

Mr. Frank P. Falci, President
International Energy Consultants, Inc.
8905 Copenhaver Drive
Potomac, Maryland 20854

Dear Mr. Falci:

The purpose of this letter is to provide you with the Nuclear Regulatory Commission's (NRC's) decision on your petition for rulemaking, docketed as PRM-71-12, which you submitted to the NRC on September 25, 1997. The petition requested that the NRC delete 10 CFR 71.63 -- the special requirements for the transportation of plutonium.

The NRC has considered the petition and the related public comments and has decided to grant your request to remove the double containment requirement of § 71.63(b). However, the requirement of § 71.63(a), which specifies that shipments whose contents contain greater than 0.74 Tq (20 Ci) of plutonium be made with the contents in solid form, is retained. Thus, this portion of your petition is denied. You can find a detailed description of the NRC decision on your petition in the Part 71 final rule, under Issue 17. This completes action on PRM-71-12.

If you have any questions on this matter, please contact Naiem Tanious, of my staff, at 301-415-6103.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

Enclosure: Federal Register Notice
for Final Rule

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*See previous concurrence

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