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April 22, 2009

Marie Miller, Chief  
Materials Security and Industrial Branch  
Division of Nuclear Materials and Safety  
US Nuclear Regulatory Commission  
475 Allendale Rd  
King of Prussia, Pennsylvania 19406

Subject: Smurfit-Stone Container Enterprises, Inc. -- Reorganization under Chapter 11 in U.S.  
Bankruptcy Court, Acknowledgement of Continuing Responsibilities  
Docket Nos. 03036485, 03009014  
License Nos. 45-08475-02, 45-13347-02

Dear Ms. Miller:

Thank you for your letter of April 3, 2009, acknowledging your receipt of the Chapter 11 reorganization notifications submitted by Smurfit-Stone Container Enterprises, Inc.'s Virginia Pulp and Paper mills. We share your concern about ensuring that the public health and safety are fully protected and that all of our devices containing radioactive materials are properly maintained and controlled. We also understand that our licenses remain in full effect while we proceed through the Chapter 11 reorganization.

We have not transferred any radioactive sources or their licenses as part of, or due to, the proceeding and have no **current** plans to do so. All of our licensed devices are sealed source units that are used to monitor production processes at our mills. All of our mills are continuing to operate normally and are properly maintaining and using these devices.

We have communicated the information in the agency's letter to our Law Department and bankruptcy counsel. SSCE is the only entity involved in the bankruptcy that **owns/operates** facilities that have radioactive materials licenses.

If you have any further questions or concerns about our radioactive licenses or how we are managing our radioactive source materials, please call me at 770-570-1605 or e-mail me at [eschmidt@smurfit.com](mailto:eschmidt@smurfit.com).

Sincerely,

Eric Schmidt  
Director, Environmental Services

Cc: Michael Welling, Commonwealth of Virginia  
Nina Butler

ES:am