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December 22, 2009

Terrance Rejs, Deputy Director
Division of Materials Safety & State Agreements
Office of Federal & State Materials and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
T8-E24
Washington, D.C. 20555-0001

Dear Mr. Rejs:

As of August 7, 2008, the South Carolina Department of Health and Environmental Control (Department) incorporated by license condition the Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material (Nuclear Regulatory Commission (NRC) Order EA-07-305) for those licensees authorized to possess radioactive material quantities of concern. Those licenses amended to maintain conformity with the requirements of NRC Order EA-07-305 are South Carolina Radioactive Material License Numbers: 097-00 Amendment 51, 287-01 Amendment 20, 287-02 Amendment 32, 287-04 Amendment 36, 287-05 Amendment 9, and 801-00 Amendment 2.

These requirements were issued by the NRC on December 5, 2007 in "Order Imposing Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Materials" for "Licensees Authorized to Possess Radioactive Material Quantities of Concern" (NRC Order EA-07-305) to be effective immediately.

Prior to the amendment for the licenses being issued, EnergySolutions, Chem-Nuclear Systems LLC (SC Radioactive Material License Numbers: 097-00, 287-01, 287-02, 287-04, and 287-05) revised EnergySolutions Procedure CN-SE-002, "Access Control" to meet the requirements for EA-07-305. Jimmy Still and Curtis Charlton are the designated Trustworthiness and Reliability (T&R) Officials for these licenses as approved by the NRC. (See enclosed correspondence dated October 24, 2008)

Amendment to the licenses was accomplished with insertion of the following condition:

- A. The licensee shall comply with the requirements described in Nuclear Regulatory Commission (NRC) Order EA-07-305 with attachments dated December 5, 2007 entitled "Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material." The requirements listed in the NRC Order shall be implemented as part of the trustworthiness and reliability program of the increased controls requirement.
- B. Within 90 days after the effective date of this amendment, the licensee shall provide under oath or affirmation, a certification that the Trustworthiness and Reliability Official is deemed trustworthy and reliable by the licensee as required in paragraph B.2 of the NRC Order EA-305-07-305, published in the Federal Register on December 13, 2007 [72 FR 70901].
- C. All fingerprints obtained by the licensee pursuant to this requirement must be submitted to the NRC for transmission to the US Federal Bureau of Investigation (FBI). Additionally, the licensee's submission of

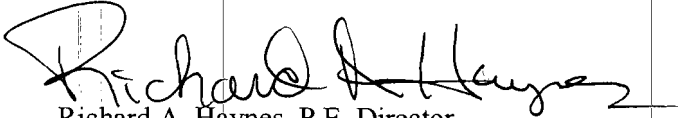
fingerprints shall also be accompanied by a certification, under oath and affirmation, of the trustworthiness and reliability of the Trustworthiness and Reliability Official as required by paragraph B.2. of NRC Order EA-07-305.

- D. The licensee shall complete implementation of the fingerprinting requirements by 180 days after the effective date of this amendment. The licensee shall notify the Department when they have achieved full compliance with the requirements described in the NRC Order. The notification shall be made in writing to the Director, Division of Waste Management, Bureau of Land and Waste Management, within 25 days after full compliance has been achieved.
- E. The licensee shall notify the Department within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.

The Department believes that the insertion of this condition into each license satisfies the requirements found in NRC Order EA-07-305. The Department approved and transmitted the amendment to the licensees on August 7, 2008 as final.

If you have any questions, please feel free to contact me at (803)-896-4070.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Haynes", with a long horizontal flourish extending to the right.

Richard A. Haynes, P.E. Director
Division of Waste Management
Bureau of Land & Waste Management

Enclosure

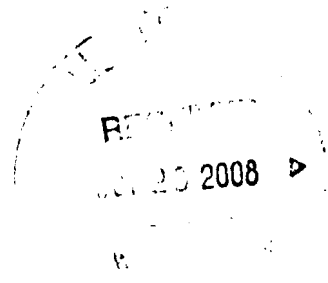


ENERGYSOLUTIONS

October 24, 2008

LC-593-08-JJS
BC-102408-169

Ms. Susan Jenkins, Section Manager
Division of Waste Management
Bureau of Land and Waste Management
SC Department of Health and
Environmental Control
2600 Bull Street
Columbia, SC 29201



Dear Ms. Jenkins:

Chem-Nuclear Systems, LLC (CNS) notifies the Department that we have a program in place that meets the requirements of the Nuclear Regulatory Commission (NRC) Order EA-07-305 "Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material (CRM)". The program was initially developed in order to satisfy the NRC fingerprinting and background check requirements due to our involvement with RAMQC shipments and has been fully implemented at the Barnwell Complex since January 2007.

License amendments to our S.C. Radioactive Material Licenses No. 097, 287-01, 287-02, 287-04 and 287-05 specifying these requirements were issued by the Department and transmitted to us with your August 7, 2008 letter. These licenses are for the facilities and activities at the Barnwell Complex that have possession limits requiring increased controls. Some of these facilities receive RAMQC and quantities of concern from US NRC licensees. The attached matrix "Fingerprinting and Criminal History Background Records Check" lists each of the license conditions pertaining to the requirements of USNRC Order EA-07-305 and the methods we have incorporated to implement them.

The development of a fingerprinting and criminal history background check program was initiated in November 2006 when Mr. Jimmy Still, Licensing Manager at the Barnwell Complex, was approved by the NRC as a Reviewing Official for fingerprinting and criminal history background checks. Mr. Curtis Charlton, Security Supervisor at the Barnwell Complex, was later approved by the NRC as a Reviewing Official in March 2007. Additionally, a letter was sent to Mr. Michael Moore with the Department on February 8, 2007 relating to our criminal background check program for increase controls. Mr. Moore acknowledged Department approval in a letter dated March 26, 2007. A copy of this letter is provided for your convenience.

The Barnwell Complex fingerprinting and criminal history background program is implemented through EnergySolutions Procedure CN-SE-002, "Access Control". As required by USNRC Order EA-07-305 and our license amendments, Mr. Still and Mr. Charlton are the designated Trustworthiness and Reliability (T&R) Officials for the fingerprinting/criminal history background check program. A letter was sent to the NRC on August 13, 2008 acknowledging that Mr. Still and Mr. Charlton are the T&R Officials for SC Radioactive Licenses 097, 287-01, 287-02, 287-04 and 287-05.

740 Osborn Road • Barnwell, South Carolina 29812
803.259.1781 • Fax 803.259.7230

Procedure CN-SE-002 was revised to include the requirements of USNRC Order EA-07-305. The Department approved CN-SE-002, Revision 18, in letter dated October 16, 2008. Section 5.2.16 of this procedure states:

Personnel requiring access to Safeguard Information (SGI), Radioactive Material Quantities of Concern (RAMQC), or Certain Radioactive Material (CRM) listed in Reference 3.1.19 shall meet the following requirements:

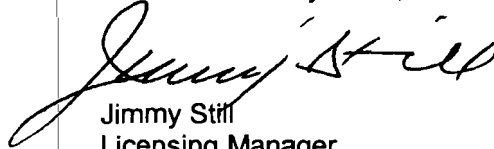
Only employees who have had a Personnel Background Investigation conducted by a licensed, bonded and credible Background Investigation Company and a criminal background check (fingerprints) conducted by the Federal Bureau of Investigation (FBI) or holds an active government security clearance may have access to SGI, RAMQC or CRM. Employees who do not have any of the aforementioned requirements, but has a need to have access to SGI and/or RAMQC and/or CRM shall be escorted by an EnergySolutions employee who meets the requirements of 5.2.16.

Procedure CN-SE-002, Section 5.2.17 states:

Contractors to EnergySolutions that require access to SGI and/or RAMQC and/or CRM shall not be given unescorted access. Contractors shall be escorted by an EnergySolutions employee who meets the requirements of 5.2.16.

CNS requests Department concurrence for the responses provided to meet the fingerprinting and criminal history background check requirements of USNRC Order EA-07-305 and our SC radioactive material licenses. If you have any questions, please contact me at (803) 541-5011.

Sincerely,
Chem-Nuclear Systems, LLC



Jimmy Still
Licensing Manager

Attachments

C: Curtis Charlton

South Carolina Radioactive Materials License Nos. 097, 287-01, 287-02, 287-04 & 287-05

Fingerprinting and Criminal History Background Records Check

License No. /Condition No.	Condition	Method for Compliance
097/102. A. 287-01/11. A. 287-02/11. A. 287-04/11. A. 287-05/11. A.	The licensee shall comply with the requirements described in Nuclear Regulatory Commission (NRC) Order EA-07-305) with attachments dated December 5, 2007 entitled "Fingerprinting and Criminal History Records Check Requirements for Unescorted Access to Certain Radioactive Material". The requirements listed in the NRC Order shall be implemented as part of the trustworthiness and reliability program of the increased controls requirement.	Personnel requiring fingerprinting and background record checks will meet the requirements of NRC Order EA-07-305 as specified in procedure CN-SE-002, Rev. 18, "Access Control" approved by the Department in a letter dated October 16, 2008.
B.	Within 90 days after the effective date of this amendment, the licensee shall provide under oath or affirmation, a certification that the Trustworthiness and Reliability Official is deemed trustworthy and reliable by the licensee as required in paragraph B.2 of the NRC Order EA-07-305, published in the Federal Register on December 13, 2007 [72FR 70901].	Curtis Charlton and Jimmy Still are the Reviewing Officials for the fingerprinting and criminal history background record background checks for the Barnwell Complex. Fingerprinting and criminal history background record checks requirements for the Barnwell Complex were implemented in November 1, 2006 in order to meet the NRC requirement for Radioactive Material Quantities of Concern (RAMQC). Jimmy Still was approved by the NRC on November 1, 2006 as the Reviewing Official and Curtis Charlton was approved on March 8, 2007. Copies of the NRC approval letters are enclosed. A letter was also sent to the NRC on August 13, 2008 acknowledging that Curtis Charlton and Jimmy Still are the Trustworthiness and Reliability Officials for SC Radioactive Material Licenses 097, 287-01, 287-02, 287-04 and 287-05. A copy of this letter is enclosed.
C	All fingerprints obtained by the licensee pursuant to this requirement must be submitted to the NRC for transmission to the US Federal Bureau of Investigation (FBI). Additionally, the licensee's submission of fingerprints shall also be accomplished by a certification, under oath and affirmation of the trustworthiness and reliability of the Trustworthiness and Reliability Officials as required by paragraph B.2 of NRC Order EA-07-305.	Personnel fingerprints are obtained and submitted to the NRC for transmission to the FBI for processing. On August 13, 2008, Ms. Doreen Turner of the US NRC through a telephone conversation with Curtis Charlton and Jimmy Still indicated that the August 13, 2008 Trustworthiness and Reliability Official letter referenced in License Condition 102 B satisfies the NRC Order EA-07-305 requirement.
D.	The licensee shall complete implementation of fingerprinting requirements by 180 days after the effective date of this amendment. The licensee shall notify the Department when they have achieved full compliance with the requirements described in the NRC Order. The notification shall be made in writing to the Director, Division of Waste Management, Bureau of Land and Waste Management, within 25 days after full compliance has been archived.	Personnel requiring fingerprinting and background record checks will meet the requirements of NRC Order EA-07-305 as specified in procedure CN-SE-002, Rev. 18, "Access Control" approved by the Department on October 16, 2008.
E.	The licensee shall notify the Department within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base.	Chem-Nuclear will notify the Department within 24 hours if the results from a criminal history records check indicate that an individual is identified on the FBI's Terrorist Screening Data Base. Notification will be implemented in accordance with procedure CN-SE-002.

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Promoting and protecting the health of the public and the environment

March 26, 2007

Mr. Jimmy Still
Licensing Manager
Chem-Nuclear Systems, LLC
740 Osborn Road
Barnwell, SC 29812

Dear Mr. Still:

This is in response to your letter with attachments dated February 8, 2007. The Department has reviewed your list of personnel who will require background checks pursuant to various increased control requirements for licensed RAM. Be advised that we concur that your list and the selection criteria are consistent with the rationale as defined by US NRC Order EA-06-290. In addition, as we discussed, it is acceptable for these personnel to act as "escorts" in their respective supervisory roles while activities involving quantities of concern are being conducted at the Barnwell facility.

Thank you for your continued efforts to this matter. Should you have any questions please feel free to contact our office.

Sincerely,

Michael S. Moore, Manager
Infectious and Radioactive Waste Management Section
Division of Waste Management

LC-032-07-JJS.ACK/MAY



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 8, 2007

Curtis Charlton
GTS-DURATEK, INC./CHEM-NUCLEAR SYSTEMS
740 Osborn Rd
Barnwell, SC 29812

SUBJECT: ACKNOWLEDGMENT OF REVIEWING OFFICIAL RELATED TO ORDER
(EA-06-155) IMPOSING FINGERPRINTING AND CRIMINAL HISTORY
RECORD CHECK REQUIREMENTS FOR ACCESS TO SAFEGUARDS
INFORMATION

Dear Mr. Charlton,

This letter is in response to your request to serve as your licensee's Reviewing Official in accordance with EA-06-155, "Order Imposing Fingerprinting and Criminal History Records Check Requirements for Access to Safeguards Information, Effective Immediately". The Nuclear Regulatory Commission (NRC) has determined that you meet the criteria as specified in the Order and can serve as a Licensee Reviewing Official.

As a Reviewing Official, you must handle and protect all fingerprints and Federal Bureau of Investigation (FBI) criminal history records as specified in the Order.

Please note that if the Licensee wishes to have new or additional Reviewing Officials, the NRC must approve each individual before they can act as a Reviewing Official.

If you have any questions regarding this matter, please contact Ernesto Quiñones at 301-415-0271, or egp@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Harris".

Timothy E. Harris, Branch Chief
Source Safety and Security Branch
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 030-20159



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

November 1, 2006

Jimmy Still, Licensing Manager
GTS-DURATEK, INC./CHEM-NUCLEAR SYSTEMS
740 Osborn Rd
Barnwell, SC 29812

SUBJECT: ACKNOWLEDGMENT OF REVIEWING OFFICIAL RELATED TO ORDER
(EA-06-155) IMPOSING FINGERPRINTING AND CRIMINAL HISTORY
RECORD CHECK REQUIREMENTS FOR ACCESS TO SAFEGUARDS
INFORMATION

Dear Mr. Still,

This letter is in response to your submittal of fingerprints in accordance with EA-06-155, "Order Imposing Fingerprinting and Criminal History Records Check Requirements for Access to Safeguards Information, Effective Immediately", in support of your nomination to serve as your Licensee's Reviewing Officials. The Nuclear Regulatory Commission (NRC) has determined that you meet the criteria as specified in the Order and can serve as a Licensee Reviewing Official.

As a Reviewing Official, you must handle and protect all fingerprints and Federal Bureau of Investigation (FBI) criminal history records as specified in the Order.

Please note that if the Licensee wishes to have new or additional Reviewing Officials, the NRC must approve each individual before they can act as a Reviewing Official.

If you have any questions regarding this matter, please contact Ernesto Quiñones at 301-415-0271, or egp@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Harris".

Timothy E. Harris, Branch Chief
Source Safety and Security Branch
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 030-20159

cc: Rickie Seltzer
CHR File



ENERGYSOLUTIONS

August 13, 2008

LC-561-08-JJS

Mr. Christian Einberg
US Nuclear Regulatory Commission
Office of Federal & State Materials
& Environmental Management Programs
Mail Stop T8E24
Washington, DC 20555-0001

Reference: NRC Order EA-07-305

Dear Mr. Einberg:

In accordance with NRC Order EA-07-305, "ORDER IMPOSING FINGERPRINTING AND CRIMINAL HISTORY RECORDS CHECK REQUIREMENTS FOR UNESCORTED ACCESS TO CERTAIN RADIOACTIVE MATERIAL", Curtis Charlton and Joseph J. Still are the designated EnergySolutions/Chem-Nuclear Systems Trustworthy and Reliable (T&R) Officials for the following listed South Carolina Radioactive Material Licenses:

South Carolina Radioactive Material License No. 097
South Carolina Radioactive Material License No. 287-01
South Carolina Radioactive Material License No. 287-02
South Carolina Radioactive Material License No. 287-04
South Carolina Radioactive Material License No. 287-05

Mr. Charlton and Mr. Still meet the requirements specified in EA-07-305, paragraph B.2 for fingerprinting and criminal background checks. Additionally, both have previously received NRC approvals under NRC Docket No. 030-20159 as Reviewing Officials pertaining to fingerprinting and criminal history checks requirements.

If you have any questions, please contact us at (803) 259-1781.

EnergySolutions, LLC



Curtis Charlton

EnergySolutions, LLC



Joseph J. Still

C: Susan E. Jenkins, SC Department of Health and Environmental Control
Doreen Turner, US NRC