July 19, 2005

LETTER TO: STATE LIAISON OFFICER
RADIATION CONTROL PROGRAM DIRECTORS
TRANSPORTATION CONTACT (10 CFR 71/73 w/ facilities)

Dear Madam or Sir:

In previous correspondence, the U.S. Nuclear Regulatory Commission (NRC or Commission) informed State and Territorial Officials of actions the NRC intended to take to enhance security measures for the transportation of radioactive materials in quantities of concern (RAMQC). The Commission subsequently directed the NRC staff to develop Orders that would impose additional physical protection requirements during the transportation of these materials by highway and rail modes.

The NRC staff has solicited input on the content of the Additional Security Measures (ASMs) from States and other stakeholders. The NRC provided copies of the draft ASMs to your office with a request for comments. In addition, the NRC conducted closed meetings during December 2004, with representatives from States, industry, and other Federal agencies to discuss the content of the proposed ASMs for the transportation of RAMQC and to receive comments. The comments received from the States and Territories have been very helpful.

The Commission has directed the staff to issue Orders concerning the shipment of RAMQC. A copy of the Order is enclosed [Enclosure 1]. In your State, the licensees identified in Enclosure 2 are receiving the Order. Copies of the ASMs are as Enclosure 3. The NRC is also issuing Regulatory Issue Summary (RIS) 2005-12, “Transportation of Radioactive Material Quantities of Concern NRC Threat Advisory and Protective Measures System,” to specific NRC and Agreement State licensees who are authorized to possess RAMQC and general licensees as described in 10 CFR Part 71 who are authorized to transport radioactive materials in these quantities. RIS 2005-12 informs these licensees of the NRC's Order on the transportation of RAMQC. A copy of RIS 2005-12 is at Enclosure 4 and stakeholder meetings comments and responses are as Enclosure 5.

Please be aware that the information provided at Enclosures 2 and 5 provides sensitive information and Enclosures 3 and 4 contain Safeguards Information and must be protected against unauthorized disclosure. The NRC is continuing to work on Orders for the security and protection of radioactive material. Any additional Orders for radioactive material will also be provided to you when they are issued.

WARNING: Violation of Section 147 of the Atomic Energy Act, “Safeguards Information” is subject to Civil and Criminal Penalties.

When separated from Enclosures 2, 3, 4 and 5, this document is DECONTROLLED.

If you or your staff have any questions regarding this matter, please contact the individual named below.

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Sincerely,

/RA/
Paul H. Lohaus, Director
Office of State and Tribal Programs

Enclosures: As stated