July 19, 2005

LETTER TO: STATE LIAISON OFFICER
RADIATION CONTROL PROGRAM DIRECTORS
TRANSPORTATION CONTACT (10 CFR 71/73 w/o 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 ASM for 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. Although no licensee in your State has received this Order, I am enclosing a copy of the Order and the ASMs [Enclosures 1 and 2]. I am also enclosing a copy of a Regulatory Issue Summary (RIS) 2005-12 [Enclosure 3] issued to all appropriate licensees so that you are aware of the requirements and are aware that licensees in your State may receive similar Orders in the future. Moreover, if any licensee from another State plans to ship RAMQC through your State, they will be required to meet the requirements in the Order including coordination with your State's law enforcement agencies.

Please remain aware that the information provided at Enclosure 2 and Enclosure 3 contains 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 Enclosure 2 and Enclosure 3, this document is DECONTROLLED.

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

POINT OF CONTACT: Richard Blanton
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FAX: (301) 415-3502

Sincerely,

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

Enclosures: As stated