Bruce Terris, Radiation Safety Officer, Jefferson Asphalt Products Company
James M. Thomas, President, W-L Construction & Paving, Inc.

JEFFERSON ASPHALT PRODUCTS COMPANY, ACCEPTANCE OF NOTIFICATION OF ORGANIZATION CHANGES, MAIL CONTROL NO. 633598 DATED DECEMBER 21, 2022

DOCUMENT NAME: [\\nrc.gov\nrc\R1\Office\DNMS\WBL Documents\WBL License Cover Letter\L47-25006-01.633598.docx-

SUNSI Review Complete: Betsy Ullrich

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	RI:DRSS	n					
NAME	Betsy Ullrich						
DATE	12/21/22 exu						

OFFICIAL RECORD COPY