

January 18, 2001

John G. Manfre, Health Physics Manager  
Safety Office  
Department of the Army  
Headquarters, U.S. Army Materiel Command  
5001 Eisenhower Avenue  
Alexandria, VA 22333-0001

SUBJECT: EXEMPTION FROM 10 CFR 71.5(b)

Dear Mr. Manfre:

I am responding to your December 12, 2000, letter providing further explanation to your September 12, 2000, letter on the same subject. Thank you for providing clarification regarding the U.S. Army's program of transporting its own licensed material. The purpose of 10 CFR 71.5(b) is to impose, by NRC authority, pertinent U.S. Department of Transportation (DOT) requirements on shipments that are not normally subject to DOT regulations.

The U.S. Army must comply with 10 CFR 71.5(b) until an exemption, if granted, is issued authorizing the proposed activity. Please refer to my September 26, 2000, letter for information about what you need to submit as part of your exemption request.

If you have any questions regarding this matter, please feel free to contact me at (301) 415-8584.

Sincerely,  
**/RA/ original signed by /s/**  
Steven Baggett, Acting Section Chief  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

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