Tuesday, December 11, 2007

NOTE TO FILE:

Ms. Clare V. LumKong of Lockheed Martin, left a voice message (December 10, 2007) indicating no objection to the release of Appendix G (Attached)

Reginald Sheppard
FOIA Specialist

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LOCKHEED MARTIN

December 8, 2005

Director, Office of Nuclear Material Safety and Safeguards
Nuclear Regulatory Commission
Washington, DC 20555

To Whom It May Concern:

Lockheed Martin Commercial Space Systems (LMCSS) has received the letter dated November 14, 2005 with regard to "Issuance of Order for Increased Controls for Certain Radioactive Materials Licensees". This response is specific to License 37-02006-09, Docket 030-12894. Other Lockheed Martin Corporation business units will respond separately for their licenses under the control of their respective facilities.

Your letter references an Order requiring that certain licensees submit a schedule for implementation of increased controls within 25 days of the November 14, 2005 letter. The LMCSS schedule demonstrates full compliance with the Order by the May 13, 2006 deadline. Please see the required schedule for compliance as Attachment 1.

If you need additional information, please feel free to contact me at (215) 497-1307.

Sincerely,

Clare Kong

Clare V. LumKong
Manager, Environment, Safety and Health
Lockheed Martin Commercial Space Systems

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Attachment 1

Schedule for Implementation

IC1. In order to ensure the safe handling, use and control of licensed material in use and in storage each licensee shall control access at all times to radioactive material quantities of concern and devices containing such radioactive material (devices), and limit access to such radioactive material and devices to only approved individuals who require access to perform their duties.

A. The licensee shall allow only trained trustworthy and reliable individuals, approved in writing by the licensee, to have unescorted access to radioactive material quantities of concern and devices. The licensee shall approve for unescorted access only those individuals with job duties that require access to such radioactive material and devices. Personnel who require access to such radioactive material devices to perform a job duty, but who are not approved by the licensee for unescorted access, must be escorted by an approved individual.

LMCSS currently operates in full compliance with these requirements.

B. For individuals employed by the licensee for three years or less, and for non-licensee personnel, such as physicians, physicists, house-keeping personnel, and security personnel under contract, trustworthiness and reliability shall be determined, at a minimum, by verifying employment history, education, and personal references. The licensee shall also, to the extent possible, obtain independent information to corroborate that provided by the employee (i.e., seeking references not supplied by the individual). For individuals employed by the licensee for longer than three years, trustworthiness and reliability shall be determined, at a minimum, by a review of the employees' employment history with the licensee.

LMCSS is in full compliance with this order. All non-licensee personnel such as physicians, physicists, house-keeping personnel, and security personnel under contract will be escorted at all times.

B. Service providers shall be escorted unless determined to be trustworthy and reliable by an NRC-required background investigation as an employee of a manufacturing and distribution (M&D) licensee. Written verification attesting to or certifying the person's trustworthiness and reliability shall be obtained from the manufacturing and distribution licensee providing the service.

LMCSS is in full compliance with this order. All service providers will be escorted at all times.

D. The licensee shall document the basis for concluding that there is reasonable assurance that an individual granted unescorted access is trustworthy and reliable, and does not constitute an unreasonable risk for unauthorized use of radioactive material quantities of concern. The licensee shall maintain a list of persons approved for unescorted access to such radioactive material and devices by the licensee.

LMCSS is in full compliance with this order. Employees require a DOD Security Clearance, US Citizenship and a need to work in the area in order to be granted unauthorized access to the area.

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IC2. In order to ensure the safe handling, use, and control of licensed material in use and in storage, each licensee shall have a documented program to monitor and immediately detect, assess, and respond to unauthorized access to radioactive material quantities of concern and devices. Enhanced monitoring shall be provided during periods of source delivery or shipment, where the delivery or shipment exceeds 100 times the Table 1 values.

A. The licensee shall respond immediately to any actual or attempted theft, sabotage, or diversion of such radioactive material or of the devices. The response shall include requesting assistance from a Local Law Enforcement Agency (LLEA).

LMCSS will respond accordingly and in compliance with this order.

B. The licensee shall have a pre-arranged plan with LLEA for assistance in response to an actual or attempted theft, sabotage, or diversion of such radioactive material or of the devices which is consistent in scope and timing with a realistic potential vulnerability of the sources containing such radioactive material. The pre-arranged plan shall be updated when changes to the facility design or operation affect the potential vulnerability of the sources. Pre-arranged LLEA coordination is not required for temporary job sites.

A pre-arranged plan with LLEA will be completed by February, 2006

C. The licensee shall have a dependable means to transmit information between, and among, the various components used to detect and identify an unauthorized intrusion, to inform the assessor, and to summon the appropriate responder.

LMCSS currently operates in full compliance with this order.

D. After initiating appropriate response to any actual or attempted theft, sabotage, or diversion of radioactive material or of the devices, the licensee shall, as promptly as possible, notify NRC Operations Center at (310) 816-5100.

LMCSS will incorporate the notification of the NRC Operations Center into our Emergency Response Plan by January, 2006.

E. The licensee shall maintain documentation describing each instance of unauthorized access and any necessary corrective actions to prevent future instances of unauthorized access.

LMCSS is in full compliance with this order. There have been no instances of unauthorized access throughout this history of use of this equipment at the existing Valley Forge facility. If an incident were to occur, it will be documented by the RSO and maintained in the secure ESH files.

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IC3. A. In order to ensure the safe handling, use, and control of licensed material in transportation for domestic highway and rail shipments by a carrier other than the licensee, for quantities that equal or exceed those in Table 1 but are less than 100 times Table 1 quantities, per consignment, the licensee shall:

1. Use carriers which:
   a. Use package tracking systems
   b. Implement methods to assure trustworthiness and reliability of drivers,
   c. Maintain constant control and/or surveillance during transit, and
   d. Have the capability for immediate communication to summon appropriate response or assistance. The licensee shall verify and document that the carrier employs the measures listed above.

   LMCSS will develop a written Standard Operating Procedure incorporating all these elements by January 2006.

2. Contact the recipient to coordinate the expected arrival time of the shipment;
   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

3. Confirm receipt of the shipment; and
   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

4. Initiate an investigation to determine the location of the licensed material if the shipment does not arrive on or about the expected arrival time. When, through the course of the investigation, it is determined the shipment has become lost, stolen, or missing, the licensee shall immediately notify the NRC Operations Center at (301) 816-5100. If, after 24 hours of investigating, the location of the material still cannot be determined, the radioactive material shall be deemed missing and the licensee shall immediately notify the NRC Operations Center at (310) 816-5100.
   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

B. For domestic highway and rail shipments, prior to shipping licensed radioactive material that exceeds 100 times the quantities in Table 1 per consignment, the licensee shall;

1. Notify the NRC, in writing, at least 90 days prior to the anticipated date of shipment. The NRC will issue the Order to implement the Additional Security Measures (ASMs) for the transportation of Radioactive Material Quantities of Concern (RAM QC). The licensee shall not ship this material until the ASMs for the transportation of RAM QC are implemented or the licensee is notified otherwise, in writing, by NRC.

   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

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2. Once the licensee has implemented the ASMs for the transportation of RAM QC, the notification requirements of 3.b.1 shall not apply to future shipments of licensed radioactive material that exceeds 100 times the Table 1 quantities. The licensee shall implement the ASMs for the transportation of RAM QC.

   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

C. If a licensee employs an M&D licensee to take possession at the licensee's location of the licensed radioactive material and ship it under its M&D license, the requirements of 3.a. and 3.b. above shall not apply.

   LMCSS will develop a written Standard Operating Procedure incorporating this element by January 2006.

D. If the licensee is to receive radioactive material great than or equal to the Table 1 quantities, per consignment, the licensee shall coordinate with the originator to:
   1. Establish an expected time of delivery; and
   2. Confirm receipt of transferred radioactive material. If the material is not received at the expected time of delivery, notify the originator and assist in any investigation.

   LMCSS will develop a written Standard Operating Procedure incorporating all these elements by January 2006.

IC4. Not applicable (no mobile devices on license)

IC5. The licensee shall retain documentation required by these increased security controls for three years after they are no longer effective;

A. The licensee shall retain documentation regarding the trustworthiness and reliability of individual employees for three years after the individual's employment ends.

B. Each time the licensee revises the list of approved persons required by 1.d. or the documented program required by 2, the licensee shall retain the previous documentation for three years after the revision.

C. The licensee shall retain documentation on each radioactive material carrier for three years after the licensee discontinues use of that particular carrier.

D. The licensee shall retain documentation on shipment coordination, notifications, and investigations for three years after the shipment or investigation is completed.

E. After the license is terminated or amended to reduce possession limits below the quantities of concern, the licensee shall retain all documentation required by these increased controls for three years.

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LMCSS will develop a written Standard Operating Procedure incorporating all these elements by January 2006.

IC6. Detailed information generated by the licensee that describes the physical protection of radioactive quantities of concern, is sensitive information and shall be protected from unauthorized disclosure.

A. The licensee shall control access to its physical protection information to those persons who have an established need to know the information, and are considered to be trustworthy and reliable.

B. The licensee shall develop, maintain and implement policies and procedures for controlling access to, and for proper handling and protection against unauthorized disclosure of, its physical protection information for radioactive material covered by these requirements. The policies and procedures shall include the following:

1. General performance requirement that each person who produces, receives, or acquires the licensee's sensitive information, protect the information from unauthorized disclosure.
2. Protection of sensitive information during use, storage, and transit,
3. Preparation, identification or marking, and transmission,
4. Access controls,
5. Destruction of documents,
6. Use of automatic data processing systems, and
7. Removal from the licensee's sensitive information category.

LMCSS will develop a written Standard Operating Procedure incorporating all these elements by March 2006.