

February 16, 2012

Mr. Mike E. Hicks
Security Department Manager
Babcock & Wilcox Nuclear
Operations Group, Inc.
2016 Mount Athos Road
Lynchburg, VA 24504

SUBJECT: ACCEPTANCE OF REQUEST FOR ENHANCED WEAPONS AND PREEMPTION
AUTHORITY (TAC L33202)

Dear Mr. Hicks:

This is in response to your letter 12-012, dated January 13, 2012, by which you transmitted a request to apply for enhanced weapons and preemption authority prior to the U.S. Nuclear Regulatory Commission's (NRC's) issuance of the final rule for enhanced weapons in accordance with Section 161A of the Atomic Energy Act.

This request has been assigned Technical Assignment Control Number L33202. Please refer to this number in any future correspondence associated with this submittal.

Based on our preliminary examination and projected dates of Commission decisions on the rulemaking package, we anticipate completing our review by the end of October 2012. This date could change depending on the findings of our technical review or other factors. The NRC will promptly communicate any significant changes to this schedule. We welcome an opportunity to discuss the next steps in the review process.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390(d) of the NRC's "Rules of Practice," a copy of this letter 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 and Access 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). Your incoming letter will be withheld from the public in accordance with 10 CFR 2.390(d).

If you have any questions regarding this matter, please contact me at (301) 492-3128, or by e-mail to Merritt.Baker@nrc.gov.

Sincerely,
/RA/

Merritt N. Baker, Senior Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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

cc: Barry L. Cole, B&W NOG

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