

September 5, 2003

Board Notification: 2003-06  
Docket No. 03036239

MEMORANDUM TO:       Administrative Judge Michael C. Farrar  
                              Presiding Officer  
                              Atomic Safety and Licensing Board

                              Administrative Judge Charles N. Kelber, PhD  
                              Special Assistant  
                              Atomic Safety and Licensing Board

FROM:                   Thomas Essig, Chief/**RAI**  
                              Materials Safety and Inspection Branch  
                              Division of Industrial and Medical Nuclear Safety  
                              Office of Nuclear Material Safety  
                              and Safeguards

SUBJECT:               NEW INFORMATION POTENTIALLY RELEVANT AND  
                              MATERIAL TO PROCEEDING IN THE MATTER OF CFC  
                              LOGISTICS, INC.'s IRRADIATOR

Pursuant to the Commission Policy on Notification to Presiding Officers or the Commission of new relevant and material information, the staff has determined that the attached document, June 6, 2003, letter to NRC and Agreement State Licensed Panoramic Irradiator from M. Virgilio, re: Issuance of Order for Compensatory Measures, is potentially relevant and material to the proceeding on CFC Logistics, Inc.'s irradiator. The staff is forwarding it herewith as Attachment 1.

The nature of the information is as follows: An order was issued on June 6, 2003, to NRC and Agreement State licensees of panoramic irradiators authorized to possess greater than 10,000 Curies of Cobalt 60. The order required those licensees to implement compensatory security measures to provide additional security in light of the ongoing terrorist threat. The order also required the licensees to treat the compensatory measures and their methods of implementation as Safeguards Information with Modified Handling as an additional security precaution. A similar order was issued to the subject company, an NRC licensee as of August 27, 2003, on August 28, 2003.

The information is considered potentially relevant and material to the above proceeding because the question of adequate security from a terrorist threat at the subject facility is an issue before the Presiding Officer.

The staff cannot further discuss CFC Logistics in this memorandum due to safeguards considerations. The specifics of the measures are designated as Safeguards Information - Modified Handling so as to ensure their effectiveness .

Attachment:

1. June 6, 2003, letter to NRC and Agreement State Licensed Panoramic Irradiator from M. Virgilio, re: Issuance of Order for Compensatory Measures

cc: Service List

Assistant General Counsel for  
Materials Litigation and Enforcement

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cc: Service List

Assistant General Counsel for  
Materials Litigation and Enforcement

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<b>DATE</b>	9/4/03		9/5/03		9/5/03		9/5/03	

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