

August 27, 2009

Mr. Jerald G. Head  
Senior Vice President, Regulatory Affairs  
GE-Hitachi Nuclear Energy Americas, LLC  
P.O. Box 780, MC A-18  
Wilmington, NC 28402

SUBJECT: REQUEST FOR APPROVAL OF REVISION TO SAFEGUARDS INFORMATION  
PROTECTION PROCEDURE TO INCORPORATE STEPS TO APPROVE  
ADDITIONAL STORAGE FACILITIES

Dear Mr. Head:

On September 12, 2007, the U.S. Nuclear Regulatory Commission (NRC) issued "Order Imposing Safeguards Information (SGI) Protection Requirements and Fingerprinting and Criminal History Records Check Requirements for Access to SGI [Safeguards Information]" (EA-07-231). EA-07-231 included restrictions on the storage and sharing of the information designated SGI by the Order. Specifically, Section III.A.3 of EA-07-231 requires written NRC approval of any additional facilities for which GE-Hitachi Nuclear Energy (GEH) intends to store the information designated SGI by the Order listed above.

The NRC staff has received your June 5, 2009, letter requesting approval of the revision to SGI Procedure, GEH Engineering Operating Procedure 60-7.00 (EOP 60-7.00), to incorporate steps to approve additional domestic storage facilities. The revision deals with the addition of procedural steps for GEH approving facilities for storage of SGI. This addresses the statement in the May 20, 2008, NRC letter that the NRC will make allowances for revised procedures to include steps that allow for storage of SGI at additional domestic facilities (such as other GEH locations or other facilities that may be under contract to GEH) for the purpose of conducting work involving SGI without obtaining site-specific NRC approval for those facilities, provided that the revised procedures are submitted to the NRC for review and approval. GEH also proposed to maintain a controlled list of approved facilities and to provide that list to authorized individuals on a need to know basis rather than include the list as an appendix to EOP 60-7.00.

GEH is reminded that the terms of Order EA-07-231 require NRC approval if GEH intends to provide that SGI to individuals for whom fingerprinting and a Federal Bureau of Investigation criminal history records check was not reasonably expected to yield sufficient criminal history information to form the basis of an informed decision on granting access to SGI. With respect to this particular request, the NRC has reviewed the proposed revised guidance of EOP 60-7.00 and finds it acceptable.

The procedures outlined in the revised EOP 60-7.00 are sufficient for permitting storage of all SGI at GEH domestic facilities (or other domestic facilities that may be under contract to GEH) for the purpose of conducting work involving all SGI without obtaining site-specific NRC approval for those facilities. Consistent with the terms of the Order, the NRC staff will still need to review and approve any facility located outside the United States where GEH proposes use and storage of the SGI designated by the Order.

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If you have comments, questions or concerns regarding this issue, please direct them to Dennis J. Galvin at 301-415-6256 or [Dennis.Galvin@nrc.gov](mailto:Dennis.Galvin@nrc.gov) or you may contact Amy Cubbage at 301-415-2875 or [Amy.Cubbage@nrc.gov](mailto:Amy.Cubbage@nrc.gov).

Sincerely,

*/RA/*

David B. Matthews, Director  
Division of New Reactor Licensing  
Office of New Reactors

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If you have comments, questions or concerns regarding this issue, please direct them to Mr. Dennis J. Galvin. He can be contacted by mail at Mail Stop: T-6D38M, 11555 Rockville Pike, Rockville, MD 20852, by telephone at (301) 415-6256, or by email at [Dennis.Galvin@nrc.gov](mailto:Dennis.Galvin@nrc.gov).

Sincerely,

*/RA/*

David B. Matthews, Director  
Division of New Reactor Licensing  
Office of New Reactors

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